



गार्डन रीच शिपबिल्डर्स एण्ड इंजीनियर्स लिमिटेड
Garden Reach Shipbuilders & Engineers Limited
(भारत सरकार का उपक्रम/A Govt. of India Undertaking)

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No. VIG/10(7)/2013/

Date: 30 April 2013

MEMORANDUM

There is a need to have a definite policy on grant and denial of vigilance clearance to officers (below Board level), supervisors, assistants and operatives, who do not come under the purview of the Ministry or the Central Vigilance Commission. Henceforth, vigilance clearance will be granted and denied based on the following policy.

Vigilance clearance to all personnel, who do not come under the purview of the Ministry or CVC, will be given or denied by CVO GRSE. However, in view of his anticipated absence from office or headquarters, CVO GRSE may authorize by a prior order in writing an officer in Vigilance Department or a group of officers in Vigilance Department jointly to give/deny vigilance clearance *in urgent and un-deferrable cases only, subject to ex-post facto approval* of each case by CVO GRSE as soon as possible thereafter.

Vigilance clearance shall be denied based on the enclosed table with overriding clarifications given below the table. If an official's status is relevant to two or more rows, then the adverse rows (denial of vigilance clearance) shall be considered. If vigilance clearance cannot be denied for the purpose for which it is sought or the official's status is none in the listed rows, then the official is clear from vigilance angle for the purpose on that date for a period of three months, unless the clearance is revoked earlier. However, in the case of retirement on superannuation, award of the penalty of dismissal/removal/compulsory retirement, or death/missing, only vigilance status, *inter alia*, will be noted for decision on release and settlement of retirement-related dues and benefits, and no grant/denial of vigilance clearance will be issued.

Whenever an officer joins GRSE on deputation or absorption basis from another Government-controlled organization (Govt or state), his vigilance profile in the previous positings upto last ten years will be collected, and will be used for the purpose of granting or denying vigilance clearance as if he were posted during the period in GRSE itself.

Decision on vigilance clearance for purpose other than the ones listed below will be taken by CVO GRSE only. In case of any doubt or confusion, the clarification shall be given by CVO GRSE only and shall be obtained only from CVO GRSE. Attempt will be made to incorporate such purposes in the policy itself.

Vigilance clearance shall be specific to the person, specific to the purpose, and specific to the period of time. Unless revoked earlier, vigilance clearance for the specific purpose shall be valid upto three months only from the date of issue.

In view of gravity or levity in exceptional cases, vigilance clearance may be granted or denied by CVO GRSE in relaxation of the policy by specifying the special circumstances in writing. However, such exceptional cases can be decided only by CVO GRSE, and CVO GRSE shall bring it to the notice to the Board during the next vigilance review. Attempt will be made to incorporate such special circumstances in the policy itself.

HR Department or any other GRSE department/authority requiring vigilance clearance/status shall send the requisition for the same to CVO GRSE giving the following details of the employee: (1) Name, (2) Designation/rank and department/place of posting, (3) MA number, (4) When joined GRSE, (5) If under suspension, (6) Details of any disciplinary proceeding pending, completed or contemplated against the employee (including issue of displeasure/warning or the like), (7) If continuing on unauthorized absence then since when, and (8) purpose of vigilance clearance. The remaining data needed for vigilance clearance will be used as available in and maintained by Vigilance Department. Vigilance Department shall maintain an up-to-date register on data on employees as required for vigilance clearance, and shall also keep record of vigilance clearances (both vigilance clearances given and denied).

However, in especially requested cases such as by PESB or MoD, and in similar cases, vigilance profile in the prescribed format, if any, will be forwarded without any mention regarding whether clear from vigilance or otherwise.

In case any deviation is noticed, the same shall be brought to the notice of the Board, and published in annual reports in the chapter on vigilance.

