

भारत सरकार

प्रधान मुख्य आयकर आयुक्त का कार्यालय  
आंध्रप्रदेश व तेलंगाना  
10 वीं मंजिल, 'D' ब्लॉक, आयकर शिखर,  
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सत्यमेव जयते  
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GOVERNMENT OF INDIA

Office of the  
Pr. Chief Commissioner of Income Tax,  
Andhra Pradesh & Telangana  
10<sup>th</sup> Floor, 'D' Block,  
IT Towers, A.C.Guards,  
Hyderabad – 500 004.

F.No.Con.Vig./26(1)/Circulars/2020-21

Date: 08.03.2021.

## C I R C U L A R

Sub: Procedure to be followed while forwarding applications seeking No Objection Certificate for obtaining passport / renewal of passport by the Officers and Officials of the Department – Reiteration for ready reference and for adherence – Reg.

\* \* \* \* \*

While processing the applications for issue of No Objection Certificate in relation to obtaining passport / renewal of passport in the recent past, some deficiencies / submission of in-adequate information is noticed. For supplementing the information and to make good the deficiencies, correspondence is being made with the heads of offices. It is consuming comparatively longer time to process the applications due to host of deficiencies. In this backdrop, it is necessitated to elicit a reference to the important instructions on the subject, which are summarized hereunder for ready reference and for scrupulous adherence.

- i) DoPT vide OM No.11012/7/2017-Estt.A-III dated 28.03.2018 clarified the need for taking vigilance clearance for obtaining Indian Passport and also prescribed therein the ground on which such vigilance clearance could be withheld (Annexure-A).
- ii) It is mandatory as per the advice of DoPT vide OM No.11012/7/2017-Estt.A-III dated 18.02.2020 (issued in supersession of OM dated 28.03.2018) that along with vigilance clearance it needs to be checked and certified as to whether any provisions of rule 6(2) of the Indian Passport Act, 1967 is attracted in the case of employees (Annexure-B).

2. With regard to submission of applications seeking No Objection Certificate for passport / renewal of passport in respect of **Group-A** Officers, it may please be ensured by the head of office that enclosing a certificate on the applicability of any of the provisions under section 6(2) of the Passport Act, 1967, copy of the first page of service register where photo pasted, copy of page of service register containing date of joining particulars, copy of valid identity card and two passport size photos along with the application is a necessary concomitance. After receipt of all these documents, the application is escalated for further process of obtaining vigilance clearance and for issuing No Objection Certificate.

Contd...2

2(a) With regard to submission of applications seeking No Objection Certificate for passport / renewal of passport in respect of **Group-B** Officers, it may please be ensured by the head of office that enclosing a certificate on the applicability of any of the provisions under section 6(2) of the Passport Act, 1967, copy of the first page of service register where photo pasted, copy of page of service register containing date of joining particulars, copy of valid identity card and two passport size photos along with the application is a necessary concomitance. Added to this, a certificate from the head of office is required to be forwarded mentioning therein as to whether any departmental proceedings are pending for administrative reasons and whether there is any pendency of criminal cases irrespective of nature of such cases. This requirement should be met as per the guidelines of the CBDT, Vigilance, South Zone in letter F.No.25/ADG(V)(S)/DPC/2020-21 dated 19.06.2020. After receipt of all these documents, the application is escalated for further process of obtaining vigilance clearance and for issuing No Objection Certificate.

2(b) With regard to submission of applications seeking No Objection Certificate for passport / renewal of passport in respect of **Group-C** Officials, it may please be ensured by the head of office that enclosing vigilance clearance, certificate on the applicability of any of the provisions under section 6(2) of the Passport Act, 1967, copy of the first page of service register where photo pasted, copy of page of service register containing date of joining particulars, copy of valid identity card and two passport size photos along with the application is a necessary concomitance.

