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No. SPMCIL/VIG/3/09/02

Dated: 08.04.2009

**OFFICE MEMORANDUM**

**Sub: Dealing the matter with CBI**

All concerned are hereby advised to refer Chapter V (copy enclosed) of the CVC Vigilance Manual (New) which provides necessary instructions on facilities & cooperation to be extended by administrative authorities to the Central Bureau of Investigation during investigation of a case. The CVC Vigilance Manual (New) is available on the website: [www.cvc.nic.in](http://www.cvc.nic.in).

  
(Ramakant Dixit)  
Dy. Chief Vigilance Officer

**Encl:** As above.

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**CC to:**

1. ES to CMD
2. Director (T) / Director (F) / Director (HR)

## CHAPTER V

### FACILITIES & CO-OPERATION TO BE EXTENDED BY ADMINISTRATIVE AUTHORITIES TO THE CENTRAL BUREAU OF INVESTIGATION DURING INVESTIGATION OF CASES

#### FULL CO-OPERATION TO BE EXTENDED

5.1 The Central Bureau of Investigation takes up the cases for investigation coming to their knowledge from many sources, such as information collected from their own sources; that received from members of public or individual public servants or public organisations; or cases referred to them by the administrative authorities or the Central Vigilance Commission. The administrative authorities and the individual public servants should extend full co-operation to the CBI during the course of investigation.

#### INSPECTION OF RECORDS BY SPE

5.2.1 The Inspector General, Special Police Establishment and his staff are authorised to inspect all kinds of official records at all stages of investigation. The Heads of Departments/Offices etc. will ensure that the Superintendent of Police of the Special Police Establishment, or his authorised representatives, are given full cooperation and facilities to scrutinize all relevant records during investigation, whether preliminary or regular. If the C.B.I. wishes to check the veracity of information in their possession from the official records, even before registration of a P.E. or R.C., they may be allowed to see the records on receipt of a request from the S.P., S.P.E.

5.2.2 Investigations are often held up or delayed on account of reluctance or delay on the part of departmental authorities to make the records available for various reasons. Sometimes, departmental authorities express their inability to release the records without the prior permission of the superior authority or the Special Police Establishment is requested to take photostat or attested copies of documents without realising that the Special Police Establishment necessarily require the original records for purpose of investigation, as the authenticity of attested or photostat copies could be contested by the delinquent officials, thereby hampering the progress of investigation. In asking for original documents, particularly those forming part of current files, the SPE will exercise due consideration so as to ensure that day to day work is not impeded. The departmental authorities may thus ensure that the documents asked for by the SPE are made available to them with the least possible delay. Where necessary, the departmental authorities may keep attested or photostat copies of the records for meeting urgent departmental needs or for disposing of any action that may be pending on the part of the Department, without prejudice to the investigation being carried out by the Special Police Establishment.

5.2.3 The records required by the Special Police Establishment should be made available to them ordinarily within a fortnight and

positively within a month from the date of receipt of the request. If, for any special reasons, it is not possible to hand over the records within a month, the matter should be brought to the notice of the Superintendent of Police of the Branch concerned, by the authority in possession of the records, pointing out the reasons for not making available the records within the specified period; and also to the notice of the Chief Vigilance Officer of the administrative Ministry concerned for such further direction as the Chief Vigilance Officer might give.

5.2.4 The request of the C.B.I. for information relating to pay and allowances drawn by the public servants over a certain period, in cases where such public servants are alleged to have possessed disproportionate assets, should be furnished to them within a month of receipt of requisition from the C.B.I. In cases, where it is not possible to supply this information to the Central Bureau of Investigation within the specified period, the position may be suitably indicated to the Central Bureau of Investigation and simultaneously necessary steps taken to obtain and furnish the particulars to them as expeditiously as possible. In the case of officers having served in more than one department/organisation during the period under review, the Central Bureau of Investigation may address all the administrative authorities concerned simultaneously for furnishing the required information for the relevant period(s). Copies of such communications may also be endorsed to the Chief Vigilance Officer(s) of the Ministry(s) concerned for furnishing information about honoraria, etc., if any, received by the officer(s).

**INSPECTION OF  
CLASSIFIED/  
GRADED  
DOCUMENTS**

5.3 When the Special Police Establishment desires to see any classified documents/records, sanction of the competent authority to release such documents/records should be obtained promptly by the administrative authority in-charge of records and the records should be made available to the Special Police Establishment in the following manner:-

- (i) "Top Secret" documents should be handed over only to a gazetted officer of the Special Police Establishment;
- (ii) "Secret" and "Confidential" documents should be given to gazetted officers of the Special Police Establishment, or to an Inspector of Special Police Establishment if he is specially authorised by the Superintendent of Police of the Special Police Establishment to obtain such documents;
- (iii) A temporary receipt should be obtained whenever any graded document is handed over to an officer of the S.P.E., who will be asked to comply with the provisions of para 27(a), (b), (c) and (e) of the pamphlet entitled

