

ल. वर्मा
सचिव
LOV VERMA
Secretary



भारत सरकार
स्वास्थ्य एवं परिवार कल्याण विभाग
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
Government of India
Department of Health and Family Welfare
Ministry of Health and Family Welfare

D.O. No. File No : V-16020/36/2009-ME-I
Dated : 23rd August, 2014


Dear Sir,

The Hon'ble Prime Minister of India had a telephonic discussion with the Hon'ble Union Minister of Health and Family Welfare regarding relieving of additional charge of CVO AIIMS, New Delhi from Shri Sanjiv Chaturvedi, DS, AIIMS, New Delhi.

A detailed note in this regard is submitted for perusal of Hon'ble Prime Minister of India.

With warm regards!

Yours sincerely,


(Lov Verma)

Shri P.K. Mishra,
Principal Secretary to PM,
Prime Minister's Office,
South Block, New Delhi.



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29/8/2

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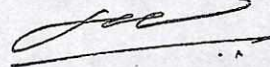
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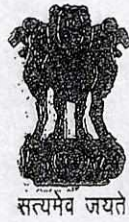
Yours sincerely,


(Lov Verma)

Shri Ajit Seth,
Cabinet Secretary,
Government of India,
New Delhi.

Received
S. K. Sharma
23.08.14
5.55 p.m.

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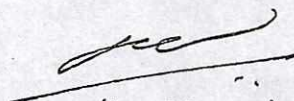
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(Lov Verma)

Shri Nripendra Misra,
Principal Secretary to PM,
Prime Minister's Office,
South Block, New Delhi.

206 (4)

File No : V-16020/36/2009-ME-I
DEPARTMENT OF HEALTH AND FAMILY WELFARE

Subject: Charge assignment of CVO in AIIMS, New Delhi.

The history of appointment of CVO in AIIMS, New Delhi, is a long and complicated one. Indeed, as of now, there is no independent post of CVO in AIIMS, New Delhi. The charge of CVO has always been assigned to an officer as additional charge. Some facts are given below for understanding the issue in the right perspective.

2. The CVC in its meeting with the Secretary (HFW) held on 10th September, 2009 observed that the CVO in AIIMS is also functioning in administrative capacity and quality of investigation is poor as well as vigilance concerns are being relegated to the background. The CVC further observed that the vigilance set up including CVO needed a relook as concerns of vigilance were not getting adequate attention. It was also observed that Secretary Health should ensure that an independent CVO was posted in AIIMS. Accordingly, in April 2010 Secretary (HFW) decided that the prevailing practice of appointing part time CVO may be replaced with appointment of full time CVO under Central Staffing Scheme and a post of CVO be created as there is no sanctioned post of CVO in AIIMS. Thereafter, AIIMS was requested to formulate a proposal for creation of post of full time CVO to be operated at DS / Director level and place the same before GB / IB of AIIMS for approval. AIIMS wrote to the Ministry vide letter dated 18th August 2010 for creation of DS/Director level post to be filled on 100% deputation basis through Central Staffing Scheme saying that a proposal to create one post of CVO in PB4 (8700 GP) was placed before Standing Finance Committee (SFC) in its meeting held on 20th July, 2010 and SFC recommended as follows:

"The Committee was of the view that a full time CVO was not needed. Instead, with the up gradation of the post of DD(A) to JS level and with the increase of administrative work load on account of implementation of the Moily Committee recommendations and the second campus at Jhajjar, an additional post at Dy. Secretary/ Director level should be created. The work of CVO could be assigned to such an officer."

3. The Ministry wrote to AIIMS referring to AIIMS letter dated 18th Aug 2010 saying that instead of creating a post of full time CVO at AIIMS as suggested by CVC, AIIMS has simply forwarded a proposal for creation of DS / Director level post for assisting existing DDA and, further, the proposal had not been approved by GB / IB. AIIMS was requested to send a proposal for creation of post of full time CVO at DS / Director level as suggested by CVC and take approval of GB / IB before furnishing to the Ministry. AIIMS was also advised that if AIIMS was of the opinion that an additional post at the level of DS / Director was required for assisting DDA, a separate proposal after approval of GB / IB be furnished. The

