

## 7. RETIREMENT & PENSION

### 7.9 Voluntary Retirement and retirement on superannuation - obtaining clearance certificate from DVAC/CBCID/SBCID - Modified instructions

---

Personnel and Administrative Reforms (FR -III) Department

Letter No. 12679/FR.111/2005-2, Dated : 26.4.2005

From

Tmt.Lakshmi Pranesh, I.A.S.,  
Chief Secretary to Government

Sir,

Sub : Public Services –Voluntary Retirement and retirement on superannuation – Obtaining clearance certificate from DVAC/CBCID/SBCID- Instructions issued Clarification raised- Modified instructions- Issued.

- Ref : 1) Govt. letter No. 77839/FR.111/97-1, Personnel and Administrative Reforms Department, dated 2.6.1998.
- 2) Govt. letter No. 50478/FR.111/2003-1, Personnel and Administrative Reforms Department, dated 14.11.2003.
- 3) From the Director of Vigilance and Anti Corruption, Chennai-28, Letter No. 00811/VAC. 3/2004, dated 28.1.2004 and dated 9.2.2005.
- 4) From the ADGP(Intelligence), Chennai-4 Letter C 12 No. 50/VR/2004/T. dated 27.1.2004 forwarded by DGP, Chennai-4 in Letter RC. No. 25141/ Pen. 1/2004, dated 17.2.2004.

I am directed to invite attention to the Government letter second cited wherein instructions were issued that before accepting the notice for voluntary retirement or before allowing a Government Servant to retire on superannuation, the appointing authority should also ensure that no criminal case or prosecution is contemplated or pending against the Government Servant and the appointing authority should satisfy himself that the Government Servant is free from such course of action by obtaining clearance from the Director of Vigilance and Anti-Corruption/ Crime Branch C.I.D. /S.B.C.I.D. wherever necessary.

2) In the letter reference third cited, the Director of Vigilance and Anti-Corruption has now stated that the instructions issued in the above letter resulted in an ambiguous situation and the departmental authorities have started addressing the Director of Vigilance and Anti-Corruption for vigilance clearance for cases of retirement of normal superannuation in addition to cases of voluntary retirement. It is not possible for this Directorate to give clearance for these normal retirement cases also. Hence, the Director of Vigilance and Anti-Corruption has requested to issue suitable instructions to the Heads of Departments and departmental authorities that they need not get clearance from Director of Vigilance and Anti-Corruption in respect of normal retirement on superannuation.

3) Similarly, in the letter fourth cited, the Additional Director General of Police Intelligence(S.B.C.I.D.) has stated that verification reports are called for by all the Heads of Departments routinely who opt for voluntary retirement as well as retirement on superannuation. He added that an average of 150 verification rolls for voluntary retirements were received in a month. Consequent on the issue of instructions in Government letter, dated 14-11-2003, more than 2000 verification rolls are expected every month. As there is no sufficient manpower to do this job, there is a possibility of delay in proceeding the case. The Additional Director General of Police (Intelligence) has, therefore, requested to issue necessary instructions directing all Heads of Departments:-

## 7. RETIREMENT & PENSION

- (i) to get verification reports directly from the concerned Deputy Superintendents of Police/ City Commissioners of Police as well as Vigilance and Anti-corruption and C.B.C.I.D if necessary, since they are dealing with criminal cases / criminal enquiry.
- (ii) Verification only on Special Branch C.I.D point of view may be obtained directly from S.B.C.I.D., if necessary.

The Director General of Police, Chennai-4 has forwarded and recommended the above suggestions of Additional Director General of Police, Intelligence, Chennai-4.

4) After careful consideration, the Government have decided to accept the suggestions of the Director of Vigilance and Anti-Corruption and Additional Director General of Police (Intelligence) recommended by the Director General of Police. In continuation of the instructions issued in Government letter second cited the following modified instructions are issued to all Heads of Departments and appointing authorities for guidance:

- a) The Department authorities need not get clearance from the Director of Vigilance and Anti-Corruption in respect of normal retirement on superannuation. The departmental authorities should satisfy themselves that no such adverse aspects are pending against the government servant.
- b) The departmental authorities should maintain a register showing the details of officials against whom enquiries / investigation are pending in Director of Vigilance and Anti-Corruption. This register should be referred to before clearing the proposals of cases of retirement on superannuation.
- c) It is enough if the appointing authority satisfies himself that no criminal case or prosecution is pending or contemplated against the government servant who opt for voluntary retirement. In cases where the departmental authorities consider that verification reports are absolutely necessary, such report may be obtained directly from the concerned District Superintendent of Police/ City Commissioner of Police and C.B.C.I.D as the case may be. The departmental authorities may obtain the verification report directly from the S.B.C.I.D. only in cases involving Special Branch point of view. However, as statutorily provided under FR.56 (3) (e), it is mandatory on the part of the appointing authority that a report from DVAC should be obtained in cases of voluntary retirement in addition to satisfactory fulfillment of the other conditions laid down thereunder.

for CHIEF SECRETARY TO GOVERNMENT