

भारत सरकार / Government of India
परमाणु ऊर्जा विभाग / Department of Atomic Energy
सतर्कता अनुभाग / Vigilance Section

अणुशक्तिभवन / Anushakti Bhavan,
छ.शि.म.मार्ग / C.S.M Marg,
मुंबई / Mumbai - 400 001.

Ref. No. VIG-V24/2/2018-VIG-DAE/8532

July 05, 2018

Subject: Requirement of taking prior permission for leaving station / headquarters during leave or otherwise, especially for visits abroad – Regarding.

Instances have come to the notice of the Department that the guidelines laid down by the Department of Personnel & Training (DoPT), Government of India from time to time on the issues related to taking prior permission for leaving station / headquarters during leave or otherwise, especially for visits abroad are not being complied with scrupulously in some of the constituent units of the Department.

2. The DoPT vide OM No.11013/7/94-Estt (A) dated 18.05.1994 (**Annex – 1**) had instructed that failure to obtain permission of the Competent Authority before leaving station / headquarter, especially for private visits abroad should be viewed seriously and would entail disciplinary action for non compliance. The instructions laid down vide DoPT OM No.11013/8/2000-Estt.(A) dated 07.11.2000 (**Annex-II**) prescribe that the leave sanctioning authority *is expected to take prior approval* of his superior authority while granting leave for visits abroad.

3. The DoPT vide OM No.11012/7/2017-Estt.A-III dated 28.03.2018 (**Annex-III**) clarified the need for taking vigilance clearance for obtaining Indian passport and prescribed therein the ground on which such vigilance clearance could be withheld.

4. Also instructions issued by the Chief Vigilance Commission vide Order No.67/10/04 dated 25.10.2004, Circular No.16/07/09 dated 06.07.2009 and Letter No.004/VGL/87/141429 dated 23.08.2011 envisages that the Chief Vigilance Officers of the Department should annually (calendar year) collect information about Government Servants visiting abroad for private purpose and make it available to the CVC whenever required.

5. In view of the discussions in the preceding paragraphs, following instructions are reiterated for strict compliance in the Department:

- (a) When a Government Servant applies for going abroad on a private visit, separate prior permission of the competent authority for granting permission

is required. The competent authority for this purpose shall be a Head of the Unit of DAE and its constituent Units. In other words, the leave sanctioning authority *is expected to take prior approval* of the Head of the Unit while granting leave for visits abroad.

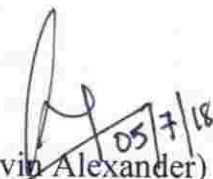
- (b) The Leave sanctioning authority through their respective administrative wing shall make a reference for grant of Vigilance Clearance for private foreign visits well before the expected date of departure of the Government Servant concerned.
- (c) In case due to specific nature of work in a Department, administrative exigencies, or some adverse factors against the Government Servant etc., it is not expedient to grant permission to the Government Servant, such a decision for refusal should not be taken below the level of Head of the Unit.
- (d) The decision of grant of leave or otherwise are to be conveyed to the Government servant concerned within 21 days of receipt of the complete application to the competent authority.

6. Failure to comply with the extant instructions issued by the Government in the matter would be viewed as gross misconduct on the part of the officer who visits a foreign country, the leave sanctioning authority of the officer concerned, the administrative officers / staff responsible to handle such application and would be liable for disciplinary action.

7. In the light of above, all Head of Units of the Department of Atomic Energy are hereby requested to strictly comply with the extant instructions on the subject matter and also bring it to the notice of all the concerned and ensure that Government servants strictly comply with the same. Non adherence of the instructions will be viewed seriously.

8. All Heads of DAE units will confirm in writing that the above instructions have been brought to the attention of all employees (current and newly joining) through all possible means like notice board display, intranet and any other method being followed in units. The receipt of this communication is to be acknowledged to US(Vig), DAE latest by 16.07.2018.