3. It may be noted that all the Officers / Officials intending to obtain passport / renewal of passport need to invariably apply for No Objection Certificate to the Pr. Chief Commissioner of Income Tax and submission of intimation / prior intimation regarding submission of passport application is not in consonance with the guidelines in vogue, in this regard.

4. I have been directed to bring to the notice, the above procedural requirements to be followed as per the extant guidelines for issuing No Objection Certificate for obtaining passport / renewal of passport, for ready reference and scrupulous adherence. It is requested that the above procedure may be followed which would considerably reduce the avoidable correspondence and would amplify the scope to enable this office to take swift action of processing the application.

5. Further I have been directed to request that the guidelines may be brought to knowledge of all the Officers and Officials working under your administrative control.



(C. R. SEKHAR)  
Income Tax Officer (OSD)(Vigilance),  
O/o. Pr. Chief Commissioner of Income Tax,  
AP & TS, Hyderabad.

1. The Director General of Income Tax (Investigation), Hyderabad.
2. The Chief Commissioner of Income Tax, Hyderabad.
3. The Chief Commissioner of Income Tax (ReAC), Visakhapatnam/ Vijayawada.
4. All the Pr. Commissioner /Pr. Directors of Income Tax, in A.P. & T.S. Region.
5. All the Commissioners / Directors of Income Tax, in A.P. & T.S. Region.
6. All the Addl. /Jt. Commissioners of Income Tax, in A.P. & T.S. Region.
7. All the Head of Offices in A.P. & T.S. Region.



**F. No. 11012/7/2017-Estt.A-III**  
**Government of India**  
**Ministry of Personnel, Public Grievances and Pension**  
**Department of Personnel & Training**  
**Establishment A-III Desk**

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**North Block, New Delhi – 110001**  
**Dated 18<sup>th</sup> February, 2020**

**OFFICE MEMORANDUM**

**Subject:** Grant of vigilance clearance for obtaining passport.

The undersigned is directed to refer to this Department's O.M. of even no. dated 28.03.2018 prescribing the guidelines for grant of vigilance clearance for obtaining passport. The guidelines have been reviewed by this Department in consultation with Central Vigilance Commission and Ministry of External Affairs (MEA).

2. MEA has also issued the guidelines for issuance of ordinary Passport to the Government servants vide O.M. No. VI/401/01/05/2014 dated 26.05.2015, wherein procedures to be followed in this regard have been prescribed.

3. In view of the above, it is mandatory for the administrative Department/ Controlling Authority to check as to whether any provision of the Section 6(2) of the Passport Act, 1967 is attracted in case of employees, who are working under them, while obtaining Indian Passport. As such, it is required to check the vigilance clearance of such Government servants.

4. Accordingly, it has been decided that vigilance clearance can be withheld only under the following circumstances:

(i) The officer is under suspension;

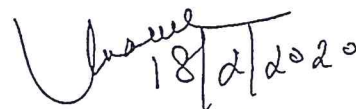
(ii) Charge sheet has been filed in a Court by the Investigating Agency in a criminal case or after grant of sanction by the Competent Authority under PC Act or any other criminal matter and taken cognizance of by the Court of Law.

5. All Ministries/ Departments/Offices are requested to bring the above guidelines to the notice of all Disciplinary Authorities under their control.

Contd..

6. This OM is issued in supersession of this Department's earlier OM. No. 11012/7/2017-Estt.A-III dated 28<sup>th</sup> March, 2018.