Institute wrote back that SFC had already considered the proposal for creating of a full time CVO and had taken a view that a full time CVO was not required. Thereafter, the then HFM observed in November, 2010 that the Ministry should go beyond the recommendation of the SFC and he approved creation of two posts : a stand alone CVO and stand alone DS/Director in AIIMS. AIIMS was requested to send two proposals for taking up with the Department of Expenditure. Thereafter, AIIMS forwarded a proposal for only one DS/Director level post in December, 2010. After due process, the proposal of AIIMS was referred by the Ministry to Department of Expenditure for their approval in March 2011. Department of Expenditure conveyed the approval in May 2011 for creation of one post at the level of DS/Director in AIIMS. Thereafter, DoPT was requested in June 2011 to furnish panel of officers for appointment to DS / Director post newly created in AIIMS. While keeping AIIMS informed, following job description / requirement of the post was communicated to DoPT:

- i. To exercise management and control of the Institute.
- ii. To co-ordinate with multi-disciplinary experts.
- iii. To co-ordinate and manage infrastructure projects and ensure their timely completion.

4. The Civil Services Board recommended the name of Shri Sanjiv Chaturvedi, IFS(HY:2002) for the newly created post of DS / Director in AIIMS was received from DoPT in April 2012, which was approved by the HFM and thereafter, the approval of the HFM on appointment of Shri Sanjiv Chaturvedi to the newly created post of Dy. Secretary AIIMS New Delhi under CSS was conveyed to DoPT for further necessary action. Shri Sanjiv Chaturvedi joined the post of Deputy Secretary, AIIMS on 29th June, 2012. On 07.07.2012, Director AIIMS ordered that Shri Sanjiv Chaturvedi, Deputy Secretary who had joined recently shall act as CVO of the Institute. Director also allocated work as follows to him:

- I. General Section,
- II. Estate Section
- III. Nodal Officer for Grievance of Officers / Staff.
- IV. Authorized to sign pension papers of officers / staff

5. The order of Director AIIMS New Delhi was in contravention of the job allocation of Dy Secretary AIIMS approved by DoPT for the Central Staffing Scheme post(as detailed in paragraph 3 above).

6. Meanwhile, the matter was examined in the Ministry and the HFM approved on 25th May, 2012 as under :

- The proposal that a stand alone CVO post be created must be expedited.
- Till such time as this is done, the CVO charge in AIIMS may be given to Shri Sanjiv Chaturvedi, DS (Admn.)AIIMS and concurrence of CVC will be sought in this regard.

7. Subsequently, since Shri Sanjiv Chaturvedi had not been relieved by the Haryana Government and it was likely that it may be delayed further Secretary, HFW proposed that the charge of CVO in AIIMS may be entrusted to Dr. R. S. Shukla, JS & CVO in the Ministry. HFM approved the proposal that the charge of CVO in AIIMS may be entrusted to Dr. R. S. Shukla, JS & CVO in the Ministry. Accordingly, vide Office Order dated 18.06.2012 it was conveyed that Dr RS Shukla, JS & CVO of Ministry will look after the work of CVO AIIMS New Delhi in addition to his normal duties, with immediate effect and until further orders. This was also endorsed to the CVC.

8. With reference to AIIMS letter Dated 20th July 2012, regarding charge assignment of CVO to Shri Sanjiv Chaturvedi, CVC vide letter dated 03.09.2012 addressed to JS and CVO, MoHFW observed as under:

It is seen that Shri Sanjiv Chaturvedi, Deputy Secretary, MHFW has been appointed as CVO in AIIMS without the approval of the Commission which is required to be obtained before such appointments as laid down in vigilance manual. In this connection, it may be clarified whether Deputy Secretary is the appropriate level for appointment as CVO in AIIMS.

CVC also desired a panel of officers of appropriately senior level for appointment of CVO in AIIMS, New Delhi.

9. AIIMS was requested vide Ministry's letter dated 07.12.2012 to furnish a panel of officers of appropriately senior level alongwith their bio-data, duly authenticated ACRs for the last five years and up to date vigilance clearance. AIIMS was also requested to adopt due procedure and forward the proposal for creation of one post of DS / Director level at AIIMS as full time CVO with the approval of their GB / IB at the earliest which is still awaited. When AIIMS did not provide any panel for furnishing to CVC for some time the matter was processed in the Ministry and the HFM, on 19.12.2012, in his minutes directed as under:

"I approve the following panel of senior officers of appropriate level to be sent to CVC for being considered as CVO in AIIMS, New Delhi, in the following order of preference:

1. DD (Admn) AIIMS New Delhi
2. JS & CVO MoHFW
3. One of the regular Directors and DS in MoHFW
4. Continue Sh Sanjiv Chaturvedi, DS as CVO in AIIMS."