Enclosure: As stated (the table)

(BARUN KUMAR SAHU)
Chief Vigilance Officer

To

C&MD, D(P), D(F), D(S)

CGM (Mat), CGM (ERP), CGM (RBD), CGM(FOJ)

GM(MW), GM (Plg), GM (HR&A), GM (Fin), GM (I&EP), GM (FIB), GM (Design), GM (Engg), GM (C&CP)

AGM (DEP), AGM (TU), DGM (TTC), Company Secretary, Chief Medical Officer

GRSE Intranet

Copy also to

AS (DP) & CVO, South Block, New Delhi

Secretary CVC, Satarkta Bhavan, New Delhi

Official's status (may be more than one) ↓	Vigilance clearance for the purpose→	NOC for personal visit abroad	Training or assignment abroad of duration two weeks or less	Training or assignment abroad of duration more than two weeks	Any type of promotion/ upgrading/ empanelment	Forwarding application/ nomination for deputation to/ employment in other organization/JV &c	Resignation / voluntary retirement	Conferment of award/reward/ similar based fully/partly on official duty	Confirmation / absorption	Extension of employment after normal term or retirement in any form, including as Consultant, on contract etc
Did not seek/propose seeking vigilance clearance/status while processing a case when it was necessary under the policy, or Vigilance Department so concluded at the level of CVO GRSE and reported to C&MD in last 12 months (<i>officers only</i> , jointly/severally involved from Junior Manager to CGM)	Deny	-	-	-	-	Deny	-	Deny	Deny	-
Made personal visit abroad without mandatory NOC in last three years	Deny	-	-	-	-	Deny	-	Deny	Deny	-
In the last three years, applied for outside employment without prior intimation to controlling officer in writing and without through him	Deny	-	-	-	-	Deny	Deny	-	Deny	-
In last 12 months, CVO GRSE concluded in his report to C&MD GRSE against the officer after calling version that he prevented the CVO from exercising vigilance function (such as by furnishing wrong/misleading report to CVO, undue delay in responding, threatening an officer posted in Vigilance Department etc). (<i>officers only</i>)	Deny	-	-	-	-	Deny	-	Deny	-	-
Currency of major/minor penalty in case involving vigilance angle	Deny	-	-	-	Deny	Deny	Deny	Deny	Deny	Deny
Major penalty imposed less than five years ago in case involving vigilance angle	-	-	-	-	Deny	-	-	Deny	Deny	Deny
Minor penalty imposed less than three years ago in case involving vigilance angle	-	-	-	-	Deny	-	-	Deny	Deny	Deny

Official's status (may be more than one) ↓	Vigilance clearance for the purpose →	NOC for personal visit abroad	Training or assignment abroad of duration two weeks or less	Training or assignment abroad of duration more than two weeks	Any type of promotion/upgrading/empanelment	Forwarding application/nomination for deputation to/employment in other organization/JV &c	Resignation / voluntary retirement	Conferment of award/reward/similar based fully/partly on official duty	Confirmation / absorption	Extension of employment after normal term or retirement in any form, including as Consultant, on contract etc
Displeasure issued less than one year ago in case involving vigilance angle after show-cause notice/calling for version/inquiry/admission	-	-	-	-	-	-	-	Deny	Deny	Deny
Warning, caution, advisory or similar issued less than six months ago in case involving vigilance angle after show-cause notice/calling for version/inquiry/admission	-	-	-	-	-	-	-	Deny	Deny	-
Convicted in a CBI case	Deny	Deny	Deny	Deny	Deny	Deny	Deny	Deny	Deny	Deny
Under criminal prosecution by CBI (not yet exonerated) (<i>except appeal cases</i>)	Deny	Deny	Deny	Deny	Conditional deny (sealed cover)	Deny	Deny	Deny	Deny	Deny
CBI registered case but not yet arrested/prosecution started (prosecution sanction not denied)	Deny	Deny	Deny	Deny	-	Deny	Deny	Deny	Deny	Deny
Under interrogation/custody of CBI (except as witness/approver)	Deny	Deny	Deny	Deny	-	Deny	Deny	Deny	Deny	Deny
Charge-sheet issued for major penalty but no decision on penalty in case involving vigilance angle	Deny	Deny	Deny	Deny	Conditional deny (sealed cover)	Deny	Deny	Deny	Deny	Deny
Charge-sheet issued for minor penalty but no decision on penalty in case involving vigilance angle	-	-	-	-	Conditional deny (sealed cover)	Deny	Deny	Deny	Deny	Deny
Active case involving vigilance angle under preliminary investigation registered less than six months ago	-	-	-	-	-	Deny	Deny	-	-	-
Under suspension	Deny	Deny	Deny	Deny	Conditional deny (sealed cover)	Deny	Deny	Deny	Deny	Deny

