

## CHIEF VIGILANCE OFFICERS GUIDELINES

GOVERNMENT OF INDIA  
MINISTRY OF PERSONNEL,  
PUBLIC GRIEVANCES AND PENSIONS

(DEPARTMENT OF PERSONNEL & TRAINING)  
NEW DELHI

January, 2001

(Web site <http://persmin.nic.in>)

NO. 372/8/99-AVD. III dated the 18<sup>th</sup> January, 2001.

### OFFICE MEMORANDUM

**SUBJECT:** *Procedure for selection and appointment of Chief Vigilance Officers in the various Central Public Sector Undertakings etc.*

The basic guidelines on the above subject were issued vide Department of Personnel and Training O.M. No. 36(9)-EO/89-SM (I) dated the 7th February 1992. Thereafter, instructions have been issued from time to time as approved by the Government. All these instructions issued by the Department of Personnel & Training have been consolidated and reproduced below for the information and guidance of all concerned. The posts of Chief Vigilance Officers are to be treated as Central Staffing Scheme Posts and except where specific provisions have been made in respect of CVOs, the provisions contained in this Department's OM No. 36/77/94-EO (SM.I) dated 5.1.1996 shall be applicable.

## **2. GUIDELINES FOR APPOINTMENT OF CHIEF VIGILANCE OFFICER (CVO)**

(i) As far as practicable, a Chief Vigilance Officer should not belong to the organisation to which he is appointed and should be from outside.

(ii) Once an officer has worked as a Chief Vigilance Officer in a particular organisation, he should not go back as CVO to the same Organisation again.

(iii) The cadre controlling authorities of the various organised services as well as Public Sector Undertakings, who would like to offer the services of the officers, would be asked from time to time to offer the names of suitable candidates with proven integrity for the posts of CVOs likely to fall vacant.

(iv) The officers deputed as CVOs to Public Sector Undertakings may draw pay as per the scale prescribed for the posts or their grade pay as is permissible under the rules.

(v) The CVOs would be eligible for an initial deputation tenure of three years in PSUs which is extendable upto a further period of two years in the same PSU (total 5 years) with the prior clearance of the CVC or upto a further period of three years on transfer to another PSU on completion of initial tenure of three years in the previous PSU.

(vi) The posts of Chief Vigilance Officers (CVOs) in the Central Public Sector Undertakings are treated as Central Staffing Scheme posts as those filled as per the procedure followed under the Central Staffing Scheme for posts in the Central Government. However, in order to attract officers for manning the posts of CVOs in various Public Sector Undertakings certain special dispensations which are applicable to non-Central Staffing Scheme posts have been made. For instance, if a request is received from an officer occupying a post under the Central Staffing Scheme on deputation, duly recommended by the Ministry/Department in which he is posted, with the approval of the Minister-in-Charge, for being considered for appointment as CVO, at least one year before the expiry of his tenure on the Central Staffing Scheme Post, such an officer, if selected for appointment as CVO may be allowed a tenure of 3 years as CVO subject to a maximum of 7 years' combined tenure on the Central Staffing Scheme post and the post of CVO.

(vii) Prior approval of the Central Vigilance Commission would be obtained before the names are offered to the respective Ministries/ Departments for the posts of CVOs in Public Sector Undertakings under their charge.

(viii) A panel of officers cleared by the Central Vigilance Commission will be suggested to the administrative Ministry/Department concerned with the approval of the Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training. The administrative Ministry is required to select an officer out of the panel with the approval of its Minister-in-charge and communicate the same to the Department of Personnel and Training for obtaining the approval of the Competent Authority.

### **3.ELIGIBILITY CRITERIA**

(i) The officers should be holding JS/ IG/ DIRECTOR/DIG / DS level posts.

(ii) The officers should have completed the requisite 'cooling off' period in their parent cadre before they are recommended for a second central deputation.

(iii) Such of the officers, who were sponsored earlier for the post of CVOs/Executive Director (Vig) but not found suitable should not be sponsored again.

(iv) The officers sponsored for the post of CVO in the PSUs would not be allowed to withdraw their candidature subsequently and it will be the responsibility of the respective cadre controlling authorities to ensure the release of the officers in the event of their selection.

(v) If an officer does not join within the prescribed time, his appointment would be treated as cancelled and the officer concerned would stand debarred from Central deputation for a period of five years from the date of issuing orders of his/her appointment. Further, the officer would also be debarred from being considered for any foreign training as also from being given cadre clearance for being deputed on foreign assignments/ consultancies abroad during the period of debarment.

(vi) The officers debarred for central deputation should not be sponsored for consideration for the post of CVOs till they complete their debarment period/become eligible for consideration.

#### **4. WHEN, HOW AND TO WHOM TO APPLY**

- (i) The vacant posts of CVOs are generally circulated by the Department of Personnel and Training to various cadre controlling authorities of Group 'A' services and the State Governments towards the end of every calendar year inviting names for consideration of officers in the offer list for the next calendar year.
- (ii) The eligible officers should [apply](#) along with their bio-data (in duplicate) to their respective cadre controlling authorities that would make their recommendations to the Department of Personnel and Training and furnish up-to-date CR dossiers along with vigilance clearance in respect of the officers concerned.
- (iii) The cadre authorities as well as the officers on the offer list would also be required to indicate choice of location since a large number of these posts are located outside Delhi.
- (iv) The offer list would be obtained so as to be operative for one calendar year.

