The Central Vigilance Commission have expressed serious concern about receiving repeated requests for the reconsideration of its advice that give the impression of being routine in nature. The extant instructions provide that where the department proposes to take a lenient view or stricter view than the one recommended by the Commission, consultation with the CVC is necessary. The departments, therefore, are required to approach the Commission for advice in such cases before a final decision is taken. It has further been stated that the reference for reconsideration of the Commission’s advice should be made only once along with justification warranting such reconsideration.

2. The Commission has further pointed out that their advice is based on the inputs received from the organization and where the CVC has taken a view different from the one proposed by the organization, it is on account of the Commission’s perception of the seriousness of the lapses or otherwise. In such cases, there shall be no scope for reconsideration.
3. Moreover, it has been reiterated by the Commission that the proposal for reconsideration, should be sent to the Commission within a period of two months from the date of receipt of the Commission’s advice. Furthermore, Commission has decided that no proposal for reconsideration of their advice would be entertained unless new additional facts have come to light which would have the effect of altering the seriousness of the allegations/charges leveled against an officer. Such new facts should be substantiated by adequate evidence and should also be explained as to why the evidence was not considered earlier, while approaching the Commission for its advice.

4. Therefore, the proposals for reconsideration of the advice, tendered by the CVC, if warranted, should be submitted to Railway Board Vigilance Directorate at the earliest but within four weeks of receipt of the Commission’s advice by Zonal Railways/Units. The proposals should be submitted by the Disciplinary Authority or it should clearly indicate that the proposal has the approval of the Disciplinary Authority.

5. The above instructions may be noted by all concerned for strict compliance.

(Sanjay Goel)
Director Vigilance (M)
Railway Board

Copy to:- All officers and branches of Vigilance Directorate.