7. Hindi version will follow.

  
18/3/2018

(Umesh Kumar Bhatia)

Deputy Secretary to the Government of India

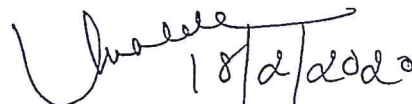
Tel: 011-23094471

To

The Secretaries of All Ministries/Departments  
(as per the standard list)

Copy to:

1. President's Secretariat, New Delhi.
2. Vice-President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. Cabinet Secretariat, New Delhi.
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Secretary, Central Vigilance Commission, New Delhi
8. The Secretary, Union Public Service Commission, New Delhi.
9. The Secretary, Staff Selection Commission, New Delhi.
10. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
11. National Commission for Scheduled Castes, New Delhi.
12. National Commission for Scheduled Tribes, New Delhi.
13. National Commission for OBCs, New Delhi.
14. Secretary, National Council (JCM), 13, Feroze Shah Road, New Delhi.
15. CVOs of all Ministries/Departments.
16. ADG (M&C), Press Information Bureau, DoP&T
17. NIC, Department of Personnel & Training, North Block, New Delhi [for uploading the same on the website of this Ministry under the under the Head Notifications → OMs & Orders → Establishment → CCS (CCA)Rules & What's New]
18. Hindi Section, DoP&T

  
18/3/2018

(Umesh Kumar Bhatia)

Deputy Secretary to the Government of India

Tel: 011-23094471

F. No. 11012/7/2017-Estt.A-III  
Government of India  
Ministry of Personnel, Public Grievances and Pension  
Department of Personnel & Training  
Establishment A-III Desk  
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North Block, New Delhi - 110001  
Dated 28<sup>th</sup> March, 2018

**OFFICE MEMORANDUM**

**Subject:** Grant of vigilance clearance for obtaining passport.

The undersigned is directed to say that matter regarding guidelines for granting vigilance clearance to members of the Central Civil Service holding Central Civil Posts have been reviewed and it has been decided to lay down guidelines for grant of vigilance clearance to the Government servant for obtaining Indian Passport.


2. Ministry of External Affairs (MEA) has issued the guidelines for issuance of ordinary Passport to the Government servant vide O.M. No. VI/401/01/05/2014 dated 26.05.2015 in connection with procedures to be followed in case of passport to be issued to Government servant.
3. In view of the above, it is mandatory for the administrative Department/ Controlling Authority to check whether any provision of the Section 6(2) of the Passport Act, 1967 are attracted in the case of employee, who are working under them, while obtaining Indian Passport. As such, it is required to check the vigilance clearance of such Government servant.
4. Accordingly, it has been decided that vigilance clearance can be withheld only under the following circumstances:
  - (i) The officer is under suspension;
  - (ii) A charge sheet has been issued against the officer in a disciplinary proceeding and the proceeding is pending.
  - (iii) Charge sheet has been filed in a Court by the investigating Agency in a criminal case and the case is pending.
  - (iv) Sanction for investigation or prosecution has been granted by the Competent Authority in a case under the PC Act or any other criminal matter.
  - (v) An FIR has been filed or a case has been registered by any Government entity against the officer, after a preliminary fact finding inquiry.
  - (vi) The officer is involved in a trap/ raid case on charges of corruption and investigation is pending.

5. Vigilance clearance shall not be withheld due to an FIR filed on the basis of a private complaint unless a charge-sheet has been filed by the investigating agency provided that there are no directions to the contrary by a competent court of law. However, the information regarding FIR may be provided to the Passport Office. The final decision will be taken by the concerned Passport Issuing Authority.

6. There may be situations wherein wards and relatives of the civil servants residing abroad (for education and other purposes) could be having medical emergencies or family events. The officer himself/ herself may require to visit abroad for medical reasons. Therefore, as a policy, ordinarily, a passport will not be granted if a disciplinary proceeding is pending against the officer. However, the competent authority can take a view wherein a foreign travel is necessitated due to extreme urgent situation like medical emergencies etc. on case to case basis.

7. All Ministries/ Departments/Offices are requested to bring the above guidelines to the notice of all Disciplinary Authorities under their control.

