

No. C.31015/30/2016  
GOVERNMENT OF MIZORAM  
VIGILANCE DEPARTMENT  
MIZORAM SECRETARIAT BUILDING  
KHATLA : AIZAWL

.....  
Dated Aizawl, the 12<sup>th</sup> August, 2016

**OFFICE MEMORANDUM**

**Subject: Comprehensive instructions pertaining to Vigilance Clearance for promotion regarding.**

Vigilance clearance for promotion may be denied only in the following three circumstances:

- (i) Government servants under suspension;
- (ii) Government servants in respect of whom a charge-sheet has been issued and the disciplinary proceedings are pending ; and
- (iii) Government servants in respect of whom prosecution for a criminal charge is pending.

Withholding of Vigilance Clearance to a Government servant who is not under suspension or who has not been issued a charge-sheet and the disciplinary proceedings are pending or against whom prosecution for criminal charge is not pending may not be legally tenable in view of the above.

After the disciplinary proceedings are concluded and penalty is imposed, Vigilance Clearance will not be denied.

2. Vigilance Clearance shall be denied to a Gazetted Officer if he fails to submit Annual Property Return of the previous year by 31<sup>st</sup> January of the following year, as required under Rule 18 of the CCS (Conduct) Rules, 1964.

3. No promotion can be withheld merely on the basis of suspicious or doubt or where the matter is under preliminary investigation and has not reached the stage of issue of charge-sheet etc. If in the matter of corruption / dereliction of duty etc., there is a serious complaint and the matter is still under investigation, the Government is within its right to suspend the official. In that case, the officer's case for promotion would automatically be required to be placed in the sealed cover. The sealed cover procedure is to be resorted to only after the charge memo / charge-sheet is issued or the officer is placed under suspension. The pendency of preliminary investigation prior to that stage is not sufficient to adopt the sealed cover procedure.

Vigilance Clearance is valid for a period of three months from the date of issue. In case the promotion is to be considered after three months, Vigilance Clearance to be sought again. In case of some new and serious matter crops up against any of the persons to whom Vigilance Clearance is already granted, the Department will inform the same to Vigilance Department.

5. While submitting proposals for Vigilance Clearance, the proposals shall clearly indicate the purpose for which Vigilance Clearance is required, otherwise, Vigilance Clearance shall not be issued.

6. All Departments are requested to submit Quarterly Report on Disciplinary / Criminal case to Vigilance Department regularly.

7. All Departments are, therefore, requested to keep in view the above guidelines while dealing with cases of Vigilance Clearance for promotion of the Government servants.

Sd/-

(LALMALSAWMA)

Chief Secretary to the Government of Mizoram

Memo No. C. 31015/30/2016 – VIG

: Dated Aizawl, the 12<sup>th</sup> August, 2016

Copy to :-

1. All Heads of Administrative Departments.
2. All Administrative Departments.
3. All Head of Departments.
4. Guard File.

*Vanlawni 12/8/16*  
(K. VANLALRAWNI)

Joint Secretary to the Govt. of Mizoram

↳ Vigilance Department