No. 2007/V-1/CVC/1/1

New Delhi, dated March 12, 2007

The General Managers,
CR, ER, ECR, ECOR, NR, NCR,
NER, NFR, NWR, SR, SCR, SER,
SECR, SWR, WR, WCR, CLW, DLW,
ICF, RCF, RWF, CORE, METRO &
NF (Constrn.)

The General Managers(Vigilance)
All Zonal Railways

Managing Directors
RITES, IRCON, KRC Ltd.
CONCOR, IRFC, MRVC, IRCTC,
RAILTEL, CRIS, RVNL and IRWO.

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Sub:- Mandatory consultation with CVC for its second stage advice.

Attention is invited to Para 513 of the Indian Railways Vigilance Manual-2006, laying down that CVC’s second stage advice is mandatory in all cases (including composite cases) where its first stage advice has been sought. This was reiterated earlier also vide Board’s letter No. 2006/V-1/CVC/1/8 dated 24-07-2006.

2. The CVC has expressed its concern, during the meeting held with it on 06-03-2007, pointing out that in a number of cases the

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respective Disciplinary Authorities (DAs) have passed final speaking orders, and issued notices imposing penalty (NIP) without referring the case back to the CVC with their provisional decision for CVC’s second stage advice, in utter disregard of the prescribed procedure.

3. In case DAs differ with the second stage advice of CVC, after considering the defence of CO on the Inquiry Report and disagreement memo, if any, they are required to send the case back to vigilance along with a detailed note giving reasons for their decision (which will be treated as a provisional decision) for sending it further to CVC for its reconsideration. When the difference of opinion persists despite reconsideration, DA will finally take a decision duly recording reasons for disagreement with the CVC’s advice. However, such cases of disagreement may be included by CVC in its Annual Report, which is placed on the floor of both Houses of Parliament, and can be discussed by Hon’ble MPs.

4. These instructions should be brought to the notice of all concerned with the directions that the same are scrupulously followed to avoid adverse comments from the CVC. Cases of non-adherence of these instructions shall be viewed seriously.

(Sanjay Goel)
Director Vigilance (M)
Railway Board

Copy to:- All Officers and the Branches of Vigilance Directorate.