Official's status (may be more than one) ↓	Vigilance clearance for the purpose →	NOC for personal visit abroad	Training or assignment abroad of duration two weeks or less	Training or assignment abroad of duration more than two weeks	Any type of promotion/ upgrading/ empanelment	Forwarding application/ nomination for deputation to/ employment in other organization/JV &c	Resignation / voluntary retirement	Conferment of award/reward/ similar based fully/partly on official duty	Confirmation / absorption	Extension of employment after normal term or retirement in any form, including as Consultant, on contract etc
Figures in current list of officers of doubtful integrity (ODI)	Deny	-	Deny	-	-	-	-	Deny	Deny	Deny
Figures in current Agreed List with CBI	-	-	Deny	-	-	-	-	Deny	Deny	Deny
Overstaying in sensitive post	Deny	-	-	-	Deny	-	-	Deny	-	-
Missing deadline for submission of property return in last 12 months since 1 January 2013 (including first property return on joining GRSE) (<i>officers and supervisors only</i>)	-	-	-	Deny	-	-	-	Deny	Deny	-
Transacted in movable/ immovable property in last one year without mandatory prior intimation/sanction since 1 January 2013, or Vigilance Department so concluded after version call at the level of CVO GRSE with report to C&MD in last one year (<i>officers and supervisors only</i>)	Deny	-	-	- (initiate disciplinary proceeding)	Deny	Deny	Deny	-	-	-
Established in last one year only (i.e., not considering older cases) after a fact-finding inquiry that he/she lost an important official document	Deny	-	-	-	Deny	Deny	Deny	-	-	-
Continuing on unauthorized absence as on date since last two months, or has taken up another employment without permission	Deny	Deny	Deny	Deny	Deny	-	Deny	Deny	Deny	Deny

Clarification I: Notwithstanding the above table, vigilance clearance will not be denied in following genuine and extraordinary cases: (i) Implementation of clear and unambiguous Presidential Directives and court orders; (ii) Personal visit abroad for medical treatment of GRSE employee (self) or dependent family member, provided the treatment is recommended by Chief Medical Officer GRSE; and (iii) Personal visit abroad needed as per social or religious custom or for pilgrimage, provided the authority competent to sanction the leave is convinced of the genuineness of the claim in (ii) and (iii). However, vigilance clearance even in these cases will not be automatic, and will have to be specifically sought and obtained from CVO GRSE beforehand.

Clarification II: Notwithstanding the above table, vigilance clearance may not be denied in missing the deadline for submission of property return if the employee is able to establish to CVO GRSE that the deadline was missed because of any of following situations only: (i) Life-threatening or similarly serious illness or accident (self), (ii) Death of or life-threatening accident to a dependent family member/parent/parent-in-law, (iii) Outstation medical treatment of self/dependent family member/parent/parent-in-law in a renowned hospital, (iv) Being in custody of a law enforcing agency (self), (v) Kidnapping (of self or dependent family member/parent/parent-in-law) with police report, (vi) Disaster, riot or curfew, and (vii) Advanced stage of pregnancy/post pregnancy complications (self). However, vigilance clearance in such cases will be given only after the property return is submitted without any *further* delay, unless the employee died, remained in coma, became insane or otherwise incapacitated. Being on leave, training, or official tour (including abroad) will not be acceptable ground to miss the deadline for submission of property return.

Clarification III: It is clarified that vigilance clearance will not be needed for (i) Applying for passport (self/family/others), (ii) Personal or otherwise visit abroad by family members who are not employees of GRSE; (iii) Applying for and getting awards instituted by state government, Government of India and any reputed organization (not being a business partner/associate/vendor of GRSE), (iv) Award/reward for personal achievements in sports, games, cultural competition etc; and (v) Extension of stay abroad (on personal visit, training or official duty) on bonafide grounds upto three months or multiple visits during the period, provided prior vigilance clearance had been taken for the visit abroad.

Clarification IV: Entries in APAR, including integrity certificate, will not be a valid document to decide grant/denial of vigilance clearance.

Clarification V: Abroad means anywhere outside India, and is irrespective of visa requirement.

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