

No.6/332/2011-PER/299/
Administration of Daman & Diu,
Department of Personnel &
Administrative Reforms,
Secretariat, Daman.
Dated :- 01 / 01 / 2014

C I C U L A R


Attention of All the Head of Offices is invited to the Circular No.6/332/2011-PER/3846 dated 30-01-2012 (copy enclosed) regarding submission of Annual Property Return in respect of Group 'A', 'B', 'C' and Multi Tasking Staff.

Every Government servant belonging to Group 'A', Group 'B', Group 'C' and Multi Tasking Staff are required to submit the Annual Property Return for the year ending on 31st December, 2013 to the prescribed authority latest by 31st January, 2014..

In view of above, I am directed to inform that the IAS, IFS, IPS, DANICS and DANIPS Cadre Officers may submit their Annual Property Return to the Personnel Department, UT Administration through the Head of Department. The Personnel Department will process and scrutinize the Annual Property Return and forward the same to the concerned Ministry. Instructions from MHA in respect of IAS Officers has already been issued, however a copy is enclosed for ready reference.

The Annual Property Return in respect of employees than above officers, the Head of Offices are directed to obtain the same from Group 'A', 'B', 'C' and Multi Tasking Staff working under their control. The Head of Office should scrutinize the APR at his level. The Annual Property Return in respect of Group 'A' officer may be submitted to Hon'ble Administrator on file through concerned Secretary. The Annual Property Return in respect of Group 'B' may be submitted to the concerned Head of Department for acceptance. The Property Return in respect of Group 'C' and Multi Tasking Staff may be scrutinized by Head of Office and kept on the records.

While scrutinizing the APRs, the Guidelines issued vide O.M. No.1-2(C)(379)/ADMR/DNH/VIG/99/06 dated 14-01-2002 and Circular No.DC/VIG/MISC/457/09-10/158 dated 26/06/2009 (copies enclosed), may be followed.


(S. K. Varma)
Deputy Secretary (Pers.)

To
All Head of Offices / Head of Departments,
Daman.

Copy to :-

1. The Collector, Diu with a request to circulate the same at Diu District.
2. The Deputy Secretary (Pers.)DNH, Silvassa for similar action.
3. The DIO, NIC, Daman for uploading on Website.

CFWCs. To :

1. The Staff Officer to Administrator, Secretariat, Daman for information, please.
2. The Development Commissioner, Secretariat, Daman.
3. The Finance Secretary, Secretariat, Daman.
4. The Managing Director, OI DC, Daman.
5. The Secretary (Education), Secretariat, Daman
6. The Secretary (Fisheries), Secretariat, Daman.
7. The Collector, Daman/Diu/DNH.
8. The Assistant Director (OL), Secretariat, Daman for translation in Hindi.

-2-

No.6/332/2011-PER/334b
Administration of UT of Daman & Diu,
Department of Personnel &
Administrative Reforms,
Secretariat, Moti Daman - 396 220
Dated : 30 / 01 / 2012

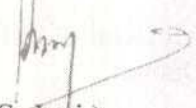
Read: - (1) O. M. No.1-2(C)(379)/ADMR/DNH/VIG/99/06 dated 14-01-2002.
(2) Circular No.DC/VIG/MISC/457/09-10/158 dated 26-06-2009.

C I R C U L A R

As per the provisions of Rule 18 (1) (i) of CCS (Conduct) Rules, 1964, every Government servant is required on his first appointment to any service or post, to submit a return of his assets and liabilities in the prescribed forms in the Schedule to this Rules. Under clause (ii) of this Rules, every Government servant belonging to any service or holding any post including in Group 'A' and 'B' is required to submit an Annual Return of Immovable Property in the prescribed form.

