# Vigilance Awareness

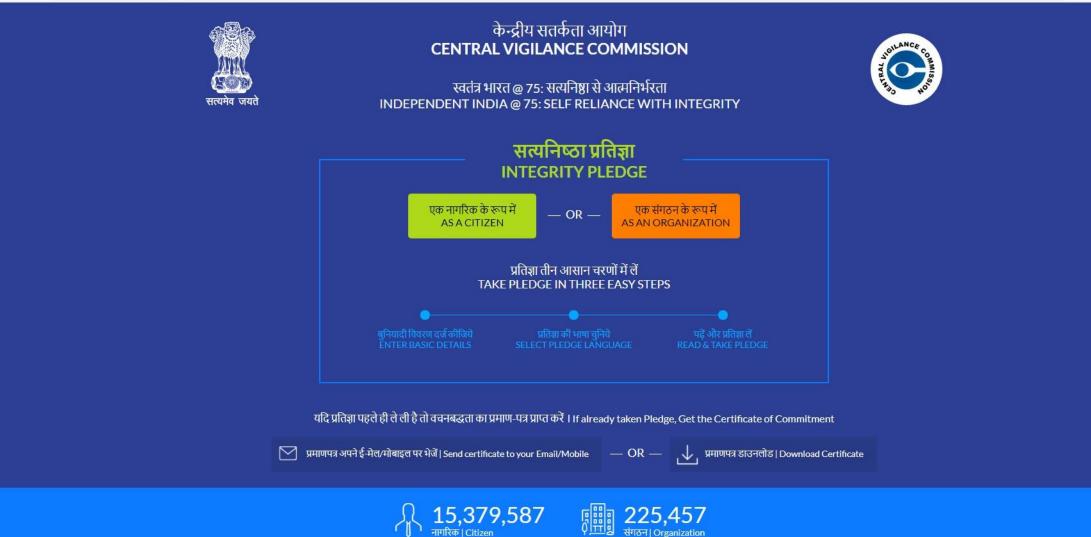
#### (Vigilance Awareness Week-2022) 01.11.2022

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#### Integrity Pledge: (taken on 31.10.2022)

- I believe that <u>corruption</u> has been one of the major obstacles to economic, political and social progress of our country.
- I believe that all <u>stakeholders</u> such as Government, citizens and private sector need to work together to eradicate corruption.
- I realize that every citizen should be vigilant and commit to highest standards of honesty and <u>integrity</u> at all times and support the fight against corruption.
- I, therefore, pledge:
- ✓ To follow probity and <u>rule of law</u> in all walks of life;
- To neither take nor offer bribe;
- To perform all tasks in an honest and <u>transparent</u> manner;
- To act in public interest;
- To <u>lead by example</u> exhibiting integrity in personal behavior;
- To report any incident of corruption to the appropriate agency.





#### Corruption & its forms: (Source: Chapter 1, Vigilance Manual, 2021 CVC)

- Corruption undermines the developmental efforts and <u>weakens</u> democratic institutions.
- The organisations, systems and procedures of the Government must not only be efficient but also <u>ethical</u>, just and fair.
- Forms of Corruption: bribery; nepotism; willful action or willful inaction to benefit someone or to deny benefit to someone known or unknown; favouritism; failure to follow laid down processes leading to unintended benefit to someone or denial of benefit to the deserving.
- The challenge: To create an environment in which the honest can work fearlessly and the corrupt are punished promptly.

#### What is Vigilance : (Source: Chapter 1, Vigilance Manual, 2021 CVC)

- An <u>oversight</u> mechanism
- Vigilance is defined as watchfulness and alertness.
- Vigilance administration in any organisation is an <u>integral function</u> like any other function of management, such as finance, personnel, operation, marketing, material, and contracts, etc.
- If the vigilance set-up is effective in an organisation, it will certainly ensure the <u>functioning of the other segments in an</u> <u>efficient way</u>.