Encl.: 09 Pages


(S. Mervin Alexander)
Joint Secretary (A&A) / Chief Vigilance Officer

All Heads of Units of DAE / VOs/CVOs

Copy for information to: All Sections in DAE Secretariat.

No. 11013/7/04-Estt.(A)
Government of India
Ministry of Personnel, Public
Grievances & Pensions
(Department of Personnel & Training)

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New Delhi, dated the 18th May, 94

OFFICE MEMORANDUM

Subject: Requirement of taking prior permission by Government servants for leaving station/headquarters -clarification regarding.

The undersigned is directed to say that doubts have been expressed by Ministries/Departments as to whether a Government servant is required to take permission before leaving station/headquarters during leave or otherwise, especially for visits abroad.


2. Attention of the Ministries/Departments is invited in this connection to the provisions of FR 11 which provides that 'unless in any case it be otherwise distinctly provided the whole time of a Government servant is at the disposal of the Government which pays him.....' Article 56 of the Civil Service Regulations also provides that 'no officer is entitled to pay and allowance for any time he may spend beyond the limits of his charge without authority.' It is implicit in these provisions that a Government servant is required to take permission for leaving station/headquarters. It is thus clear that such permission is essential before a Government servant leaves his station or headquarters and more so when he proposes to go abroad during such absence, as such visit may have wider implications.

3. However, separate permission may not be necessary where a Government servant has indicated his intention of leaving headquarters/station alongwith leave address while applying for leave. The leave application form prescribed under the CCS(Leave) Rules, 1972 contains necessary columns in this regard. In case the leave applied for the purpose of visiting foreign country is sanctioned, it would imply that permission for going abroad is also granted and therefore leave sanctioning authorities should keep this aspect in mind while granting the leave applied for. In the case of officers who are competent to sanction leave for themselves they should obtain permission for leaving station from their superior authority.

Failure to obtain permission of competent authority before leaving station/headquarters especially for foreign visits is to be viewed seriously and may entail disciplinary action.

4. Ministry of Finance etc. are requested to bring the contents of this Office Memorandum to the notice of all Government servants serving under their control and ensure that these are strictly followed by all concerned.

Hindi Version will follow.


(KRISHNA MENON)

UNDER SECRETARY TO THE GOVT. OF INDIA.

To

All Ministries/Departments of Govt. of India.

Copy to:

1. C&AG, New Delhi
2. UPSC, New Delhi.
3. CVC, New Delhi.
4. Lok Sabha/Rajya Sabha Secretariat.
5. All U.T. Administrations.
6. CBDT
7. All attached and subordinate offices of Ministry of Personnel, Public Grievances & Pensions and MHA.
8. All officers and Sections of Ministry of Personnel, Public Grievances & Pensions and MHA.


(KRISHNA MENON)

UNDER SECRETARY TO THE GOVT. OF INDIA.

No. 11013/8/2000-Estt. (A)
Government of India
Ministry of Personnel, P.G. & Pensions
(Department of Personnel & Training)

New Delhi, dated the 7th November, 2000


OFFICE MEMORANDUM

Sub. : Requirement of taking prior permission by Government servants for leaving station/headquarters - Clarification regarding.

The undersigned is directed to refer to this Department's O.M. No. 11013/7/94-Estt. (A) dated 18th May, 1994 on the subject mentioned above in which it has inter-alia been clarified that separate permission may not be necessary where a Government servant has indicated his intention of leaving headquarters/station alongwith leave address while applying for leave. It has also been clarified that in case leave applied for the purpose of visiting foreign country is sanctioned, it would imply that permission for going abroad is also granted and, therefore, leave sanctioning authority should keep this aspect in mind while granting the leave applied for.

2. The above instructions have been reviewed and it has been decided that 'while granting leave the sanctioning authority shall take prior approval, if required, for permitting the officer to go abroad as per the existing instructions.'

