

GOVERNMENT OF KERALA

Abstract

Vigilance-Emblements of Public moneys or properties- Handing over of important cases of embesslement to the Vigilance division- Orders issued.

HOMS (F) DEPARTMENT

G.O.(MS) No. 88/70/Home

Dated, Trivandrum, the 8th April 1970.

Read:- 1. Letter No. E1.5363/69/VC dated 8-12-1969 from the Secretary Vigilance Commission.

2. Letter No. D1.693/70 dated 19-1-1970 from the Inspector General of Police.

ORDER

According to Article 323 Kerala Financial code Vol I, whenever the head of an office finds that there is reasonable suspicion that a criminal offence has been committed in respect of any public moneys or property, he should as a general rule reports the matter st once to the Police. Further, in circular Memorandum No. 32877/F8/65/Home dated 20-10-965, Government directed all the Heads of Departments and District Collectors that whenever there are straight forward defalcation cases or reasonable suspicion regarding the commission of a cognizable offence, information should be laid before the local police authorities instead of waiting till the conclusion of a departmental enquiry into the matter.

There have been complaints that the Police Department, with their attention devoted mainly to ordinary crimes as well as law and order situation, do not have sufficient time to concentrate on cases of embesslements and misappropriations by Government Servants and other Public Servants. As there is a special departments under the Director of Vigilance investigation to deal with cases of corruption etc. of public servants, the former Vigilance commission suggested to Government that the Vigilance Division might take up all cases against Public servants against the various penal laws of the country. Due to the inability of the police to devote sufficient time to defalcation cases they are kept pending for a long time wire the result that it is ultimately found difficult to secure a conviction or to recover the amounts involved.

The question was discussed by the former Vigilance Commissioner with the Director of Vigilance Investigation. The Director of Vigilance Investigation agreed at the discussion that all cases of defalcation of public moneys or public properties amounting to or valued at Rs. 1, 000/- or more belonging to the State Government or to institutions under the control of the State Government (including moneys or properties of co-operative Societies) may be reported to local x-Branch Vigilance Division instead of to the ordinary police. The Inspector General Police has also agreed with the above proposal.

Government have examined proposal and they are pleased to order that in future all cases of defalcation of public moneys or properties amounting to or valued at Rs. 1000/-or more belonging to State Government or to institutions under the control of the State Government including moneys or properties of Co-operative societies) will be reported

immediately by the concerned Departments or institutions to the local Branch Vigilance Division instead of to the ordinary police.

Finance Departments will issue necessary amendment to Article 323 of Kerala Financial code Volume I.

Endt. on B4. 16085/70. Sd/-Assistant Secretary.
Office of the Chief Conservator of Forests,
Trivandrum, dt.5-5-70.

Copy to Conservator of Forests. D.F.Os. A.C.Fs WIPO, Principal K.P.S Walayar, F.U.O for information and attention. Copy to A.C.E.F. A.C., A.A, F.A, F.U.O. Volume Table preparation office. Copy to all section heads and Steno to Chief Conservator of Forests in office.

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Endt.on G1. 11303/70 dt. 26-5-70. Sd/-
For Chief Conservator of Forests.

Copy to C.F., S.S. Stock file, E1.G2. and circulations in office.

For Conservator of Forests,
Trichur.