

**Central  
Vigilance  
Commission  
&  
Vigilance  
IN  
Organizations**



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# HISTORY OF VIGILANCE

Originally, Henry Fayol has listed out the concept of **awareness and security** which was later referred as '**VIGILANCE**'

Traces are there of the concept of vigilance in our old literature like Atharva Veda & Arthashastra

It means to be watchful, to be alert for what is happening and what can happen

Vigilance leads to safety & security which in turn leads to survival itself

# IMPORTANCE OF VIGILANCE

Vigilance makes preparedness to be watchful always and sense the happenings around oneself

People have wrong approach towards vigilance as they perceive vigilance as enquiry, fixing responsibility etc.

Vigilance is not investigation, but it is prevention

# IMPORTANCE OF VIGILANCE

To punish and not to prevent is not vigilance

Vigilance is often linked to security



# WHY VIGILANCE

Need

Organizations need vigilance because it is a tool of management

It protects an organization from internal dangers



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# WHY VIGILANCE

## Objective

To identify places and points of corruption

Inspections, surprise checks and closer supervision of work including rotation of staff

Eliminating the corrupt and the crooked

Watch of work inside and outside

# Central Vigilance Commission



# BACKGROUND

GOI appointed a committee on prevention of corruption headed by Sh. K. Santhanam in 1963

Observations

No coordination between vigilance units in ministries and vigilance division (AVD) of Ministry of Home Affairs

Administration cannot be a judge of its own conduct



# BACKGROUND

GOI appointed a committee on prevention of corruption headed by Sh. K. Santhanam in 1963

Recommendations

Setting up of Central Vigilance Commission as Apex advisory Body

Chief Vigilance Officers and vigilance units in each Organization

# CENTRAL VIGILANCE COMMISSION

Institution

Setup by GOI by resolution on 11-02-1964

Accorded statutory status through an ordinance from 25-08-1998

CVC bill passed by Parliament and got President's assent on 11-09-2003

# CENTRAL VIGILANCE COMMISSION

## Organization

It is headed by Chief Vigilance Commissioner with two Vigilance Commissioners

Each has a tenure of 4 years or till 65 years of age whichever is earlier

It has its own secretariat with CTE & CDI wing

# CENTRAL VIGILANCE COMMISSION

## Appointment

A committee consisting of Prime Minister, Home Minister and Leader of Opposition in Lok Sabha recommends names for appointment of CVC & VCs

President appoints the CVC & VCs based on the recommendations of the committee

# CENTRAL VIGILANCE COMMISSION

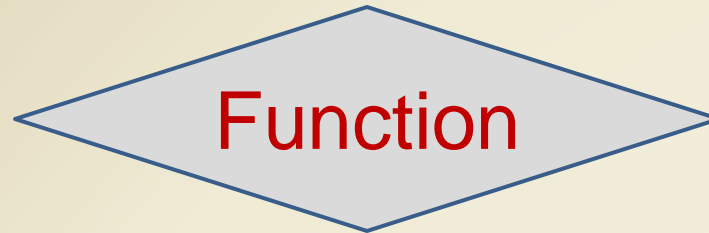
## Removal

The President on complaint of misbehavior or incapacity refer the matter to Supreme Court and Supreme court, after inquiry, reports that CVC or VC ought to be removed

The president then removes the CVC or VC on the basis of this report of Supreme Court



# ROLE OF CVC



To address issue of corruption in Government

Appointment of Chief Vigilance Officers in other organizations

Advice in prosecution cases and resolving differences between CBI & administrative ministry

Action against persons making false complaints

# ROLE OF CVC

## Jurisdiction

All Central Government Departments and Ministries

All Group A officers of Central Services and members of All India Services posted under Central Government

Centrally administered territories viz. Delhi, Chandigarh, Daman & Diu and Puducherry

All nationalized banks and insurance companies

# ROLE OF CVC

## Jurisdiction

All societies, co-operative bodies, autonomous bodies controlled by Central Government

All Executives of PSUs at two levels below Board

No jurisdiction on State Governments and their officers

No jurisdiction over private individuals or private organizations



# CENTRAL VIGILANCE COMMISSION

Deals With

Complaints related to corruption etc.

Can be filed directly by e-mail, letter or on web-site etc. by any individual, group, society, organization etc.



