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No.NZ/PRC/1
Government of India
Central Vigilance Commission

Satarkta Bhavan, Block 'A',
GPO Complex, INA,
New Delhi- 110 023
Dated the 26th February 2004

Office Order No.12/02/04

To

All Secretaries to the GOI/ CEOs of PSEs/PSBs
All Chief Vigilance Officers

Sub: Procedure for making reference to the Commission for its first stage advice – regarding.

Reference is invited to the Commission's circular of even number dated 12.05.2003 on the above subject. It has been observed that after the Commission tenders its first stage advice in cases of major penalty, the vigilance cases get unnecessarily delayed or result in exoneration due to non-availability of proper documents. The Commissioners for Departmental Inquiries (CDIs) have also pointed out that in many cases the Presenting Officers find problems even in the production of prosecution/management documents. This results in undue delay in finalisation of the inquiries.

2. The Commission is, therefore, of the view that the Disciplinary Authority should go through all the documents/evidences carefully at the initial stage itself before deciding whether the case(s) against the SPS(s) warrants major penalty or not. Once a decision is taken by the DA and the case is referred to the Commission for its first stage advice with the recommendation of major penalty proceedings against the SPS(s), the Disciplinary Authority should enclose a copy of draft chargesheet alongwith the list of documents and witnesses through which the department intends to prove the charges besides the completed 'proforma for seeking advice'.

3. Disciplinary Authority should also ensure that the Presenting Officer(s) is/are given the custody of all the listed documents in original or certified copies thereof alongwith his appointment order so that the delay in disciplinary proceedings are reduced.

Sd/-
(Anjana Dube)
Deputy Secretary