



CVC on Delay in Investigations

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Why in News

The **Central Vigilance Commission (CVC)** has recently directed all Ministries/Departments of the Union government to strictly **adhere to the time limits for various stages of disciplinary proceedings in vigilance cases** since delays were causing undue advantage or harassment to the charged officials.

Key Points

- **Issue:**
 - The CVC has earlier also expressed concerns that despite clear guidelines issued by the **CVC** and the **Department of Personnel & Training**, investigators were not adhering to the **prescribed time limit**, resulting in **investigations taking a much longer time**.
 - **The Supreme Court** has also ordered for limiting the **period of stay granted by a court of law to six months**, barring exceptional cases.
- **Reasons for Pendency:**
 - Stay granted by a court of law
 - Case pending in a court of law
 - Case kept in abeyance since official had been terminated from service
- **Impact:**
 - **Set's Poor Precedent:**
Undue delay provided **prolonged opportunities to a corrupt public servant** to indulge in inappropriate activities.
 - **Disincentives honest officials:**
Any delay in the conclusion of vigilance related matters is detrimental for an honest public servant, who may have got involved in a vigilance case.

Central Vigilance Commission (CVC)

- Central Vigilance Commission is the **apex vigilance institution**, free of control from any executive authority, monitoring all vigilance activity under the **Central Government** and advising various authorities in Central Government organizations in planning, executing, reviewing and reforming their vigilance work.
- **Formation:**
 - The CVC was set up by the Government in 1964 on the recommendations of the Committee headed by **Shri K. Santhanam**. In 2003, the Parliament enacted **CVC Act** conferring **statutory status on the CVC**.
- **Functions:**
 - The CVC receives complaints on **corruption or misuse of office** and to recommend appropriate action. Following institutions, bodies, or a person can approach to CVC:
 - Central government
 - Lokpal
 - Whistle blowers
 - It is not an **investigating agency**. The CVC either gets the investigation done through the **Central Bureau of Investigation** or through **Chief Vigilance Officers** (CVO) in government offices.

- **Governance**

- The Central Vigilance Commission has its own **Secretariat, Chief Technical Examiners' Wing** (CTE) and a **wing of Commissioners for Departmental Inquiries** (CDI). For investigation work, CVC has to depend on two external sources **CBI and Chief Vigilance Officers** (CVO).
- **The Central Vigilance Commission:**
 - The Multi-member Commission consists of a **Central Vigilance Commissioner** (Chairperson) and not more than **two Vigilance Commissioners** (Member).
 - The Central Vigilance Commissioner and the Vigilance Commissioners are appointed by the **President** on the recommendations of a Committee consisting of the **Prime Minister** (Chairperson), the **Minister of Home Affairs** (Member) and the **Leader of the Opposition** in the House of the People (Member).
 - **Chief Vigilance Officers** (CVO):
 - Vigilance administration in Departments/Organisations is headed by the **Chief Vigilance Officers** (CVO) and the Commission's activities concerning inquiry or causing inquiry are supported by/carried out through the **CVOs**.
 - **CVOs in all Departments/organisations** are appointed after prior consultation with the Commission.
 - **Term:**

Their term is **4 years or 65 years**, whichever is earlier.
 - **Removal:**

The Central Vigilance Commissioner or any Vigilance Commissioner can be removed from his office only by **order of the President** on the ground of **proved misbehavior or incapacity after the Supreme Court**, on a reference made to it by the President, has, **on inquiry**, reported that the Central Vigilance Commissioner or any Vigilance Commissioner, as the case may be, ought to be removed.

Source:TH