#### **5. ELIGIBILITY FOR GENERAL POOL ACCOMMODATION**

- (i) The officers on their appointment as Chief Vigilance Officers in Central Public Sector Undertakings are not entitled to General Pool accommodation but are to be provided with accommodation by the Public Sector Undertakings concerned, as per the guidelines issued by the Department of Public Enterprises, from time to time.
- (ii) The government officers who are mandatorily posted to Public Sector Undertakings/Statutory bodies/ineligible organisations may be permitted to retain General Pool accommodation in their occupation on payment of special licence fee by the organisation till their superannuation or reversion to an eligible office, provided the Establishment Officer, DOPT, certifies that the said posting was mandatory and in exigency of Public service.

## ***6. ASSOCIATION OF CVOs WITH DEPARTMENTAL DUTIES, HANDLING SENSITIVE MATTERS.***

The vigilance functionaries should not be a party to processing and decision making process or in other similar administrative transactions of such nature which are likely to have a clear vigilance sensitivity. While it should not be difficult for full time vigilance officers to comply with this requirement by disassociating themselves with decision making process in the substantive work of sensitive nature in their organisations, similar compliance of these instructions could be achieved in respect of part time vigilance functionaries also by confining their duties (other than those connected with vigilance work), as far as possible to such items of work, that are either free from vigilance angle or preferably serve as input to vigilance activity, for example, inspections and audit etc.

## ***7. PERMANENT ABSORPTION OF CHIEF VIGILANCE OFFICERS IN PUBLIC SECTOR UNDERTAKINGS.***

Once a Chief Vigilance Officer has worked in a particular Organisation, he should not be posted as CVO in the same Organisation. This aims at ensuring that an officer appointed as CVO in an Organisation is able to inspire confidence that in deciding vigilance cases, he will not be hampered by any past association with the organisation. The appointment of an outsider CVO also ensures objectivity in dealing with vigilance cases. It has also been observed that if any assurance is extended to an outsider CVO for permanent absorption, there is distinct possibility, that it would impair his objectivity in deciding vigilance cases and would negate the very purpose of appointing outsider CVOs. Keeping in view the above policy guidelines, an outsider officer appointed as CVO in any Central Public Undertaking shall not be permanently absorbed in the same organisation on expiry or in continuation of his tenure as CVO in that organisation.

## ***8. GRANT OF HIGHER GRADE PAY CONSEQUENT ON THE PROFORMA PROMOTION IN THE CADRE UNDER THE NEXT BELOW RULE.***

- (i) The officers in the rank of Additional Secretary should not be posted as CVOs;

- (ii) The officers appointed in the rank of Joint Secretary and subsequently picking up promotions in their respective parent cadres to the rank of Additional Secretary should be governed by the instructions issued by the Department of Personnel and Training in its O.M.No 2/29/91-Estt. (Pay.II) dated 5<sup>th</sup> January, 1994. Accordingly, such officers will either have the option to continue in the rank of Joint Secretary (without availing of proforma promotion) for the rest of the term or revert to their parent cadre within a period of six months as prescribed in the above Office Memorandum;
- (iii) In the case of officers initially appointed as CVOs either in the rank of Deputy Secretary or Director, and later on receiving offer of promotion to higher ranks in their parent cadres as Director/Joint Secretary, a proposal, if received from the concerned Administrative Ministry/Department, for allowing them to pick up the grade pay in the higher scale (Director or Joint Secretary as the case may be), can be agreed to by the Department of Personnel and Training with the approval of Secretary (Personnel)/ Minister of State for Personnel, Public Grievances and Pensions, without further reference to ACC, provided that in the case of Joint Secretary's grade, an officer of his batch in the service to which the officer (CVO) belongs, has been empanelled to hold Joint Secretary/equivalent level post at the Centre.

#### ***9. SPECIAL INCENTIVES FOR CVOs IN PSUs LOCATED OTHER THAN METROPOLITAN CITIES***

- (i) Grant of special allowance @ 15% of the basic pay to the Chief Vigilance Officers / Executive Directors (Vigilance) of the Public Sector Undertakings (PSUs). Those who are granted such special allowance will not be eligible for special pay/deputation (duty) allowance. Further, the special allowance would be given only to the deputationists posted on a regular basis and not to PSU employees of Vigilance Wing holding additional charge of the post of CVO.
- (ii) Appropriate education allowance if such allowances are already available to their own employees of the relevant PSU.

(iii) The tenure shall be treated as 50% of the Central Deputation tenure, for the purpose of considering such officers for further posting in Government of India under Central deputation; provided the officer has served the PSU as CVO/ED(Vigilance) for at least three years, and provided further that consideration for appointment to the post at the level of Joint Secretary under Central Staffing Scheme will be subject to his empanelment for holding a post at the level of Joint Secretary.

(iv) After an initial term of 3 years, posting in Government of India under Central deputation to be considered on priority basis subject to the condition that the total tenure including the 50% tenure of CVO shall not exceed 7 years. The calculation of tenure for CVOs for assignments under Central Staffing Scheme is explained in the [Annexure](#).

(v) A posting as Chief Vigilance Officer in a Public Sector Undertaking could be allowed, located at places other than Metropolitan cities in continuation of a posting with the Government of India, subject to the condition that the total period including the earlier tenure, shall not exceed 7 years. Thus, if an officer has served on a post under the Central Staffing Scheme for 4 years and then proceeds on deputation to a post of CVO in a PSU located at places other than Metropolitan Cities, he will have a tenure of 3 years on the post of CVO subject to an overall ceiling of seven years of combined tenure on the Central Staffing Scheme post and the post of CVO.

(vi) Reduction in the "Cooling Off" period from 3 years to 2 years for an officer who had worked as a Chief Vigilance Officer in a Public Sector undertaking located at a place other than Metropolitan Cities immediately before the "Cooling Off" period or on his posting as such, immediately after the 'Cooling off' period.

Sd/-

( D.C. GUPTA )

**Additional Secretary to the Government of India**