In view of above rule position, all the Head of Offices are directed to obtain Annual Property return of Immovable property from all the Group 'A', Group 'B', Group 'C' and Group 'D' employees working under their control. After receiving the Annual Property return, the Head of Office should scrutinize the APR at his level. The Annual Property Return in respect of Group 'A' officers may be submitted to Hon'ble Administrator on file through concerned secretary/Head of Department. The Annual Property Return in respect of Group 'B' employees may be submitted to the concerned Head of Department for acceptance. The Property Return in respect of Group 'C' and Group 'D' may be scrutinized by Head of Office appropriately at their level before accepting same and kept on the records.

While scrutinizing the APRs, the guidelines issued vide O.M. No.1-2(C)(379)/ADMR/DNH/VIG/99/06 dated 14-01-2002. dated 14-01-2002 and Circular No.DC/VIG/MISC/457/09-10/158 dated 26-06-2009; may be followed.


(P. S. Jani)
Joint Secretary (Pers.)

To,
All Head of Offices, Daman.

Copy to:-

- 1) The Collector, Diu with a request to circulate the same at Diu District.
- 2) The Dy. Secretary (Pers.), DNH, Silvassa for similar action.
- 3) The DIO, NIC, Daman for uploading in Website.

CFWCs To:-

- 1) The Staff Officer to the Administrator, Secretariat, Daman
- 2) The Development Commissioner, Secretariat, Daman
- 3) The Finance Secretary, Secretariat, Daman
- 4) The Managing Director, OI DC, Daman
- 5) The Secretary (Education), Secretariat, Daman
- 6) The Collector, Daman / Diu / DNH.

-3-

Union Territories of
Daman & Diu and Dadra & Nagar Haveli,
(Vigilance Department).

210

98

No.1-2(C)(379)/ADMR/DNH/VIG/99/06

Silvassa.

Dated: /4 -01-2002.

c/b

OFFICE MEMORANDUM

Subject: CCS(Conduct) Rules, 1964-Transaction of property coming within the purview of Rule 18 (2) & (3).
Streamlining the procedure for dealing with such proposals.

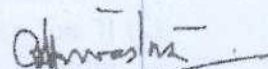
1. The undersigned is directed to say that in accordance with the provisions of sub-rule (2) of Rule 18 of the CCS (Conduct) Rules, 1964, all Government servants coming within the purview of these Rules are required to make a report to the prescribed authority before entering into any transaction of immovable property in their own name or in the name of a member of family. If the transaction is with a person having official dealings with the Government servant, the Govt. servant is required to obtain prior sanction of the prescribed authority. Sub-rule (3), ibid provides that all Government servants should give an intimation to the prescribed authority within one month of entering into any transaction of movable property, the value of which exceeds the monetary limits prescribed in that Rule. In case any such transaction is with a person having official dealing with the Government servant, prior sanction of the prescribed authority is necessary.
 2. The relevant Conduct Rules require public servants to report acquisition of moveable property above a fixed value and of all immovable property. It has been observed that there has been a marked tendency in various organizations to raise queries repeatedly on these intimations without ever accepting them. The Central Vigilance Commission is of the view that this discourages
- 4/-

public servants from complying with reporting requirements. Such intimations are made when there is no intention to hide the transaction, i.e. the transaction is a bona fide one. Therefore, impediments such as repeated queries demotivate the public the public servant who is being honest about his transactions. Repeated querying also does not result in uncovering any wrongdoing on the part of the public servant. Acceptance of such intimations does not confer immunity from investigations at a later stage should the need arise; not is it a reflection on the efficiency or otherwise of the authorities concerned. Mere intimation and its acceptance does not imply that the value declared is to be accepted in the event of an investigation. Separate instructions guide the process of assessing the wealth of public servants in investigations. There is, thus, no worthwhile benefit that accrues from such detailed inquiries at the time of intimation.