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# CENTRAL VIGILANCE COMMISSION

## Limitations

Not an investigating agency but only advisory body

Small setup of 299 sanctioned post to check over 1500 departments, ministries & organizations



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# CENTRAL VIGILANCE COMMISSION

## Limitations

Works through CBI or organizational CVOs

No control over CBI to give directions but only supervisory control

# CENTRAL VIGILANCE COMMISSION

## Limitations

Can conduct investigations only in Civil works of Govt. through CTE

Deals with vigilance or disciplinary cases only

Though independent but has neither resources nor power

# Central Bureau of Investigation



# CBI

Premier Investigating agency of India

Constituted under Delhi Police  
Establishment Act 1963

Headed by Director, who is selected by  
a panel consisting of PM, LoP & CJI or  
his representative

CBI Director has fixed tenure of 2 years.



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# CBI

It has 3 wings

Special Crime Wing

Economic Offence Wing

Anti Corruption Wing



# CBI - SCB/EOB

Investigate all cases of Economic offences and all cases of conventional crimes such as offences related to internal security, sabotage, murders, cheating, forgeries and other offences under IPC and other laws notified under section 3 of DSPE Act.



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# CBI - ACB

ACB investigates all cases registered under PC Act 1988. If an offence under any other section of IPC or any other law is committed along with offence of bribery and corruption it will also be investigated by the ACB

ACB also investigate cases pertaining to serious irregularities allegedly committed by public servants

ACB also investigate cases against public servants belonging to state govt, if entrusted

# CBI - ACB

After completion of investigation under PC Act 1988, CBI adopts two course of actions

Files charge sheet in court of law **or**  
Refers to Department concerned for disciplinary action **or**  
both

If referred to department, CVO in consultation with CVC decides on initiation of DP



# CBI - ACB

In case of difference of opinion between CBI & CVO, CVC holds joint meeting and decides action.

CVC has authority to supervise CBI – ACB on PC Act 1988 cases.



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# Vigilance In Organizations



# VIGILANCE IN ORGANIZATIONS

Every Ministry/ Department/ PSU or other centrally controlled organization has a vigilance set up.



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# VIGILANCE IN ORGANIZATIONS

Chief Vigilance Officer (CVO) heads the vigilance division of the organizations.

He acts as a special assistant/ advisor to the Chief Executive of the organization in all the matters pertaining to vigilance.

He provides a link between his organization and the CVC on one hand and his organization and the CBI on the other.

He is assisted by other officers in hierarchy of the organization.

# VIGILANCE ANGLE

Normally vigilance organizations conduct investigation in matters involving vigilance angle.

Demanding and/or accepting gratification other than legal remuneration in respect of an official act or for using one's influence with any other official.

Obtaining valuable thing, without or with inadequate consideration from a person with whom an officer has or likely to have official dealings or his subordinates have official dealings or where he can exert influence.

# VIGILANCE ANGLE

Obtaining for himself or for any other person any valuable thing or pecuniary advantage by corrupt/ illegal means or by abusing his position as a public servant.

Possession of assets disproportionate to one's known sources of income.

Cases of misappropriation, forgery or cheating or other similar criminal offences.



# ROLE OF CVO

Collecting intelligence about the corrupt practices committed, or likely to be committed by the employees of the organization;

Investigating or causing an investigation to be made into verifiable allegations reported to him;

Processing investigation reports for further consideration of the disciplinary authority concerned;

# ROLE OF CVO

Referring the matters to the Commission for necessary advice

Taking steps to prevent commission of improper practices/ misconducts, etc.



# **FUNCTIONS OF CVO**

Functions of CVO can broadly be divided into three parts

Preventive Vigilance  
Punitive Vigilance  
Surveillance and Detection



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# FUNCTIONS OF CVO

While "surveillance" and "punitive action" for commission of misconduct and other malpractices is certainly important, the "preventive measure" to be taken are comparatively more important as these are likely to reduce the number of vigilance cases considerably.



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# CAUSES OF CORRUPTION

Santhanam Committee, while outlining the preventive measures, that should be taken to significantly reduce corruption, had identified **four** major causes of corruption

Administrative delays;

Taking upon themselves more than what they can manage by way of regulatory functions;

# CAUSES OF CORRUPTION

Scope for personal discretion in exercise of powers vested in different categories of Government servants;

Cumbersome procedures of dealing with various matters which are of importance to citizens in their day to day affairs.