10. The panel so approved by the HFM was sent to CVC vide letter dated 24.12.2012. In response, CVC vide letter dated 12.02.2013 observed as under:

The matter has been examined in the Commission. It is pertinent to mention that as per para 2.2 of vigilance manual, the Chief Vigilance Officer in all departments/ organisations are appointed after prior consultation with the Central Vigilance Commission and no person whose appointment in that capacity is objected to by the Commission may be so appointed.

CVC further informed that as per para 2.6.1 of the vigilance manual irrespective of the fact whether the post of a CVO in an autonomous organisation is on full time basis or on part time basis, such organisations would forward, through their administrative ministries/ departments a panel of names of three officers of sufficiently higher level, who can report direct to the Chief Executive in vigilance related matter, arranged in order of preference, alongwith their bio-data and complete ACR dossiers for the Commission's consideration. The officer, thus, approved by the Commission would be appointed as CVO in that organisation.

11. It is evident from above that so far CVC did not approve assignment of charge of CVO, AIIMS to the panel including Shri Chaturvedi.

12. Thereafter, a panel of three names in order of preference was approved by HFM on 26th March, 2013 which is as under:

- i. Dr Ashish Verma IAS (UT-94), Director in MoHFW
- ii. Shri Vikas Arya, IRSME (1993), Director, MoHFW
- iii. Shri Sanjeev Chaturvedi, IFS (HY 2002), DS AIIMS New Delhi

13. This Ministry wrote to cadre controllers concerned to furnish complete ACR dossiers, bio-data along with vigilance profile vide reference dated 10th April, 2013. In spite of reminders, so far, no ACR dossier has been received from the cadre controllers.

14: Meanwhile, Rajya Sabha Sectt vide OM dated 01.01.2013 wrote to Secretary (HFW) for a reply to DO letter dated 20th Sep 2012 of Sh Brijesh Pathak, Hon'ble MP & Chairman PSC on Health & FW wherein Hon'ble MP had written to ensure that newly posted CVO is allowed to discharge his official duties without any interruption, in accordance with the commitment made before the Parliamentary Committee. Secretary (HFW) vide DO dated 07.01.2013 to Sh Brijesh Pathak stated that there was a specific need for a Forest Service officer in Deptt of AYUSH and a proposal for utilizing the services of Sh Sanjiv Chaturvedi was mooted. He clarified that this had nothing to do with the work of CVO in AIIMS. He also wrote that there was no mala fide intention in suggesting a shift of Shri Sanjiv Chaturvedi to AYUSH. Secretary (HFW) also added that the proposal has since been dropped and Shri Chaturvedi continued to work as Deputy Secretary and CVO in AIIMS.

15. In view of the above, it is evident that there is no independent post of CVO in AIIMS, New Delhi. Shri Sanjiv Chaturvedi was appointed against the substantive post of Deputy Secretary in AIIMS, New Delhi on 29.06.2012 and the work of CVO of AIIMS, New Delhi assigned to him was an internal arrangement of the Institute. He has not been transferred from the post of Deputy Secretary, AIIMS. Only the work related to additional charge of CVO given to Shri Sanjiv Chaturvedi by the Institute has been assigned to Joint Secretary & CVO in the Ministry of Health and Family Welfare in addition to his substantive functions. Such a practice has been followed in the past also.

16. Moreover, the internal decision of the Institute to assign the charge of CVO to Shri Sanjiv Chaturvedi, Deputy Secretary, AIIMS, New Delhi, is not in accordance with the CVC guidelines and express communication in the matter. This long-standing anomaly has now been corrected.

17. In sum, the charge assignment of CVO, AIIMS, New Delhi, to JS and CVO in the Ministry has been done to avoid continued objections of the CVC and to protect vigilance proceedings and vigilance set up in AIIMS, New Delhi.
