

No. C-31015/3/2016-Vig./Admn.II

भारत सरकार

GOVERNMENT OF INDIA

सूचना और प्रसारण मंत्रालय

MINISTRY OF INFORMATION & BROADCASTING

6th Floor, A-Wing, Shastri Bhawan
New Delhi, the June, 2024

CIRCULAR

Subject: Empanelment of retired officers as the Inquiry Officers for conducting departmental inquiries – reg.

This Ministry proposed to make a panel of retired officers as per the criterion laid down in the Department of Personnel & Training (DoP&T)'s O.M. No. 142/40/2015-AVD-I dated 07.01.2016 and 16.11.2022 for empanelment as inquiry officers for conducting departmental inquiries.

2. The terms and conditions for empanelment and the rates of honorarium and other allowances payable to the Inquiry Officers would be as stipulated in DoP&T's dated 16.11.2022 with suitable amendments by this Ministry for calculating the rates of honorarium and other allowances payable to the Inquiry Officers.

3. Willing and eligible retired officers may apply by 15.07.2024 in the prescribed proforma to the undersigned. A copy each of aforesaid O.M. is also attached herewith.

Encl: As above.


27.6.2024

(Anuj Dixit)

Under Secretary to the Government of India

Tel: 23384990

Copy to: -

NIC Cell, MS, M/o I&B with a request to upload this circular on Ministry's website for wider publicity

117

F.No.142/40/2015-AVD.I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi Dated, the 7th January, 2016

OFFICE MEMORANDUM

Subject:- Procedure for empanelment of retired officers as the Inquiry Officers for conducting Departmental Inquiries- reg.

The undersigned is directed to state that the issue of utilizing the services of retired officers for conducting departmental inquiries had been under consideration of the Department. It has now been decided that panels of retired officers from the Ministries/Departments under Government of India and PSUs would be created and maintained by the respective Cadre Controlling Authorities for conducting Departmental Inquiries against the delinquent officials.

2. Procedure for empanelment of retired officers as the Inquiry Officers - Panels of retired officers not below the rank of Deputy Secretary in Central Government and equivalent officer in the State Governments/PSUs to be appointed as the Inquiry Officer for the purpose of conducting departmental inquiries would be maintained level/rank wise and place-specific by each cadre controlling authority where its offices are located.

3. Validity of the panel - The panel of the retired officers created for the purpose of appointing Inquiry Officers for conducting departmental inquiry will be valid for a period of three years. The respective Cadre Controlling Authority will ensure that a panel of retired Inquiry Officers is available with them.

4. Following are the eligibility conditions for appointment of willing retired officers as the Inquiry Officers to conduct departmental inquiries:-

- (i) The retired officers willing to serve as the Inquiry Officer should not be more than 65 years of age as on the 1st April of the year of his/her empanelment.
- (ii) He/she should be in sound health - both physically and mentally.
- (iii) He/she should not be an accused officer in any pending inquiry and should be of impeccable integrity.

5. The respective Cadre Controlling Authority will immediately take necessary action for inviting applications from willing and eligible retired officers to serve as the Inquiry Officer for conducting departmental inquiry. In this regard, a format for inviting applications is annexed.

116

6. A three-member committee consisting of Joint Secretary level officers including CVO of the concerned Ministry/Departments/PSUs would be constituted by the respective cadre controlling authority. The other two members can be from the same Ministry/Department or from the attached or subordinate office. After receipt of willingness of the retired officers, names of the officers will be screened by the committee so constituted and panel of officers (Database) will be created rank-wise viz., Deputy Secretary, Director, Joint Secretary, Additional Secretary, Secretary, etc. Approval of Minister-in-charge may be solicited for making the panel of the officers. Appointment of Inquiry Officer, from the panel of eligible retired officers, will be done by a random draw of lot. The Committee constituted for making panels of retired officers as the Inquiry Officer has to keep in mind that applications of retired officers willing to serve as an Inquiry Officer should be scrutinized carefully to ensure that the applicant meets the eligibility criteria.

7. The number of disciplinary cases assigned to an Inquiry Officer may be restricted to 20 cases in a year, with not more than 4 cases at a time.

8. **Terms and conditions for appointment of retired officers as the Inquiry Officer.**

The designated Inquiry Officer shall require to give an undertaking as follows:-

- (i) that he/she is not a witness or a complainant in the matter to be inquired into or a close relative or a known friend of the delinquent Government officer.
- (ii) shall maintain strict secrecy in relation to the documents he/she receives or information/data collected by him/her in connection with the inquiry and utilize the same only for the purpose of inquiry in the case entrusted to him/her.

