



'CORRUPTION, A CRIME AGAINST NATION'

Vigilance & Anti-Corruption Bureau

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Sub:- Cutting down delay in investigation – reg.

A number of cases are pending investigation in all the Units including special units of VACB. On a preliminary study, it was found that many of these cases could have been disclosed on long back.

02. The pendency is increasing and it is because of lacks of supervision, guidance to the Investigating Officers at the right time, heavy burden on some IOs ignorance of law / procedure, unfocused attention etc.

03. To expedite investigation and disposes most of the U.I cases, the following steps should be taken:

- 1) Important and large cases must be investigated by a team of officers rather than a single officer.
- 2) Plan of Action(PoA) should be drawn jointly by SP, IO and the Law Officer. Plan of action should be so designed to conduct investigation on day to day basis.
- 3) The practice of examining one witness on a day and then another witness after 10/20 days or so must be stopped.
- 4) A number of witness can be examined by the team or Investigating Officer in one day.
- 5) The Law Officer i.e LA/ALA and SP should be consulted by the Investigating Officer or the Investigating Team on a regular basis.
- 6) **Progress Reports** have to be prepared by the First Level Investigating Officer in the format prescribed.

- 7) As soon as the case is registered and, in those cases in which **searches** are to be conducted, as soon as the searches are completed, **a checklist** should be prepared of all the authorities, including banks, from whom documents are to be seized. **Requisitions for these documents should be issued within a week** after registration of the case or after completion of searches, as the case may be.
- 8) Thereafter, **reminders** may be sent at regular intervals to the authorities concerned, till the documents are recovered. However, in case the documents are not received in a reasonable time, necessary steps may be taken to **seize the same under the relevant provisions of law**.
- 9) If during the investigation, further documents are considered essential, requisitions for such documents should also be issued immediately.
- 10) As soon as the documents are obtained, the Unit Head/SP should fix a **target date for scrutiny** of the same and submission of the scrutiny report by the IO. **Urgent investigations, which may be required to be done even during the scrutiny of documents, should also be completed by the IO in the meantime.**
- 11) As soon as the scrutiny of documents is over, the Unit Head or the SP should ensure that **witnesses are examined in a planned manner**. It should be ensured that the statements of the complainant, trap witnesses, eyewitnesses etc. whose evidence is of importance are recorded without any delay.
- 12) Photocopies of the documents which are to be sent to the expert(s) through the court should be prepared and the **original documents sent to the expert** as early as possible after retaining the photocopies.
- 13) Material witnesses, whose evidence is connected with the documents, should be examined with reference to the original documents. **The transmission of documents to the expert need not await the completion of the field investigation.** While inspecting Units, the Inspecting Officer should specifically check if these instructions have been complied with by the SPs/Unit Heads
- 14) When the investigation of a case is over, the SP should set reasonable deadlines for the IO to submit his Factual Report(not more than 15 days)

- 15) In some cases, investigation are stayed by the Courts, on Writ Petitions, etc. In every such case of stay, certified copy of the order should be applied for immediately and an appeal against the stay order be filed invariably. Action in this regard should be taken on top priority basis at every stage, as this is a matter which involves **limitation**. It should also be borne in mind that once the limitation passes, nothing can be done thereafter till the Writ Petition is disposed of. In this context, it should be borne in mind that in case AIR 1985-SC-1668, the Supreme Court has discouraged the practice of Courts interfering with the investigation cases.
- 16) When a sanction order has been requested for, periodical D.O, reminders, should be issued to the Prosecution Sanctioning Authority to ensure that the order is obtained early. In appropriate cases personal meetings should also be arranged for obtaining the sanction order early.
- 17) The Unit heads and SPs must have inclination, passion and intention to cut the delays in investigation.
- 18) The Unit Heads and SPs must pursue with authorities, FSLs, Experts to get quick results/reports rather than leaving the same to I.Os.


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Director

Copy to : 1. ADGP-I & II, SP(Int.)
2. All Unit Heads
3. Manager/Accounts Officer/Administrative Assistant
4. CAs to Director/ADGP-I/ADGP-II/SP(Int)/ADP(V)/EE
5. Stock file