



Forum for Good Governance

Regd. No. 653/2009

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(Retd. High Court Judge)

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Hyderabad
21st October, 2017

PRESS NOTE

Whenever Anti-Corruption Bureau (ACB) registers a case against government servant for Trap or Disproportionate assets, it will conduct detailed enquiry duly providing an opportunity to be heard to the Accused officer (A/o). After enquiry ACB sends its report to respective department in Secretariat through Vigilance Commission (VC). In V.C. the report of ACB is thoroughly examined and with its opinion the V.C. sends the case to Secretariat. As a matter of policy, in Trap and disproportionate assets cases ACB and Vigilance Commission recommends for prosecution of Accused Officer (A.O.).

As per Sec. 6 of Prevention of corruption Act, previous sanction is necessary for prosecution of a government employee. Here lies the problem. In Secretariat once the report of ACB requesting for prosecution of A.O reaches manipulations takes place. During last two years about 50 cases where ACB requested for prosecution was rejected by government only help corrupted officials. Petty officials who cannot approach Secretariat are given permission to prosecute, other officials who can influence the staff and officials are helped firstly by keeping the file pending for years and then the next step is to mark the file to other authorities like Tribunal for Disciplinary Proceedings (TDP) or Commissioner of Inquiries (COI) or Departmental enquiry.

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The TDP is headed by a judicial officer with sufficient supporting staff. Unfortunately there is no judicial officer posted nor supporting staff is available since last 3 years, with the result about 300 cases are pending in T.D.P without any action. The departments in Secretariat know very well the absence of judicial official in TDP still they send cases only to help the A.O. Trap cases of 7 years back are still pending without any action in TDP. The next agency dealing with corruption related cases is C.O.I. In spite of request for prosecution of A.O, the cases are marked to Commissioner of Inquiries. There are about 100 cases pending in C.O.I., since last many years.

Sometimes the cases are sent to heads of departments where the enquiry takes years and ultimately the A/O is let off with minor punishment or let off with a warning.

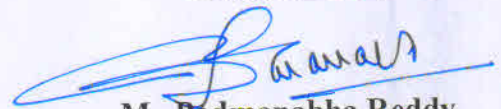
The opinion of Vigilance Commission is advisory in nature but, if the government differs with V.C. opinion the file should be marked to Chief Minister and his approval obtained. Further all the corruption related cases where the government differs with V.C. opinion, such cases with brief note explaining the reasons for not accepting the V.C. opinion has to be placed on the floor of the house to enable the Hon'able MLAs to discuss the issue.

Unfortunately neither Chief Minister's approval is taken nor information placed on the floor of the house for differed cases. Respective departments of Secretariat are taking decision over ruling the opinion of V.C.

In this way, the Secretariat has become a God Father to corrupt officials. This is giving a wrong message that even if somebody is red handed trapped or amassed hundreds of crores properties nothing is going to happen one can still manipulate in Secretariat.

If corruption in administration to be controlled a beginning has to come from Secretariat. It should be totally cleaned and sanitized so that manipulations are avoided.

Yours Sincerely



M. Padmanabha Reddy

Secretary

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