9. No such documents/information or data shall be divulged to anyone during the Inquiry or after presentation of the Inquiry Report. All the records, reports etc. available with the Inquiry Officer shall be duly returned to the authority which appointed him/her as such, at the time of presentation of the Inquiry Report.

10. The Inquiry Officer shall conduct the inquiry proceedings in the official premises provided by the Department/Organization, which engages him/her.

11. The Inquiry Officer shall undertake travel for conducting inquiry (in unavoidable circumstances) with the approval of the Disciplinary Authority.

12. The Inquiry Officer shall submit the inquiry report after completing the inquiry within ninety days from the date of his/her appointment as the Inquiry Officer. Extension of time beyond ninety days can be granted only by the Disciplinary Authority.

13. The rates of honorarium and other allowances payable to the Inquiry Officer will be as under:-

Particulars/Details			Rate per case (in Rupees)	
Items	Category	Time taken to complete the inquiry proceedings	Dy. Secretary/Director	Joint Secretary and above
Honorarium	'I'	Within 45 days	Rs. 60000	Rs. 75000
	'II'	Within 90 days	Rs. 40000	Rs. 50000
	'III'	Beyond 90 days	Rs. 30000	Rs. 40000
Transport Allowance		Rs.40000/- per case.		
Secretarial Assistance		Rs.30000 per case if no secretarial assistance is provided by the Ministry/Department concerned		

Payment will be made to the Inquiry Officer only when the report is accepted by the Disciplinary Authority. In case it is not possible to proceed with the matter due to stay by courts etc., the Inquiry Officer may be discharged from his/her duties and payment of honorarium and other allowances will be made on *pro rata* basis.

14. Before the payment is received by the Inquiry Officer, it will be his/her responsibility to ensure that:-

- (a) All case records and inquiry report (two ink signed copies) properly documented and arranged is handed over to the Disciplinary Authority.
- (b) The report returns findings on each of the Articles of Charge which has been enquired into should specifically deal and address each of the procedural objections, if any, raised by the charged officers as per the extant rules and instructions.
- (c) There should not be any ambiguity in the inquiry report and therefore every care should be taken to ensure that all procedures for conducting departmental inquiries have been followed in accordance with the relevant rules/instructions of disciplinary and appeal Rules to which the delinquent Government officials are governed.

114
15. Letter regarding engaging a retired officer as the Inquiry Officer will only be issued with the approval of the Disciplinary Authority of the Ministry/Department/ Office concerned.

16. The Department of Personnel & Training (AVD.I) may be consulted in case of clarification(s) on any of the issues related to empanelment of retired officer as an Inquiry Officer for conducting departmental inquiries.

17. The services of Inquiry Officers whose performance is not upto the mark will be terminated with the approval of appointing authority.



(K.Srinivasan)

Under Secretary to the Government of India

Tel.No. 23040291

To

All Ministries / Departments (As per Standard List)

APPLICATION FOR APPOINTMENT OF RETIRED GOVERNMENT SERVANTS AS THE INQUIRY OFFICER TO CONDUCT DEPARTMENTAL INQUIRY

Name of the officer (In capital letters) :

Date of retirement from government service :

Age on the date of submitting the application :

Last Post held before retirement :

Details of the Ministry and posts held during the service :

Have you ever assigned the responsibility of the Inquiry Officer :

If yes, the details thereof :

Whether retired on attaining the age of Superannuation or voluntary retirement :

Whether any penalty was imposed during the service :

If yes, the details thereof :

**Name and signature
Permanent/Present Address &
Contact Number**

Place:

Date:

(The empanelment of retired officers for their appointment as the Inquiry Officer will be done by a Committee comprising of three Joint Secretary level officers including CVO of the concerned Ministry/Departments/PSUs)

F.No.142/40/2015-AVD.I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated the 16th November, 2022

OFFICE MEMORANDUM

Sub: Grant of Honorarium to Inquiry Officers / Presenting Officers in the departmental inquiries conducted by the Ministries / Departments - reg.

