GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.:007/V1/DAR/1/5
New Delhi, Dated 18.4.2007

To
The SDGMs
All Zonal Railways

Sub: Non-CVC DAR cases involving Group ‘C’ and Group ‘D’ staff only.

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In the course of a review meeting of DAR cases with one of the Zonal Railways, it has come to notice that non-CVC DAR cases involving Group ‘C’ and Group ‘D’ staff only, originated as a result of checks conducted by Vigilance (Special Squad) [V(SS)], are not being dealt as per procedure/instructions issued vide RBV No.13/2006. It was observed that in case of minor penalty proceedings, if DA proposes to differ with the 1st stage advice of Vigilance [V(SS)], then the case is referred along with the provisional views of DA to the Board Vigilance [V(SS)] for consideration. This is not in conformity with the procedure/instructions as stipulated in Para 2.1.1 of RBV No. 13/2006, according to which no consultation is necessary with Vigilance even if DA differs with 1st stage advice of Vigilance Organisation and penalty imposed is at variance with Vigilance advice or DA exonerates the charged official.

Similarly, as stipulated in Para 2.1.2 of RBV No.13/2006, for major penalty cases, the vigilance case will get closed once the DA has imposed any of the major penalties and sends copy of NIP along with its speaking order to Vigilance Organisation. No consultation with vigilance is necessary where DA intends to impose penalty in accordance with first stage advice of Vigilance Organisation.

Further, for both major and minor penalty cases, where punishment imposed by DA is not considered adequate, provisions exist in RBV No.13/2006 for seeking a revision by Vigilance Organisation by referring the case to RA as per extant procedure. Such revision would, however, not come in the way of vigilance clearance of staff.

It is reiterated that for non-CVC cases involving Group ‘C’ and ‘D’ staff only (i.e. not involving any G.O.) including those related to V(SS) section, the procedures/instructions stipulated in Para 2.1 of RBV No.13/2006 should be strictly followed by all concerned.

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(Alok Ranjan)
Executive Director Vigilance (E)

Copy to: All officers and branches of Vigilance Directorate