

**GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SPL.C) DEPARTMENT**

Memo No. 623/Spl.C/A1/2008-4

Dated.15-10-2008

Sub: ACB – Investigation of offences under Prevention of Corruption Act, 1988 –
Making arrests of Accused Officers in trap / disproportionate assets cases etc.,
instructions – Issued.

Ref: 1. G.O. Ms. No. 415 G.A. (Cabinet) Dept., Dt.05-09-2005

In the G.O. 3rd cited, Government have constituted a Committee of Group of Ministers to examine the issues raised by the Confederation of Revenue Earning Departmental Association A.P. Hyderabad relating to Anti Corruption Bureau cases and other disciplinary matters with the following Ministers :-

1. Minister Finance.....Chairman
2. Minister CT & Excise.....Member
3. Minister Agriculture.....Member

2. After detailed deliberations with the representatives of the Associations, The Concerned HODs / Departments on the issues raised by the representatives of the Confederation, the Group of Ministers have submitted a report containing recommendations on the issues for consideration of the Government. The Government, after careful examination of the recommendation pertaining to arrests of Accused Officers in trap / disproportionate assets cases, etc., hereby issue the following instructions :-

- i) Investigation in respect of the registered cases shall be completed within six months .
- ii) After receipt of the Final report of the Investigating Agency, the Department concerned shall examine further within one month and take a decision as to entrust the cases :
 1. Either for prosecution: or
 2. For Departmental action : or
 3. For Placing the accused officer on his defence before the Tribunal for Disciplinary Proceedings : or
 4. For closure of the case and seek the advice of A.P. Vigilance Commission
- iii) While assessing the value of the properties in all cases, the Investigating Agency shall follow a scientific and systematic approach. Assessment of the value of movable and immovable properties may be done taking the following into consideration.
 1. The value of the properties on the date of the properties on the date of the acquisition.
 2. The details filed with taxation authorities and in the property returns shall be given due weightage while calculating the disproportionate asstes.
 3. The properties of kith and kin of the Accused Officer added to the properties. Proper

analysis of the sources of such assets of kith and kin and friends should be undertaken before arriving at a decision to include the same in the properties of the Accused Officer.

- iv) The instructions issued in Memo. No.944/Spl.B/99-5, GAD, DT. 1-04-2002, permitting the Vigilance Commissioner to deal directly with the Heads of District Officers known as the appointing / appellate authorities in handling of Vigilance and disciplinary cases, which were kept in abeyance in Memo. No.216/Spl.B/2002-1, GAD, Dt.06-05-2002 shall be continued.
- v) Investigating agencies shall act in a fair, unbiased and objective manner in the course of searches raids, surprise check, Assessment of properties, valuing of movable and immovable properties and arrests etc.,
- vi) The investigating agencies shall have a balanced and judicious approach when a rap is attempted / disproportionate assets booked or a surprise check made.
- vii) A periodical review at the level of Chief Secretary to Government shall be under taken on the work of investigating agencies with particular reference to time taken at various stages to ensure that timely justice is rendered in all cases,

P. RAMAKANTH REDDY
Chief Secretary to Government.