The undersigned is directed to refer to the subject mentioned above and to say that the rates of honorarium payable to Inquiry Officer (IO) /Presenting Officer (PO) in the case of departmental inquiries were last revised vide OM No.142/15/2010-AVD.I dated 31st July, 2012 in the case of serving Government Servants functioning as part time IO/PO and vide OM No.142/40/2015-AVD.I dated 15th September, 2017 in the case of retired Govt. Servants functioning as IO.

2. The existing rates of honorarium as prescribed in the aforesaid OMs were reviewed in consultation with Department of Expenditure and it has been decided to revise the existing rates of the honorarium payable to IO/PO.

3. Accordingly, these consolidated guidelines are being issued in supersession of DoPT's OMs dated 31.07.2012 and 15.09.2017.

4 The rates of honorarium as revised are indicated in the table below:-

a. The rates of honorarium payable to the Inquiry Officer

(i) Retired Officer

Items	Category		Rate per case (in rupees)
Honorarium	I	where number of witnesses cited in the charge sheet is more than 10	An amount equal to 90% of the monthly basic pension drawn.
	II	where number of witnesses cited in the charge sheet are between 6-10	An amount equal to 70% of the monthly basic pension drawn.
	III	where number of witnesses cited in the charge sheet is less than 6	An amount equal to 60% of the monthly basic pension drawn.

Transport Allowance		Rs. 40,000/- per case Subject to the condition that the for outstation journey, the actual expenses for air travel / railways journey will be reimbursed in addition as per their entitled class at the time of their retirement (further subject to the approval of the competent authority and in compliance of the instructions issued by DoPT/DoE from time to time for air travel regarding booking of air tickets through authorized agencies and cheapest available fare).	
Daily Allowance		Same as the officer was entitled to immediately prior to retirement.	
Secretarial Assistance	'I'	Where the number of witnesses cited in the charge sheet is more than 10	Rs. 40,000/-
	'II'	Where the number of witnesses cited in the charge sheet are between 6-10	Rs. 30,000/-
	'III'	Where the number of witnesses cited in the charge sheet is less than 6	Rs. 20,000/-

(ii) Serving Officer

Rate per case (in rupees)
An amount equal to 15% of the monthly basic pay drawn.

(iii) In case of common disciplinary proceedings, an additional amount of honorarium of Rs. 5000 will be payable to Inquiry Officer (both retired and serving) for every additional charged officer.

b. The rates of honorarium payable to the Presenting Officer

Rate per case (in rupees)
An amount equal to 10% of the monthly basic pay drawn.

5. The revised structure of rates of honorarium and allowances as indicated above are intended to be made applicable to Departmental Proceedings including inquiry proceedings undertaken by the committee on Sexual Harassment, by Ministries / Departments in respect of officials / officers serving under different cadres of services under their administrative control. However, in case a cadre of a service or organizations such as autonomous bodies have a separate set of rules and instructions for regulating honorarium to IO / PO in existence, they may choose to continue with their own set of instructions. Fully or partially funded autonomous bodies may retain their own provisions so long as they are not more beneficial than what has been proposed in this OM.

6. The grant of Honorarium in the case of serving Government servants who are appointed as part time Inquiry Officer/ Presenting Officer and retired Government servants appointed as Inquiry Officers will be subject to the following conditions:-

- i. The honorarium will normally be regulated under the financial powers delegated to the Ministries/Departments and taking into account the quantum of work involved in individual disciplinary cases.
- ii. In the case where serving officers are appointed as IO/PO, the controlling department or the administrative department should make all efforts to relieve the IO/PO of his normal duties to enable him/her to complete the proceedings expeditiously.

7. Before the payment is received by the Inquiry Officer/Presenting Officer, whether serving or retired, it will be the responsibility of IO/PO to ensure that:-

- (a) All case records and inquiry report (two ink signed copies) properly documented and arranged is handed over to the office of Disciplinary Authority.
- (b) The report returns findings on each of the Articles of Charge which has been enquired into should specifically deal and address each of the procedural objections, if any, raised by the charged officers as per the extant rules and instructions.
- (c) There should not be any ambiguity in the inquiry report and therefore every care should be taken to ensure that all procedures for conducting departmental inquiries have been followed in accordance with the relevant rules/instructions of disciplinary and appeal Rules to which the delinquent Government officials are governed.