3. All Ministries/Departments are requested to bring these instructions to the notice of all concerned under their control and ensure that these are strictly followed.


(Smt. S. Bandopadhyay)
Director

To

All Ministries/Departments of the Government of India.

F. No. 11012/7/2017-Estt.A-III
Government of India
Ministry of Personnel, Public Grievances and Pension
Department of Personnel & Training
Establishment A-III Desk

North Block, New Delhi - 110001
Dated 28th March, 2018

OFFICE MEMORANDUM

Subject: Grant of vigilance clearance for obtaining passport.

The undersigned is directed to say that matter regarding guidelines for granting vigilance clearance to members of the Central Civil Service holding Central Civil Posts have been reviewed and it has been decided to lay down guidelines for grant of vigilance clearance to the Government servant for obtaining Indian Passport.

2. Ministry of External Affairs (MEA) has issued the guidelines for issuance of ordinary Passport to the Government servant vide O.M. No. VI/401/01/05/2014 dated 26.05.2015 in connection with procedures to be followed in case of passport to be issued to Government servant.

3. In view of the above, it is mandatory for the administrative Department/Controlling Authority to check whether any provision of the Section 6(2) of the Passport Act, 1967 are attracted in the case of employee, who are working under them, while obtaining Indian Passport. As such, it is required to check the vigilance clearance of such Government servant.

4. Accordingly, it has been decided that vigilance clearance can be withheld only under the following circumstances:


- (i) The officer is under suspension;
- (ii) A charge sheet has been issued against the officer in a disciplinary proceeding and the proceeding is pending.
- (iii) Charge sheet has been filed in a Court by the investigating Agency in a criminal case and the case is pending.
- (iv) Sanction for investigation or prosecution has been granted by the Competent Authority in a case under the PC Act or any other criminal matter.
- (v) An FIR has been filed or a case has been registered by any Government entity against the officer, after a preliminary fact finding inquiry.
- (vi) The officer is involved in a trap/ raid case on charges of corruption and investigation is pending.

5. Vigilance clearance shall not be withheld due to an FIR filed on the basis of a private complaint unless a charge-sheet has been filed by the investigating agency provided that there are no directions to the contrary by a competent court of law. However, the information regarding FIR may be provided to the Passport Office. The final decision will be taken by the concerned Passport Issuing Authority.

6. There may be situations wherein wards and relatives of the civil servants residing abroad (for education and other purposes) could be having medical emergencies or family events. The officer himself/ herself may require to visit abroad for medical reasons. Therefore, as a policy, ordinarily, a passport will not be granted if a disciplinary proceeding is pending against the officer. However, the competent authority can take a view wherein a foreign travel is necessitated due to extreme urgent situation like medical emergencies etc. on case to case basis.

7. All Ministries/ Departments/Offices are requested to bring the above guidelines to the notice of all Disciplinary Authorities under their control.

8. Hindi version will follow.



(Sanjiv Kumar)

Deputy Secretary to the Government of India

Tel: 23093176

To

The Secretaries of All Ministries/Departments
(as per the standard list)

Copy to:

1. President's Secretariat, New Delhi.
2. Vice-President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. Cabinet Secretariat, New Delhi.
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Secretary, Union Public Service Commission, New Delhi.
8. The Secretary, Staff Selection Commission, New Delhi.
9. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
10. National Commission for Scheduled Castes, New Delhi.
11. National Commission for Scheduled Tribes, New Delhi.
12. National Commission for OBCs, New Delhi.
13. Secretary, National Council (JCM), 13, Feroze Shah Road, New Delhi.
14. CVOs of all Ministries/Departments.
15. ADG (M&C), Press Information Bureau, DoP&T
16. NIC, Department of Personnel & Training, North Block, New Delhi [for uploading the same on the website of this Ministry under the under the Head Notifications → OMs & Orders → Establishment → CCS (CCA) Rules & What's New]
17. Hindi Section, DoP&T

IMMEDIATE
CONFIDENTIAL

No.004/VGL/87
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block-A,
GPO Complex, INA,
New Delhi- 110 023
Dated the 25th October 2004

Office Order No.67/10/04

Subject: Foreign visits by the Government employees.