# PREVENTIVE VIGILANCE

## What is Preventive Vigilance

From organization's point of view preventive vigilance is adoption of a package of measures to improve systems/ procedures in order to reduce/ eliminate corruption



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# PREVENTIVE VIGILANCE

Purpose of Preventive  
Vigilance

To bring about a higher order of morality and rationality in public service

To increase watchfulness

To reduce corruption

i.e. Prevention is better than cure philosophy



# PREVENTIVE VIGILANCE

## Source for Preventive Vigilance

Various reports viz. audit reports, technical reports etc.

Complaints

Intelligence

Study of systems/ procedures

Suo-moto scrutiny of tenders, purchases, files etc. of high values

# SOURCE OF COMPLAINTS

Complaints received from CVC

Intelligence gathered by the CBI/ Police authorities or Vigilance Department

Complaints from subordinates of the accused employee as well as his superiors

Complaints from Vendors, Contractors etc.

Departmental Inspection Reports

Stock Verification Reports

Scrutiny of Property Returns

# SOURCE OF COMPLAINTS

Scrutiny of various transactions reported by employees under Conduct Rules

Irregularities noticed in Accounts during routine audit, e.g. tampering of records, over-payments, misappropriation of money or materials etc.

Audit Reports on the Accounts of the company

News Items appearing in the News Papers etc.

Surprise checks conducted by Vigilance Department

# PREVENTIVE VIGILANCE PROCESS

The 'integrity' and 'devotion to duty' are incorporated as essential attributes in the staff conduct rules and regulations of the organizations.

While the expression 'integrity' denotes uprightiness or honesty, 'devotion to duty' is faithful service.

It is, therefore, obligatory on every employee to serve the organisation honestly and faithfully and to use his utmost endeavors to promote the organization's interests.

# PREVENTIVE VIGILANCE PROCESS

As a part of preventive vigilance, organisations have a system of maintaining the list of officers of doubtful integrity finalised in consultation with CBI authorities known as '**Agreed List**'.

In addition, a separate '**List of Employees of Doubtful Integrity**' is also maintained.

The two lists are mutually exclusive.

Both the lists have approval of CEO.

# AGREED LIST

The names of officers suspected of doubtful integrity based on written/ verbal complaints/ whispers about lack of integrity, questionable contacts or life style, manner of work-disposal etc. may be included in the 'Agreed List' in consultation with local CBI authorities.

The officers included in this list are to be kept under surveillance not only by the organisation but also by the CBI authorities.

As per norms prescribed by CVC, the name of officers should be retained for one year in it.

# DOUBTFUL INTEGRITY LIST

The list contains the names of employees who were convicted/ punished by courts for criminal misconduct or punished as a result of departmental enquiries in specific cases of misconduct and employees who were merely proceeded against based on certain alleged charges and subsequently acquitted/ exonerated possibly on technical grounds but whose integrity continues to be in doubt.

As per norms prescribed by CVC, the names of officers should be retained in this list for a period of three years.

# EMPLOYEES IN FOCUS OF VIGILANCE

Pen picture of an employee who should be in the focus of vigilance officers.

If an employee:

Never Takes  
Leaves

is Over Pleasing in  
Manners

is Too Popular

is Ever Obliging



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# EMPLOYEES IN FOCUS OF VIGILANCE

Pen picture of an employee who should be in the focus of vigilance officers.

If an employee:

has High Life Style

is Always in Need,  
in Financial Difficulties

Takes all Possible Loans and  
Keeps Savings to the Minimum

# CONCLUSION

On this Earth, there is enough for everyone's need but not for their greed.

There is no substitute to honesty. Honesty is not a concept or a word. It is a way of life.

Honesty needs no excuses. It leads to mental peace and answers your conscience

# CONCLUSION

An honest man needs no vigilance. So, let us all pledge to be honest in life, not only in our public dealings as public servants but as human beings to fellow human beings on the earth. One must have a value system and must stick to that on all costs



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“To believe in something, and not to live it, is dishonesty”

Mahatma Gandhi

**THANK YOU**



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