3. In view of the guidelines received from the GOI, Central Vigilance Commission, New Delhi for handling of intimations of acquisition reported by public servants vide its letter No.99/VGL/69 Dated 26/2/2001 (Copy enclosed), the question of streamlining the procedure for submission of the cases coming within the purview of Rule 18(2) & (3) of the CCS(Conduct) Rules, 1964, has been considered and it has been decided that hence forth all such cases will be dealt with by the authorities prescribed under Conduct Rules at their own level without referring the cases to the Vigilance Department for vetting. The prescribed authorities for Class III & IV will be the Head of Office, for Class II the Head of Department and for Class I, the Administrator. Therefore the Head of Offices will deal with the cases of Class III and IV. For Class II Officers, the Head of Office will directly submit files to their concerned Head of Department and for Class I to the Administrator through their Head of Department/Special Secretary. Where the Administrator is Head of Department, the Head of Office will route their files through concerned Special Secretary. However, the Head of Offices and Head of Departments are required to scrutinize the cases appropriately at their level

before accepting/giving prior sanction subject to the following conditions.

- (1) Unnecessary queries may not be raised when officers make intimations. As a general rule, such intimations may simply be noted;
- (2) If not related to assets disproportionate to known source of income, failure to intimate should be treated as technical lapse. Such lapses should ordinarily attract only a censure/administrative warning;
- (3) Since monetary limits for intimation have not kept pace with inflation, the failure to send intimations of transactions in movable properties should be taken cognizance of only if the value of the movable property dealt in exceeds two months basic pay of the official concerned.



(R.K. Srivastava)

Finance Secretary/Special Secretary (Vigilance)
Daman & Diu and Dadra & Nagar Haveli.

To

All Head of Departments, Daman & Diu and Dadra & Nagar Haveli.
All Head of Offices, Daman & Diu and Dadra & Nagar Haveli.

6/-

C I R C U L A R

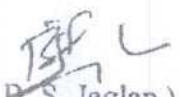
It is observed that many departments/offices submit their Official/Staffs intimation of Acquisition of Movable or Immovable Property to the Vigilance Department.

In view of the above this department had issued Office Memorandum No. 1-2 (C)(379)/ADMR/DNH/VIG/99/06 dated 14/1/2002 stating that to streamlining the procedure for submission of the cases coming within the purview of Rule 18(2) & (3) of the CCS (Conduct) Rules, 1964 has been considered and it has been decided that hence forth all such cases will be dealt with by the authorities prescribed under Conduct Rules at their own level without referring the cases to the Vigilance Department for vetting. The prescribed authorities for Class III & IV will be the Head of Office, for Class II the Head of Department and for Class I, the Administrator. Therefore the Head of offices will deal with the cases of Class III & IV. For Class II Officers, the Head of Office will directly submit files to their concerned Head of Department and for Class I to the Administrator through their Head of Department/Special Secretary. Where the Administrator is Head of Department, the Head of office will route their files through concerned Special Secretary. However, the Head of offices and Head of Departments are required to scrutinize the cases appropriately at their level before accepting/giving prior sanction subject to the following conditions.

- (1) Unnecessary queries may not be raised when officers make intimation. As a general rule, such intimations may simply be noted.
- (2) If not related to assets disproportionate to known source of income, failure to intimate should be treated as technical lapse. Such lapses should ordinarily attract only a censure/administrative warning.
- (3) Since monetary limits for intimation have not kept pace with inflation, the failure to send intimations of transactions in movable properties should be taken cognizance of only if the value of the movable property dealt in exceeds two months basic pay of the official concerned.

Hence, all concerned Head of Office are requested to follow the Office Memorandum dated 14/1/2002 and Guideline issued by Central Vigilance Commission, New Delhi dated 26th Feb., 2001. The said Memorandum and Guideline are enclosed herewith for necessary action and compliance.

Encl: As above.


(B. S. Jaglan)
Deputy Secretary (Vig.)
Secretariat, Daman.

To
All Head of Offices
Daman/Diu.

Copy to:-

1. The P.S. to the Administrator, Secretariat, Daman.
2. The P.A. to the Development Commissioner, Secretariat, Daman.
3. The P.A. to the Finance Secretary, Secretariat, Daman.
4. The Managing Director, O.I.D.C., Daman.
5. The Law Secretary, Secretariat, Daman.
6. The Secretary Education, Secretariat, Daman.
7. The Collector, Daman/Diu.