

F.No.31014/04/2019-D(Vig-MES & BRO)/26
Government of India
Ministry of Defence
D(Vigilance-MES&BRO)

* * *

138, Kashmir House, Rajaji Marg
New Delhi-110011

Date: 17th January, 2024

CIRCULAR

Subject: Empanelment of retired officers as the Inquiry Officers for conducting Departmental Inquiries under CCS(CCA) Rules, 1965 - calling for applications regarding

A panel of eight (08) retired officers belonging to Military Engineer Services, Border Roads Organization (BRO) of the Ministry of Defence and also from the Engineering Organizations of other Civil Departments, will be drawn for the appointment of Inquiry Officers for conducting Departmental Inquiries against the Officers of Military Engineer Services(MES) and Border Roads Organization(BRO), under CCS (CCA) Rules, 1965. The Panel would be valid for a period of three (3) years. Eligibility and other terms and conditions for appointment as Inquiry Officer will be as under:

I. ELIGIBILITY CONDITIONS

- (a) Officers who have retired from Government service not below the rank of Deputy Secretary in Central Government/State Governments/PSUs.
- (b) Have never been penalized in a Disciplinary Proceedings or in a Prosecution Criminal Case

II. OTHER TERMS AND CONDITIONS

- (a) The designated Inquiry Officer shall require to give an undertaking on the lines asunder:-
 - (i) that he/she is not a witness or a complainant in the matter to be inquired into or a close relative or a known friend of the delinquent Government officer. A certificate to this effect will be obtained from the Inquiry Officer with respect to every inquiry and placed on record.
 - (ii) 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.

ok

(b) Other terms and conditions regarding duties/responsibilities and rate of honorarium etc., will be regulated as per instructions contained in DoPT OM No. 1668597747466 dated 16.11.2022 (copy enclosed).

2. The willing/interested retired officers may submit their applications in the prescribed proforma (**ANNEXURE**) to the following address so as to by **28th February, 2024:**

Smt Kamana S. Dikshit
Deputy Secretary (Vigilance -MES & BRO)
Room No.138, Kashmir House,
Rajaji Marg, New Delhi-110011



(Kamana S. Dikshit)
Deputy Secretary to the Govt. of India
PH: 23793245

TO

1. Lt Gen Arvind Walia,
Engineer-in-Chief, E-in-C's
Branch, Kashmir House, New
Delhi
2. Lt Gen Raghu Srinivasan, VSM,
Director General Border Road,
Seema Sadak Bhawan, Ring Road
Delhi Cantt, New Delhi
3. Chairman, Railway Board/DG,CPWD/ Chairman, CWC/ CMD,
NBCC/Chairman, NHAI/Chairman, DDA/Chairman, NDMC. It is requested
that wide publicity of this Circular may please given to the eligible officers
retired from their respective Organizations.
4. Director(IT/NIC), MoD. It is requested to upload this Circular on the website of
MoD, in order to ensure wide publicity of the same.

It is requested that this may please be
given wide publicity amongst the
retired officers of MES/BRO through
the official website of their respective
organisation

B/c

**APPLICATION FOR APPOINTMENT OF RETIRED GOVERNMENT SERVANTS AS THE
INQUIRY OFFICER TO CONDUCT DEPARTMENTAL INQUIRY**

1	NAME(In Capital Letters)			
2	Date of Birth			
3	Date of Retirement from Government Service. Whether retired on attaining the age of superannuation or voluntary retirement			
4	Service/Cadre from which retired & the post held last			
5	Resident Address/Communication Address (with Landline/Mobile Contact No. & e-mail ID)			
6	Educational Qualifications			
7	Details of the Ministry and post held during the service			
S.No.	Period	Cadre Post/ Deputation Post	Place of Posting	Brief Description of duties
		Please attach separate sheet(if required)		
8	Whether penalized/punished in a Disciplinary Proceedings or in a Prosecution Criminal Case	Yes/No (if yes, the details thereof)		
9	Details of Inquiry proceedings (if any), conducted (a) as Inquiry Officer (b) as Presenting Officer	Please attach separate sheet		

It is certified that the above particulars are correct and complete.

(Signature of the Applicant)

Date :

Place:

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/-

(ii) Serving officers:

Rate per case (in rupees)

An amount equal to 15% of the monthly basic pay drawn.

