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संख्या 15-6(82)/98-O&M-II(Vig.) दिनांक : 07 अगस्त, 2021

No.

प्रेषक

From

To

मुख्य सतर्कता अधिकारी
Chief Vigilance Officer

सीएसआईआर के सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के निदेशक
The Directors/Heads of all National Labs./Instts. of CSIR

विषय: Procedure for offering/accepting post retirement contractual employments/assignment or consultancy etc. reg.,-

महोदय/महोदया,

उपरोक्त विषय पर केन्द्रीय सतर्कता आयोग द्वारा प्रेषित परिपत्र स. 12/07/21 (संख्या 021-VGL-024/487438) दिनांक 28-07-2021 की एक प्रति सूचना, आवश्यक कार्यवाही एवम अनुपालन हेतु अग्रेषित कर रहा हूँ। कृपया सभी संबंधित अधिकारियों/कर्मचारियों के संज्ञान में लाया जाए।

I am to forward herewith a copy of Circular No. 12/07/21 (संख्या 021/VGL/024/487438) दिनांक 28-07-2021 of the Central Vigilance Commission, on the subject cited above for information, necessary action and compliance. Please bring it to the notice of all concerned.

भवदीय,

(ले. कर्नल विक्रम सिंह राणा)
मुख्य सतर्कता अधिकारी

प्रतिलिपि :

1. महानिदेशक, सीएसआईआर का कार्यालय
2. संयुक्तसचिव(प्रशा.), सीएसआईआर का कार्यालय
3. वित्तीय सलाहकार, सीएसआईआर का कार्यालय
4. विधि सलाहकार, सीएसआईआर का कार्यालय
5. सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के प्रशासन नियन्त्रक/प्रशा. अधिकारी
6. सीएसआईआर मुख्यालय/कॉम्प्लेक्स के उप-सचिव/वरिष्ठ- उप-सचिव
7. प्रमुख आईटी विभाग इस पत्र को सीएसआईआर वेबसाइट पर उपलब्ध करने हेतु।
8. वरिष्ठ भंडार एवम क्रय अधिकारी
9. सतर्कता अनुभाग में कार्यरत सभी अनुभाग अधिकारी/प्रशासनिक अधिकारी
10. कार्यालय प्रति



केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



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सं./No.....021/VGL/424
दिनांक / Dated..... 28.07.2021

Circular No. 12/07/21

Subject:- Procedure for offering/accepting post retirement contractual employments/assignment or consultancy etc.- reg.

Central Vigilance Commission, vide its Circular No. 07/05/21 dated 03.06.2021 had issued guidelines regarding the procedure to be adopted before engaging a retired government official on contractual/consultancy basis by government organisations.

2. Views/representations have been received from individuals/organizations, which need to be examined/considered in detail.
3. Hence, the guidelines issued vide Circular No. 07/05/21 dated 03.06.2021 are kept in abeyance, till further orders.
4. This is issued with approval of the Commission.

(Rajiv Verma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of Govt.
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of Govt./CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.

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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



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सं./No.....21-VGL-024.

दिनांक / Dated.....03.06.2021

Circular No. 07/05/21

Subject:- Procedure for offering/accepting post retirement contractual employments/assignment or consultancy etc.- reg.

It has been observed that sometimes, government organisations, in order to meet their functional requirement, use the expertise of retired government officials by hiring them on contractual basis, in the capacity of advisor/consultant etc. There is no defined procedure for seeking vigilance inputs before engaging retired government officials from the organisations where such retired officials were employed on full time basis, prior to their retirement.

2. Central Vigilance Commission has observed that the absence of a uniform defined procedure for obtaining vigilance clearance, before engaging retired officials by government organisations, sometimes lead to a situation where officials with tainted past or having cases pending against them are engaged by the government organisations. Such a situation not only leads to unnecessary complaints/allegations of favouritism, but is also against the tenets of fairness and probity which is the basic principle governing the functioning of government organisations.

3. The Commission has therefore decided to formulate a defined procedure before engaging a retired government official on contractual/consultancy basis by government organisations. The procedure to be adopted would include the following steps:-

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- (i) In respect of retired officers belonging to All India Services, Group 'A' officers of Central Govt. or their equivalent in other organizations owned or controlled by Central Govt., before offering employment to them on contractual/consultancy basis, vigilance clearance from the employer organisation, from which the Govt. Officer had retired, should be necessarily obtained.
 - (ii) In case a retired officer had served in more than one organisation, vigilance clearance should be obtained from all organisations where the retired officer had served during a period of 10 years prior to his retirement.
 - (iii) A communication seeking vigilance clearance may also be sent to Central Vigilance Commission, simultaneously.
 - (iv) In case, no reply is received from the erstwhile employer(s) within 15 days of sending communication by Speed Post to them, a reminder may be sent to them for expediting vigilance clearance. However, in case no reply is received from the erstwhile employer within 21 days of sending initial communication to them, it may be considered as 'deemed vigilance clearance' for the person concerned. Later on, if it is found that the ex-employee was involved in any vigilance related matter or was not clear from vigilance point of view, the erstwhile employer organization would be responsible for all consequential actions.
 - (v) The retired Govt. officer is to be considered for post retirement engagement only on receipt of vigilance clearance/vigilance inputs, subject to the conditions as given in sub para (i) to (iv) above.
 - (vi) All communications regarding vigilance clearance should be sent by Registered Post/Speed Post, followed by emails on official mail ID of the organisation concerned.
 - (vii) The procedure for engaging retired government officers should be transparent with equal opportunity to all those, who are willing to offer their services. The post to be filled up on contractual/consultancy basis should at least be advertised on the website of the organisation concerned at appropriate place and should be available in public domain.
4. Further, it has been observed that on some occasions, immediately after their retirement from government organisations, retired officials are taking up full time job/contractual assignments in private sector organisations. Quite often, cooling off period, as prescribed under the rules of organisations concerned, is not observed before taking up such offers. Post retirement acceptance of offer by retired government officials without observing cooling off period, constitutes a serious misconduct on their part.

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5. All government organisations may, therefore, formulate appropriate rules/guidelines for its employees to ensure that post retirement, cooling off period is mandatorily observed by them before accepting any offer from private sector entities. The rules/guidelines should incorporate procedure for seeking/obtaining permission before accepting offer from private sector entities during cooling off period if not in existence. The applicable service/conduct rules should also be revised/modified to ensure that, if required, appropriate action can also be initiated in case of violation of such rules by retired employees.

6. The above instructions may be noted for strict compliance.



(Rajiv Verma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of GoI
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iv) Website of CVC