Government of India
Ministry of Railways
(Railway Board)

No.2009/V-1/CVC/1/5

New Delhi, dated 20 June, 2014

The General Manager(Vigilance)
Zonal Railways
CORE/ALD, NF(CONST)/
METRO/KOLKATA

Chief Vigilance Officers/PUs/PSUs

Director Generals /
RDSO/LKO & NAIR/Vadodara

CAO/COFMOW

DMW/Patiala

Sub: Need for self-contained speaking and reasoned orders to be issued by the authorities exercising disciplinary powers

Please find enclosed Circular dated 19.05.2014 issued once again by the Central Vigilance Commission, reiterating the need for self-contained speaking and reasoned orders to be issued by the authorities exercising disciplinary powers.

You are requested to kindly bring the above Circular to the notice of all concerned.

DA: As above.

(Vikas Purwar)
Director Vigilance (M)
Railway Board
Subject: Need for self-contained speaking and reasoned order to be issued by the authorities exercising disciplinary powers.

Attention is invited to the Commission’s office order No. 51/3/03 dated 15.09.2003, officer order No. 14/2/04 dated 26.02.2004 and circular No. 02/01/09 dated 15.01.2009 wherein it was clarified that Disciplinary Authorities (DAs) should issue a self-contained speaking and reasoned order which must indicate, inter-alia, due application of mind by the authority issuing the order.

2. The Commission has observed that, despite the above said instructions, the orders issued in disciplinary matters by the Disciplinary Authorities concerned are sometimes not in the form of a speaking and reasoned order indicating due application of mind. The Commission would, therefore, again advice all administrative authorities to ensure that officials exercising disciplinary powers conferred under the applicable statutory rules/CDA Rules etc. governing the public servants concerned in the CPSUs/PSBs/Ministries/Departments/Organizations to issue the orders which are self-contained, speaking and reasoned indicating due application of mind by them especially when they differ with the advice/recommendations of CVO or Inquery Officer or the Commission as the case may be living cogent reasons thereof.

Instances have also come to the notice of the Commission wherein the orders passed by Disciplinary Authorities only indicate their designation in the organization and the name of the officer is not indicated in the orders issued. Commission would, therefore, advice that in such orders issued in disciplinary matters, the name and designation should also be clearly indicated.

Heads of Departments/Organizations and CVOs should ensure that all the Disciplinary authorities in their organization(s) strictly follow the above guidelines of the Commission.

(J. Vinod Kumar)
Officer on Special Duty

Secretaries in Ministries/Departments to the Government of India
MDs of CPSUs/PSBs/Insurance Companies/Autonomous Organisations
Chief Vigilance Officers