#### Vigilance functions: (Source: Chapter 1, Vigilance Manual, 2021 CVC)

- Vigilance administration comprises of <u>preventive</u> and <u>punitive</u> anti-corruption measures.
- Preventive: detecting irregularities, <u>analysing</u> and finding out reasons for such irregularities and making effective <u>systemic</u> improvements to curb them. (Preventive and pro-active vigilance)
- Punitive: identifying the public servants responsible for misconduct and taking <u>appropriate actions</u>. (Punitive vigilance)

#### Who administers Vigilance functions:

(Source: Chapter 1, Vigilance Manual, 2021 CVC)

- Central Vigilance Commission (CVC);
- Administrative Vigilance Division (AVD) in the Department of Personnel & Training (DoPT);
- Central Bureau of Investigation (CBI);
- Vigilance units in the Ministries / Departments of Government of India, Central Public Sector Enterprises and other autonomous organisations;
- Disciplinary authorities; and
- **Supervisory officers** (Rule 3.4 of IPPB Conduct Rules: Every Officer shall take all possible steps to ensure the integrity and devotion to duty of all persons for the time being under his/her control and authority.)

### Role of Chief Vigilance Officer (CVO):

(Source: Chapter 1, Vigilance Manual, 2021 CVC)

- Acts as an <u>advisor</u> to the chief executive in all matters pertaining to vigilance.
- Provides a <u>link</u> between the organisation and CVC/CBI.
- Vigilance functions to be performed by the CVO include:
- collecting intelligence about the corrupt practices committed, or likely to be committed by the employees;
- investigating or causing an <u>investigation</u> to be made into verifiable allegations reported to him;
- processing investigation reports for further consideration of the disciplinary authority concerned;
- referring the matters to the CVC for <u>advice</u> wherever necessary;
- taking steps to prevent improper practices or commission of misconducts;
- examining audit, inspection and other reports from the point of vigilance angle, etc.

#### Jurisdiction of CVC: (Source: Chapter 1, Vigilance Manual, 2021 CVC)

- Advice in vigilance matters (in terms of Sec 8 of CVC Act, 2003) of Officers of Scale V & above of PSBs
- Composite cases: all officers irrespective of level, if involved along with Scale V & above officer
- Difference of opinion: in cases of difference of opinion between the DA and the CVO with regard to the action to be taken against officers who are not within the jurisdiction of the CVC, if these differences cannot be resolved with the intervention of the Secretary of the Ministry/Department.
- PIDPI complaints: any employee

#### Vigilance Angle: (Source: Chapter 1, Vigilance Manual, 2021 CVC)

Vigilance angle is obvious in the following acts:

- Demanding and / or accepting gratification.
- Obtaining valuable thing, without consideration or with inadequate consideration.
- Obtaining any valuable thing or pecuniary advantage by corrupt or illegal means or by abusing his position as a public servant.
- Possession of assets disproportionate to his known sources of income.
- Cases of misappropriation, forgery or cheating or other similar criminal offences.

#### Vigilance Angle: (Source: Chapter 1, Vigilance Manual, 2021 CVC)

Other irregularities where circumstances will have to be weighed carefully:

- Gross or willful negligence;
- Recklessness in decision making;
- Blatant violations of systems and procedures;
- Exercise of discretion in excess, where no ostensible public interest is evident;
- Failure to keep the controlling authority / superiors informed of required transactions and issues in time;
- Cause of undue loss or a concomitant gain to an individual or a set of individuals / a party or parties.
- Any undue / unjustified delay in the disposal of a case, perceived after considering all relevant factors, would reinforce a conclusion as to the presence of vigilance angle in a case.

#### **PIDPI Complaints:**

- DoPT's Resolution No. 89 dated 21st April, 2004, commonly known as PIDPI (Public Interest Disclosure and Protection of Informers) Resolution, 2004, envisages a mechanism by which a complainant can blow a whistle by lodging a complaint and also seek protection against his victimization for doing so.
- CVC is the designated agency to receive PIDPI complaints from whistle blowers. CVC has the responsibility of keeping the identity of the complainant secret.
- The envelope should be addressed to Secretary, Central Vigilance Commission and should be super-scribed "Complaint under The Public Interest Disclosure".
- Commission will not entertain anonymous / pseudonymous complaints

## Thank You