

F.No. C-31015/3/2016-Vig.
Government of India
Ministry of Information & Broadcasting

Shastri Bhawan, New Delhi
16th February, 2017.

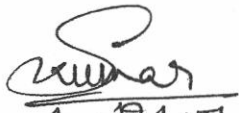
CIRCULAR

Sub: Empanelment of retired officers as the Inquiry Officers for conducting Departmental Inquiries – reg.

This Ministry proposes to make a panel of retired officers as per the criterion laid down in DOP&T's O.M. No.142/40/2015-AVD-I dated 07.01.2016 for conducting Departmental inquiries as Inquiry Officers .

2. Willing and eligible retired officers may apply by 28.02.2017 in the prescribed proforma to the undersigned. A copy of DOP&T's O.M. ibid is also enclosed herewith.

Encls.: As above.


10/2/17
(Sanjay Kumar)
Under Secretary to Govt. of India
Ph No. 2338 8411

Copy to:

NIC Cell, Main Secretariat, M/o I&B

} - With request to upload this circular on Ministry's website for wider publicity.

(13)

F.No.142/40/2015-AVD.I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi Dated, the 7th January, 2016

OFFICE MEMORANDUM

Subject:- Procedure for empanelment of retired officers as the Inquiry Officers for conducting Departmental Inquiries- reg.

The undersigned is directed to state that the issue of utilizing the services of retired officers for conducting departmental inquiries had been under consideration of the Department. It has now been decided that panels of retired officers from the Ministries/Departments under Government of India and PSUs would be created and maintained by the respective Cadre Controlling Authorities for conducting Departmental Inquiries against the delinquent officials.

2. **Procedure for empanelment of retired officers as the Inquiry Officers -** Panels of retired officers not below the rank of Deputy Secretary in Central Government and equivalent officer in the State Governments/PSUs to be appointed as the Inquiry Officer for the purpose of conducting departmental inquiries would be maintained level/rank wise and place-specific by each cadre controlling authority where its offices are located.
3. **Validity of the panel -** The panel of the retired officers created for the purpose of appointing Inquiry Officers for conducting departmental inquiry will be valid for a period of three years. The respective Cadre Controlling Authority will ensure that a panel of retired Inquiry Officers is available with them.
4. Following are the eligibility conditions for appointment of willing retired officers as the Inquiry Officers to conduct departmental inquiries:-
 - (i) The retired officers willing to serve as the Inquiry Officer should not be more than 65 years of age as on the 1st April of the year of his/her empanelment.
 - (ii) He/she should be in sound health - both physically and mentally.
 - (iii) He/she should not be an accused officer in any pending inquiry and should be of impeccable integrity.
5. The respective Cadre Controlling Authority will immediately take necessary action for inviting applications from willing and eligible retired officers to serve as the Inquiry Officer for conducting departmental inquiry. In this regard, a format for inviting applications is annexed.

6. A three-member committee consisting of Joint Secretary level officers including CVO of the concerned Ministry/Departments/PSUs would be constituted by the respective cadre controlling authority. The other two members can be from the same Ministry/Department or from the attached or subordinate office. After receipt of willingness of the retired officers, names of the officers will be screened by the committee so constituted and panel of officers (Database) will be created rank-wise viz., Deputy Secretary, Director, Joint Secretary, Additional Secretary, Secretary, etc. Approval of Minister-in-charge may be solicited for making the panel of the officers. Appointment of Inquiry Officer, from the panel of eligible retired officers, will be done by a random draw of lot. The Committee constituted for making panels of retired officers as the Inquiry Officer has to keep in mind that applications of retired officers willing to serve as an Inquiry Officer should be scrutinized carefully to ensure that the applicant meets the eligibility criteria.

7. The number of disciplinary cases assigned to an Inquiry Officer may be restricted to 20 cases in a year, with not more than 4 cases at a time.

8. Terms and conditions for appointment of retired officers as the Inquiry Officer.

The designated Inquiry Officer shall require 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.
- (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 in the official premises provided by the Department/Organization, which engages him/her.

11. The Inquiry Officer shall undertake travel for conducting inquiry (in unavoidable circumstances) with the approval of the Disciplinary Authority.