

Art of Investigation- Do's & Don't for the investigations.

In order to ensure that quality of investigation is maintained and the SPS gets punished for his misconduct and also to ensure that no honest person gets harassed, following DO's and Don'ts should be followed by all Vigilance Officers while dealing with corruption cases:-

DO's

1. Always follow rules prescribed for verification/conducting preventive checks.
2. Carefully examine the complaint and look for additional information if any, which could be obtained from the complainant. Request him to supply additional information while sending letter of verification.
3. Please use polite language while writing to Honorable MP/MLAs etc. as per format prescribed by the Railway Board and the letter should be written by SDGM.
4. Develop reliable source in order to have feedback about irregularities/corrupt practices being adopted in your area of control. Please protect your source.
5. Conduct preventive check on the basis of source information or as directed by Board from time to time. It should be always done after proper planning.
6. After verification etc., the case should be allotted to a particular CVI depending upon his expertise and workload. Plan for investigation of cases should be discussed with each CVI including document collection plan and let them not stray from the plan. Get all the documents listed which are needed as earlier as possible along with their custodians and get them seized immediately as per document collection plan.
7. Ensure that CVI checks the entire document/file carefully before taking over and records deficiencies if any, in the seizure memo. It should be clearly written about the file no. and folio numbers of correspondence side as well as noting side. The memo should be signed by the CVI giving their name and designation. The seizure memo should be numbered in such a way so as to identify the case. Dy.CVO., department and division/unit etc.
8. Keep a close watch on your CVI as well as progress of investigation. Ensure that all CVIs report back to you immediately after conducting preventive checks about details of check conducted and they should be asked to present preliminary report within a day or two.
9. Get the preliminary scrutiny report prepared by CVI in order to ascertain the correctness of allegations/misconduct. Also get the persons/employees listed, Who are likely to be involved in the said case or who could throw light on the issues involved along with their bio-data containing information about date of birth, date of retirement, present place of posting, controlling officer etc. Get approval of competent authority (GM in case of Gazetted officer) before recording oral evidence.
10. As soon as major irregularities are detected in complaint case/preventive check, ask the concerned executive officer to take immediate corrective measures pending detailed investigation. However evidences needed for investigation must be protected.
11. The clarification of employees involved should be recorded by the CVI and the clarification of the officers may be recorded in your presence. However there is no need to sign the clarification. Keep the SPS comfortable while recording his clarification.
12. Ensure proper Indexing and preservation of documents case wise so as to ensure quick retrieval.
13. As far as possible involve concerned executive officer in joint check to ascertain the physical evidence. Joint notes should be drawn very carefully and signed by CVIs. Once you sign any document which may become RUD. You may become witness. Therefore, do not sign there in routine.

14. Give SPS enough time to think and reply the questions but be careful in sensitive cases & ensure those documents are kept secured at all times.
15. Ensure that no injustice is done to anybody and all are heard by you and your CVI.
16. Prepare investigation report in the prescribed form and in precise terms. Deal with each allegation separately and conclude only on the basis of evidences available with you.
17. While evaluating evidence and framing opinion about bona fides etc., please place your own foot in the shoe of the SPS and visualize the circumstances under which he might have taken the decision.
18. Keep all possible options open and examine them well before you jump to the conclusion.
19. Take technical opinion of the PHOD wherever required as per procedure laid down before putting case to GM etc. but the same should not be further delegated to HODs by the PHOD.
20. Always put up a self contained note on the case before putting it to the GM.
21. Always act to find out the truth.
22. Act miner like a go digging deep into the case till you find the truth.
23. While evaluating the evidences counter the argument of SPS carefully, professionally and thoughtfully without any sign of high handedness.
24. Remain cool and do your job professionally.

Don't

1. Never be in haste while investigating a case.
2. Do not lose your temper while seeking clarification etc.
3. Do not coerce the SPS to give evidence but put proper questions to force him to give correct version of the event and his role.
4. Never have preconceived notions/perception about people, departments and events. You are professional and are supposed to have a laymen's view.
5. Do not settle personal scores. In case you have any past enmity with the SPS, get the case transferred to another DyCVO/SVO/VO. This applies to CVI also.
6. Never mix up issues/allegations. Deal them separately.
7. Do not feel frustrated if some charges can't be proved for want of evidence. Try your best to collect evidences.
8. Never waste time before seizing documents otherwise they may be tempered.
9. Never fail to check the credential of the SPS.
10. Do not be biased on any account. Be professional.
11. Never jump to conclusion.
12. Avoid including witnesses who have stake in the case. They may become hostile.
13. Never hide the irregularities committed by people who are of known integrity but do write about the circumstances under which they took decision.
14. Never delay the case when some of the SPSs are about to retire shortly. Thus should not be last sign while planning for investigation.
15. Never be discourteous to anybody during the investigation.
16. Never hold the papers after the case is finalized.
17. Never use vague languages in the investigation report and do not forget to mention the Codal provisions violated.
18. No preventive check should be conducted without proper planning.
19. Do not provide freedom to your CVI to conduct preventive check as per his desire.