

**VIGILANCE DIVISION
COAL INDIA LIMITED**

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CIRCULAR

Dated 27.03.2017
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Subject : Consultation by Disciplinary Authority with Chief Vigilance Officer before passing of order imposing penalty or otherwise.

It has come to notice that in a subsidiary company of CIL, order of exoneration of an employee was passed by the Disciplinary Authority (DA) in a RDA case for major penalty arising out of Departmental Vigilance Investigation without routing the Inquiring Authority's report through the concerned Chief Vigilance Officer (CVO). Non consultation of CVO in Vigilance matter before imposition of penalty is not in line with the extant guidelines of the CVC.

In this context, the relevant provisions as mentioned in Vigilance Manual Volume-I, Sixth Edition read with Circular No. 25/7/06 dated 6th July, 2006 circulated by the Central Vigilance Commission which are attracted are quoted below :

CHAPTER II, 2.12.1 of Vigilance Manual Volume-1

It is the responsibility of the CVO to process investigation reports for further consideration of the disciplinary authority concerned.

CIRCULAR NO. 25/7/06 DATED 6TH JULY, 2006

Quote

ii) Consultation with CVOs

..... While the Commission's jurisdiction is confined to Group 'A' officers and other officials of and above the level notified, and the Commission's advice is only to the Disciplinary Authority, there is no such restriction on the CVOs. They are required to be consulted by the Disciplinary Authority/Appellate Authority, irrespective of the level of officers involved.

Unquote

In view of the above, it may be ensured that in future in all DI cases arising out of Departmental Vigilance /CBI Investigation, the IA's report must be sent to the concerned CVO. The CVO will thereafter place the matter before Disciplinary Authority along with his recommendation together with IA's Report and other documents as per Rules. This is applicable in the cases of non-executives also.

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27/3/17

(Manoj Kumar)
Chief Vigilance Officer

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