8. Hindi version will follow.

  
28.3.18

(Sanjiv Kumar)

Deputy Secretary to the Government of India

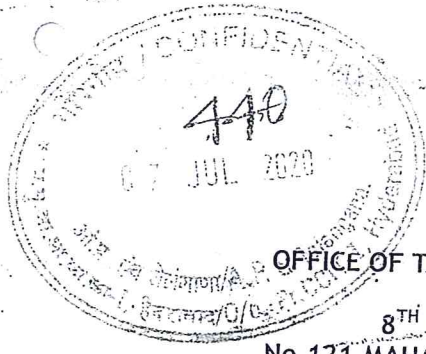
Tel: 23093176

To

The Secretaries of All Ministries/Departments  
(as per the standard list)

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7. The Secretary, Union Public Service Commission, New Delhi.
8. The Secretary, Staff Selection Commission, New Delhi.
9. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
10. National Commission for Scheduled Castes, New Delhi.
11. National Commission for Scheduled Tribes, New Delhi.
12. National Commission for OBCs, New Delhi.
13. Secretary, National Council (JCM), 13, Feroze Shah Road, New Delhi.
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17. Hindi Section, DoP&T



/GOVERNMENT OF INDIA  
/INCOMETAX DEPARTMENT  
OFFICE OF THE ADDITIONAL DIRECTOR GENERAL (VIGILANCE)(SOUTH)  
CENTRAL BOARD OF DIRECT TAXES  
8<sup>TH</sup> FLOOR, ANNEXE BUILDING, 'AAYAKAR BHAWAN'  
No.121, MAHATMA GANDHI ROAD, NUNGAMBAKKAM, CHENNAI-600 034  
Tel. No.044-2833 8380(D) / 2833 8379(Fax)  
\*\*\*\*\*

( गोपनीय / CONFIDENTIAL )

एफ.सं./ F.N.25/ADG(V)(S)/DPC/2020-21

दिनांक/ Date: 19.06.2020

To

The Deputy Commissioner of Income Tax(HQ)(Vig)  
O/o the Pr. Chief Commissioner of Income tax  
Andhra Pradesh & Telangana,  
Hyderabad.

Madam,

Sub: Vigilance Clearance - intimation of disciplinary proceedings  
- Group 'B' Officers - Reg.

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Kind reference is invited to the letters received from your office seeking vigilance clearance in respect of Group 'B' Officers for various purposes such as grant of promotion, AACP, issue of NOC, review under FR 56j, etc.

2. Instructions issued vide O.M. No. 22012/1/99-Estt. (D) dated 25.10.2004 based on the O.M. No. 22011/4/1991-Estt. (A) dated 14.09.1992 (issued on the basis of procedure laid down by Supreme Court in K.V. Jankiraman case AIR 1991 SC 2010) makes it clear that vigilance clearance for promotion may be denied only in the following three circumstances:-

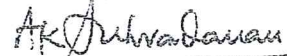
- (i) Government servants under suspension;
- (ii) Government servants in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending; and
- (iii) Government servants in respect of whom prosecution for a criminal charge is pending.

M.S. Venkatesh Rao

3. This office is aware of cases where departmental as well as criminal proceedings are pending in vigilance/corruption related matters. However, this office will not be aware of disciplinary proceedings initiated on administrative grounds as well as criminal cases pending in the Court of law other than corruption related cases.

4. In this regard I am directed to state that while seeking vigilance clearance, it may kindly be specifically mentioned whether any departmental proceedings are pending for administrative reasons in respect of the persons for whom vigilance clearance is sought. Similarly, pendency of criminal cases, irrespective of the nature of such cases, may also please be intimated to this office so that this office is fully aware of all the proceedings pending against the Government servant before issue of vigilance clearance. In case there are no disciplinary proceedings or criminal cases pending against the Officer(s), the same may also be clearly stated while seeking vigilance clearance.

Yours faithfully,



(A.K.SUBRAMANIAN)

Income-tax Officer (Vig.)  
Unit 2(2) & (Hq), Chennai,  
O/o ADG(V)(S),  
CBDT, Chennai