



# CVC on Delay in Investigations

## 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.

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