8. **Terms and conditions for appointment of Inquiry Officer:**

The designated Inquiry Officer shall be required to give an undertaking as follows:-

- (i) that he/she is not a witness or a complainant in the matter to be inquired into or a close relative or a known friend of the delinquent Government officer. A certificate to this effect will be obtained from the Inquiry Officer with respect to every inquiry and placed on record;

- 109
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- (ii) shall maintain strict secrecy in relation to the documents he/she receives or information/data collected by him/her in connection with the inquiry and utilize the same only for the purpose of inquiry in the case entrusted to him/her.

9. No such documents/information or data shall be divulged to anyone during the Inquiry or after presentation of the Inquiry Report. All the records, reports etc. available with the Inquiry Officer shall be duly returned to the authority which appointed him/her as such, at the time of presentation of the Inquiry Report.

10. The Inquiry Officer shall conduct the inquiry proceedings at a location taking into account the availability of records, station/place where the misconduct occurred as well as the convenience of the witnesses/ PO etc. Video Conferencing should be utilized to the maximum extent possible to minimize travel undertaken by the IO/PO/CO. The cadre controlling authorities will facilitate necessary arrangements for the Video Conferencing.

11. The Inquiry Officer shall undertake travel for conducting inquiry (in unavoidable circumstances) with the approval of an authority as may be nominated by the concerned Ministry/Department.

12. The Inquiry Officer shall submit the inquiry report after completing the inquiry within 180 days from the date of his/her appointment as the Inquiry Officer. Extension of time beyond 180 days can be granted only by the Authority as may be prescribed.

13. Letter regarding engaging a retired officer as the Inquiry Officer will only be issued with the approval of the Disciplinary Authority of the Ministry/Department/ Office concerned.

14. Any issue arising out of this O.M. between the Inquiring Officer and the Disciplinary Authority will be decided by the Secretary, DoPT whose decision shall be final and binding on both parties.

15. These instructions will be applicable prospectively for processing the Bill submitted by the Inquiry Officers/Presenting Officers.

16. All the Ministries/Departments are requested to bring these instructions to the notice of all concerned under their control.

17. This issues with the concurrence of Department of Expenditure, Ministry of Finance vide their I. D. Note No. 14/4/2009-E.II(B) dated 26/10/2022.

Rupesh kumar
(Rupesh Kumar)

Under Secretary to the Govt. of India

To

- (i) All Ministries/Departments of the Govt. of India
- (ii) Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi
- (iii) Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi
- (iv) Railway Board, Rail Bhavan, Delhi.
- (v) Union Public Service Commission/Supreme Court of India/ Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/ Prime Minister's Office/Planning Commission.
- (vi) Staff Selection Commission, CGO Complex, Lodi Road, New Delhi
- (vii) Office of the Chief Commissioner for Disabilities, Sarojini House, 6, Bhagwan Das Road, New Delhi - 110001
- (viii) Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- (ix) All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.

Copy to: Director, NIC, DOPT - with the request to immediately place this OM on the website of this Department ("what's new" tab) for information of all concerned.

PROFORMA

1.	Name of the Officer			
2.	Service from which the officer has retired			
3.	Last post held before retirement			
4.	Pay level of last pay drawn as per 7 th CPC			
5.	Equivalent post in Centre (Secretary / AS / JS / Director / DS)			
6.	Date of birth			
7.	Date of retirement			
8.	Permanent address			
9.	Present (Communication) address			
10.	Mobile No.			
11.	Email address			
12.	Details of State Government / Ministry / Department from which the officer is retired (Contact details)			
	a. Name:			
	b. Address:			
	c. Contact No.:			
	d. Email ID:			
13.	Details of experience regarding handling disciplinary matters, if any			
(a)	Name of State Government / Ministry / Department	Duration during which disciplinary matters handled	Post held	Nature of work
i.				
ii.				
iii.				

Contd...

14.	Details of training programme / course, if any attended, for IO / PO	
15.	Have you ever been assigned the responsibility of IO	
(a)	If yes, Details of Inquiry (Name of Department / time period of completion of inquiry etc.)	
16.	No. of cases in which presently appointed as IO	
(a)	Details of each case (name of Ministry / Department, date of appointment as IO)	
17.	Whether retired on attaining the age of superannuation / VRS under FR 56	
18.	Whether any penalty imposed during the service period	
19.	If yes, the details thereof	

Place:

Signature _____

Date:

Statement

I certify that the above facts are true to the best of my knowledge and belief and I understand that I subject myself to disciplinary action under relevant pension rules in the event that the above facts are found to be falsified.

Signature _____