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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



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सं./No..... 014-VGL-061.....

दिनांक / Dated 03rd December 2014

Circular No. 08/12/14

Subject: Second stage consultation with the CVC in disciplinary cases —
Amendment to the Vigilance Manual – regarding.

Reference: (i) Commission's Office Order No. 03/01/10 issued vide No. 009/VGL/056
dated 28.01.2010

(ii) Commission's Circular No 17/12/12 issued vide No. 010/VGL/095
dated 07.12.2012

The Commission, at present, is being consulted at two stages in vigilance cases / disciplinary proceedings, i.e. first stage advice is obtained on the investigation reports, and second stage advice is obtained before a final decision is taken at the conclusion of the proceedings.

2. The Commission vide its Office Order No. 03/01/10 dated 28.01.2010 had earlier dispensed with the requirement of obtaining second stage advice in respect of officers not falling within the jurisdiction of the Commission in composite cases wherein, first stage advice had been tendered in respect of all categories of officers involved. Cases of such officers are presently required to be referred only if the disciplinary authority's (DA) opinion/views is at variance with the Commission's advice. Further, vide its Circular No. 17/12/12 dated 07.12.2012, the Commission had dispensed with consultation at second stage on conclusion of disciplinary proceedings in respect of Group 'A' officers of Central Government, members of All India Services and such categories of officers wherein the UPSC is required to be consulted as per extant rules.

3. The Commission on a further review of the consultation mechanism and to provide for speedy finalisation of disciplinary proceedings, has now decided to dispense with the consultation for second stage advice of the Commission in cases where the disciplinary authority (DA), on conclusion of disciplinary proceedings, proposes to impose a penalty which is in line with the Commission's first stage advice in respect of officers falling within the jurisdiction of the Commission also. Such cases would, henceforth be dealt at the level of the CVO and DA concerned in

the Organisation/Department. However, the CVO should forward an action taken report alongwith a copy of IO's findings and the final order issued by DA in all such cases of officers for Commission's record. It is further clarified that all such cases where the disciplinary authority proposes to take any action which is at variance with the Commission's first stage advice would continue to be referred to the Commission for obtaining second stage advice.

4. By dispensing with the requirement of seeking second stage advice in regard to the categories of officers as aforesaid, the Commission expects that (i) the CVO would be in a position to exercise proper check and supervision over such cases and would ensure that the cases are disposed off expeditiously within the time norms stipulated by the Commission; and (ii) the punishment awarded to the concerned officer is commensurate with the gravity of the misconduct established on his/her part. In order to ensure that the Commission's expectations are fully met, the Commission may depute its officers to conduct vigilance audit through onsite visits. If the Commission comes across any matter, which in its opinion, has not been handled properly, it may recommend its review by the appropriate authority or may give such directions as it considers appropriate.

5. Para 2.14.3 of Vigilance Manual, Vol.I (sixth edition) and relevant provisions of the Special Chapters on Vigilance Management in Public Sector Enterprises, Public Sector Banks and Public Sector Insurance Companies stand amended to the extent stated above.



(J. Vinod Kumar)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of Government of India
- (ii) The Chief Secretaries to all Union Territories
- (iii) All Chief Vigilance Officers in the Ministries/Departments
- (iv) All CMDs/CEOs of CPSEs, Public Sector Banks/Insurance Companies/ Autonomous Bodies /Societies/Local Authorities
- (v) All Chief Vigilance Officers of Ministries/Departments/CPSEs/Public Sector Banks / Insurance Companies / Autonomous Bodies/ Societies / Local Authorities