

No. 8(7)/2022-Vig./E-66940
Government of India
Ministry of Commerce and Industry
Department for Promotion of Industry and Internal Trade
Vigilance Section

Udyog Bhawan, New Delhi
Dated 22 April, 2022

OFFICE MEMORANDUM

Subject: - Empanelment of retired officers as Inquiry Officers for conducting Departmental Inquiries against officers of DPIIT and its attached/subordinate officers - inviting applications therefor - regarding.

The undersigned is directed to state that this Department proposes to prepare a panel of retired officers to be considered for appointment as Inquiry Officer for conducting inquiry against officers of this Department as well as its attached and subordinate offices.

2. Accordingly, applications are invited from retired officers not below the rank of Deputy Secretary in Central Government/Central Government Autonomous Organizations/CPSUs fulfilling the following conditions willing to conduct departmental inquiries at the places indicated below and subject to the terms and conditions as mentioned hereunder:-

Eligibility conditions

- (a) He/She should not be more than 65 years of the age as on 1st January of the year of his / her empanelment.
- (b) He / she should be in sound health – both physically and mentally.
- (c) He/She should neither have been penalized in a Disciplinary Proceeding case nor prosecuted in criminal case nor should he/she be an accused in any pending inquiry and should have a clean service record with impeccable integrity. An undertaking to this effect shall be submitted by him/her alongwith the application.
- (d) He/She must have functioned as Inquiry Officer in atleast one case or should have dealt with disciplinary cases during his/her service period and should have sound knowledge of rules/regulations on the subject and conduct of disciplinary proceedings.

Terms and Conditions

- (a) He/She shall produce a vigilance clearance certificate from the office where last served alongwith certificate of no penalty during the entire service period. The officer is also to self-certify that no disciplinary proceedings or criminal proceedings were initiated against him during the service or any time thereafter. He/She should further self-certify that no disciplinary/criminal proceedings are pending against him/her on the date of submission of application.

(b) Once the disciplinary case is entrusted to the officer, he/she should maintain confidentiality of the case records and should not refuse to accept the assignment without any valid reason to the satisfaction of the Competent Authority.

(c) The number of disciplinary cases assigned to the officer including in the Panel would be restricted to 8 cases in a year, with not more than 4 cases at a time.

(d) He shall not conduct inquiry in the matter in which he / she is a witness or a complainant or a close relative or a known friend of the delinquent Government Officer. He/she would produce a certificate to this effect with respect to every inquiry assigned to him/her.

(e) He/She shall maintain strict secrecy in relation to the documents he / she receives or information/data collected by him / her in connection with the inquiry and utilize the same only for the purpose of inquiry in the case entrusted to him/her.

(f) No such documents/information or data shall be divulged to anyone during the Inquiry or after presentation of the Inquiry Report. All the record reports etc. available with the Inquiry Officer shall be duly returned to the authority which appointed him/her as such, at the time presentation of the Inquiry Report.

(g) He/She shall conduct the inquiry proceedings at the location taking into account the availability of records, station/place where the misconduct occurred as well as the convenience of the witnesses/PO. Video conferencing should be utilized to the maximum extent possible to minimize travel to be undertaken for the purpose of inquiry by IO/PO or CO. Necessary arrangement for the purpose shall be made by the Department/Organization concerned. The Inquiry Officer shall undertake travel for conducting the inquiry only in unavoidable circumstances with the approval of the authority prescribed by the Department/Organization.

(h) He/she shall conduct the inquiry proceedings in the official premises provided to him/her by the Department/organization.

(i) Secretarial assistance to conduct the inquiry shall be arranged by him/her on his own.

(j) The Inquiry Officer shall submit the Inquiry report after completing the same within 180 days from the date of his/her appointment as the Inquiry Officer. Extension of time beyond 180 days can be granted depending on circumstance of the case by the competent authority.

Locations:- Delhi, Faridabad, Nagpur, Guwahati, Sivakasi, Kolkata, Mumbai, Chennai, Agra, Chandigarh, Jaipur, Cochin, Vellore, Vishakhapatnam, Mangalore, Hyderabad, Bhubaneswar, Ranchi, Patna, Raipur, Bhopal, Allahabad, Dehradun, Ahmedabad

3. Honorarium and other allowances payable to the Inquiry Officer

(a) Honorarium and other allowances payable to the Inquiry Officer shall be regulated in accordance with DoP&T's OM No.142/40/2015-AVD.I dated 15/9/2017 which provides for payment of honorarium and other allowances at following rates and any other instructions issued by the Government on the subject:-