The High Court of Delhi, in its judgment dated the 28th May, 2004 in the Criminal Writ Petition No. 1004/03, (Shri C.K. Jain v/s Union of India) has observed that a Govt. servant who had visited Dubai & Singapore 161 times on private visits without permission was never ever questioned by any authority like Customs and Immigration and other. In a subsequent direction based on the reply filed by the Government, the High Court directed that the "Central Vigilance Commission may collect information about Government servants going abroad on private visits and possibly a data bank should be kept on them".

2. Keeping in view the directives of the High Court, all the Chief Vigilance Officers are requested to collect information about government servants/employees in their respective Organizations, who had gone abroad on private visits during 2003 (January to December) and 2004 (till October 2004), in the enclosed proforma and send the same to the Commission immediately so that the Hon'ble High Court may be intimated timely.

3. Information of such Foreign visits on private account by Government employees be sent in consolidated form (calender year wise) in January of every year.

Sd/-

(Anjana Dube)
Deputy Secretary

- (i) All Chief Vigilance Officers of Ministries/Departments/Autonomous Organisations/Public Sector Undertakings/Public Sector Banks/Insurance Companies/Societies
- (ii) President's Secretariat/Vice-President's Secretariat/Lok Sabha Secretariat/Rajya Sabha Secretariat/Prime Minister's Office.

Proforma

Name of the Organisation

Sl. No.	Name & Designation of the Officer	Name of the country visited	Duration of stay	Source of funding	Remarks
1	2	3	4	5	6

No. 004/VGL/087
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block'A'
GPO Complex, I.N.A.
New Delhi-110023
Dated, the 6th July' 09

Circular No. 16/07/09

Sub:- Foreign visits by Government employees.

Reference is invited to Commission's Circulars no. 004/VGL/087, dated 25/10/2004, 8/12/2004 & 27/9/2005, on the aforementioned subject.

2. The Commission had, vide its circular, dated 25/10/2004, directed the CVOs of all Organizations/Departments to furnish the lists of employees of their organizations, who had undertaken "private foreign visits" during the preceding calendar year, to the Commission by the end of January every year.

3. The matter has been re-examined in the Commission and it has been decided that, henceforth, the related information and the data bank in respect of employees of each organization would be maintained by the CVO of the organization concerned, in the format prescribed by the Commission, vide office order ibid above.

4. Further, the CVOs should inform the Commission, mandatorily every year by the end of February that the updated information alongwith all details are available with them. Such information would be made available to the Commission at a short notice, as and when required, by the CVOs concerned.

5. All CVOs may note for strict compliance.



(Shalini Darbari)
Director

All Chief Vigilance Officers

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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



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सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi 110023

सं/No. 004/VGL/87/141439

दिनांक / Dated 23/08/2011

To,

Shri A. Sukumaran,
Under Secretary,
Deptt. of Atomic Energy,
2nd Floor, Anushakti Bhavan,
CSM Marg,
Mumbai-400001.

Subject: Private Foreign Visits by Govt. employees-2010 -regarding.

Sir,

Please refer to your letter number 1/8(3)/2011/Vig/8949 dated 12/08/2011 regarding the foreign visits made by Government employees.

2. It is stated that Commission vide its Order No.16/07/09 dated 6.7.2009 (copy enclosed) had directed all the CVOs of the Ministries/Departments/Organisations to maintain the data regarding foreign visits made by the employees. Such information would be made available by the CVO as and when required by the Commission.

Yours sincerely

(Prashant Kr. Singh)
Research Officer

Encl: As above.

strip

copy
30/08/2011
S.P.