(iii) In case of common disciplinary proceedings, an additional amount of honorarium of Rs. 5000 will be payable to Inquiry Officer (both retired and serving) for every additional charged officer.

(b) The rates of honorarium payable to the Presenting Officer:

Rate per case (in rupees)

An amount equal to 10% of the monthly basic pay drawn.

5. The revised structure of rates of honorarium and allowances as indicated above are intended to be made applicable to Departmental Proceedings including inquiry proceedings undertaken by the committee on Sexual Harassment, by Ministries / Departments in respect of officials / officers serving under different cadres of services under their administrative control. However, in case a cadre of a service or organizations such as autonomous bodies have a separate set of rules and instructions for regulating honorarium to IO / PO in existence, they may choose to continue with their own set of instructions. Fully or partially funded autonomous bodies may retain their own provisions so long as they are not more beneficial than what has been proposed in this O.M.

6. The grant of Honorarium in the case of serving Government servants who are appointed as part time Inquiry Officer/ Presenting Officer and retired Government servants appointed as Inquiry Officers will be subject to the following conditions:

i. The honorarium will normally be regulated under the financial powers delegated to the Ministries/Departments and taking into account the quantum of work involved in individual disciplinary cases.

ii. In the case where serving officers are appointed as IO/PO, the controlling department or the administrative department should make all efforts to relieve the IO/PO of his normal duties to enable him/her to complete the proceedings expeditiously.

7. Before the payment is received by the Inquiry Officer/Presenting Officer, whether serving or retired, it will be the responsibility of IO/PO to ensure that:

a. All case records and inquiry report (two ink signed copies) properly documented and arranged is handed over to the office of Disciplinary Authority.

b. The report returns findings on each of the Articles of Charge which has been enquired into should specifically deal and address each of the procedural objections, if any, raised by the charged officers as per the extant rules and instructions.

c. There should not be any 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 to which the delinquent Government officials are governed.

8. Terms and conditions for appointment of Inquiry Officer: The designated Inquiry Officer shall be required to give an undertaking as follows:

i. that he/she is not a witness or a complainant in the matter to be inquired into or a close relative or a known friend of the delinquent Government officer. A certificate to this effect will be obtained from the Inquiry Officer with respect to every inquiry and placed on record;

ii. 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.

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

10. The Inquiry Officer shall conduct the inquiry proceedings at a location taking into account the availability of records, station/place where the misconduct occurred as well as the convenience of the witnesses/ PO etc. Video Conferencing should be utilized to the maximum extent possible to minimize travel undertaken by the IO/PO/CO. The cadre controlling authorities will facilitate necessary arrangements for the Video Conferencing.

11. The Inquiry Officer shall undertake travel for conducting inquiry (in unavoidable circumstances) with the approval of an authority as may be nominated by the concerned Ministry/Department.

12. The Inquiry Officer shall submit the inquiry report after completing the inquiry within 180 days from the date of his/her appointment as the Inquiry Officer. Extension of time beyond 180 days can be granted only by the Authority as may be prescribed.

13. Letter regarding engaging a retired officer as the Inquiry Officer will only be issued with the approval of the Disciplinary Authority of the Ministry/Department/ Office concerned.

14. Any issue arising out of this O.M. between the Inquiring Officer and the Disciplinary Authority will be decided by the Secretary, DoPT whose decision shall be final and binding on both parties.

15. These instructions will be applicable prospectively for processing the Bill submitted by the IOs / POs.

16. All the Ministries/Departments are requested to bring these instructions to the notice of all concerned under their control.

17. This issues with the concurrence of Department of Expenditure, Ministry of Finance vide their I. D. Note No. 14/4/2009-E.II(B) dated 26/10/2022.

(Sign of Authority)

Rupesh Kumar

Under Secretary to the Govt. of India

23094799

To,

- i. All Ministries/Departments of the Govt. of India.
- ii. Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi.
- iii. Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi.
- iv. Railway Board, Rail Bhavan, Delhi.
- v. Union Public Service Commission/Supreme Court of India/ Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/ Prime Minister's Office/Planning Commission.
- vi. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
- vii. Office of the Chief Commissioner for Disabilities, Sarojini House, 6, Bhagwan Das Road, New Delhi.
- viii. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- ix. All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.

Reference:

1. DoPT's O. M. No. 142/15/2010-AVD.I dated 31st July, 2012
2. DoPT's O. M. No. 142/40/2015-AVD.I dated 15th September, 2017