Items	Category	Time Taken	Rate per case (in Rupees)
Honorarium	I	Where the number of witnesses cited in the charge sheet is more than 10	80% of monthly basic pension drawn
	II	Where the number of witnesses cited in the charge sheet are between 6-10	60% of monthly basic pension drawn
	III	Where the number of witnesses cited in the charge sheet is less than 6	50% of monthly basic pension drawn
Transport Allowance			Rs. 40,000/- per case Subject to the condition that the for outstation journey, the actual expenses for Air/Railway A will be reimbursed in addition. (subject to the approval of the competent authority and for outstation journey by Air journey will be performed by Air India in the cheapest of the entitled class as per their status before retirement and tickets will have to be arranged through authorized / permissible sources as per MoF's guidelines; If journey is not performed by Air India, prior approval or traveling in airlines

			other than Air India would be enquired as per the prescribed procedure; Similarly raveling by train would also be Permissible/restricted as per the far of class entitled to the officer before retirement. Prior approval is also to be obtained for travelling of the class by witness who are private persons and tickets are to be booked through authorised / permissible Sources as per MoF's guidelines.
Secretarial Assistance	I	Where the number of witnesses cited in the charge sheet is more than 10	Rs. 40,000/-
	II	Where the number of witnesses cited in the charge sheet are between 6-10	Rs. 30,000/-
	III	Where the number of witnesses cited in the charge sheet is less than 6	Rs.20,000/-

(b) Payment will be made to the Inquiry Officer only when report is accepted by the Disciplinary Authority. In case it is not possible to proceed with the matter due to stay by courts etc., the Inquiry Officer may be discharged from his/her duties and payment of honorarium and other allowances will be made on pro rata basis.

(c) Before the payment is received by the Inquiry officer, it will be his / her responsibility to ensure that:-

(i) All case records and inquiry report (ink signed copies on pages in blue ink) properly documented and arranged are handed over to the Disciplinary Authority.

(ii) The report contains findings on each of the Articles of charge which has been inquired into and specifically deals and addresses each of the procedural objections, if any raised by the charged officers as per the extant rules and instructions.

(iii) There is no ambiguity in the Inquiry Report and therefore, every care should be taken to ensure that all procedures for conducting departmental inquiries have been followed in accordance with the relevant rules/instructions of disciplinary and appeal Rules by which the delinquent Government officials are governed.


(iv) General Examination of the C.O. is taken as per rules/ instructions of disciplinary proceedings.

(v) All records are authenticated in blue ink on all pages. The documents taken on record are legible and are not be cut in corners or smudged on any part of the pages. The documents of CO are also to be legible and authenticated in blue ink on all pages. The inquiry report and other documents taken on record are to be serially numbered and indexed. The documents are titled properly and indexed like Daily order sheets, Prosecution exhibits, Defence exhibits, statement of witnesses of PO/CO, general examination, correspondence with DA/CO, PO brief, CO brief etc.

4. Performance of the Inquiry Officer would be reviewed with regard to adherence to timelines and the procedure followed and the quality of work done. Services of Inquiry Officers whose performance is not found to be upto the mark will be terminated with the approval of appointing authority.

5. Selection of the officers to be considered for inclusion in the Panel shall be done in accordance with the procedure laid down in DoP&T's OM No.142/40/2015-AVD-I dated 15.9.2017. The panel so prepared shall remain valid for a period of 3 years or until fresh panel is prepared.

6. Those interested and also eligible to be considered for inclusion in the panel may submit their application in the prescribed format, attached herewith, to the undersigned either by post at the address " Department for Promotion of Industry and Internal Trade, Room No. 468, Udyog Bhavan, New Delhi – 110001 or through mail at vig-dpiit@gov.in latest by 06th May, 2022.



(R. K. Soni)

Under Secretary to the Govt. of India

To,

All Ministries/ Departments of Government of India: with the request to upload the above OM on their respective website.

Copy to:

- (i) NIC with a request to upload the O.M. on the web-site of DPIIT so that the interested retired officers can apply.
- (ii) Under Secretary (AVD-I), Department of Personnel & Training with the request to circulate the O.M. by uploading the same on the web-site of DoP&T.

PROFORMA

APPLICATION FOR INCLUSION IN THE PANEL OF RETIRED GOVERNMENT SERVANTS FOR APPOINTMENT AS INQUIRY OFFICER TO CONDUCT DEPARTMENTAL INQUIRY

1. Name of the officer
(In the Capital letters) :
2. Date of the retirement from the Government Service :
3. Age on the date of submitting the application :
4. Last post held before retirement :
5. Details of the Ministry/Department/Organisation and post held during the service :
6. Whether the post held on retirement is of the level of DS/Directors equivalent or JS and above level :
- Amount of basic Pension drawn :
7. Have you ever assigned the responsibility of the Inquiry officer :
8. If yes, the details thereof with no. of inquires conducted :
- 8(a) If not, the details of experience / knowledge in dealing with conduct of Disciplinary cases :
9. Whether retired on attaining the age of Superannuation or Voluntary retirement :

10. Whether any penalty was imposed during the Service :

If yes, the detail thereof :

11. Vigilance clearance certificate from the office where last served attached : Yes/No

12. Certificate of no penalty during the entire Service period enclosed : Yes/No

13. Certificate that there are no disciplinary proceedings or criminal proceedings pending against me during the service or any time thereafter.

14. Certifies that the above information is correct and no information has been withheld.

Name and signature:

Present address &

Contact number:

(Mob. No. /Landline (if any))

Email:

Place:

Date :