(I) The General Manager (Vigilance)  
CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,  

(II) Chief Vigilance Officers (CVOs)  
CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES,  
RVNL, RLDA & DFCCIL.

Sub: Withdrawing the term stiff major, stiff minor penalty as a result of CVC’s instructions. Issue of Advance Correction Slip No.12

Consequent upon the decision of the Central Vigilance Commission to withdraw the term stiff/severe minor/major penalty and Board’s letter of even number dated 26.4.10 conveying the decision, Ministry of Railways (Railway Board) have decided to make certain changes to para 514.2 of Chapter-V, paras below (iv) and (ix) of 807 and para 821.2 of Chapter-VIII of the Indian Railways Vigilance Manual (2006 Edition), as per the enclosed Advance Correction Slip No.12.

(Vikas Purwar)  
Director Vigilance (M)  
Railway Board

Copy to :-  
i) AIRF (w.r.t their letter No.AIRF/1 dated 30.6.10) NFIR, IRPOF, FROA & AIRPFA  
ii) All Officers and the Branches of Vigilance Directorate.  
iii) Central Vigilance Commission w.r.t their OM No. 99/DSP/1/ dated 03.03.2010
ADVANCE CORRECTION SLIP NO.12


Ministry of Railways (Railway Board) have decided to make the following changes to para 514.2 of Chapter V, paras below (iv) and (ix) of 807 and para 821.2 of Chapter VIII of the Indian Railways Vigilance Manual (2006 Edition).

1. **Modified para 514.2**: In the case of Group ‘A’ Officers, the power to impose a major penalty of Compulsory retirement, Removal from service and Dismissal from service rests only with the President. In all such cases, the disciplinary case file is submitted to the Minister for Railways, to pass provisional orders, on behalf of the President. The case is, thereafter, referred to the UPSC for advice, alongwith all relevant records.

2(i) **Modified para below (ix) of para 807 detailing on Penalties under Discipline & Appeal**: The penalties mentioned against (vii), (viii) and (ix) will be imposed only by the appointing authority or higher authority.

2(ii) **The para below (iv) of para 807** stating that the penalties mentioned in (ii), (iii) (iii-b) & (iv) will be considered as stiff/severe minor penalties, **stands deleted**.

3. **Modified para 821.2**: The procedure brought about in para 821.1 above will also be followed in those cases also where the vigilance has recommended imposition of a major penalty of compulsory retirement/removal/dismissal from service, but the Disciplinary Authority/Appellate/Revisionary Authority, as the case may be, wishes to disagree and proposes to impose any of the other major penalties.

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Keeping in view the instructions laid down in para 411.5 that the Railway servant against whom the complaint is being investigated should normally be afforded an opportunity to furnish his clarifications vis-à-vis the allegations against him, in the questionnaire given to him by the Vigilance Officer, it has been decided that the questionnaire prepared must be sent to the Officer concerned by name and acknowledgement obtained. This may be brought to the notice of all concerned.

This has the approval of Adviser(Vigilance) as Chief Vigilance Officer of Ministry of Railways.

Based on an Office Order N.99/DSP/1 dated 3.3.2010 received from the CVC, reviewing their earlier instructions dated 5.2.99 (F/A) and 20.6.2003 (F/B) detailing on the term stiff/severe minor/major penalty and deciding to withdraw/cancel the same, a letter 26.4.2010 was issued to All Indian Railways/PUs/PSUs/Trg Institutes with immediate effect.

It has now been decided to incorporate the changes in the IRVM. Accordingly, paras 514.2 of Chapter V, paras below 807 (iv) and 807(ix) and 821.2 are being proposed to be amended.

**Changes proposed with regard to stiff major/major penalty:**

**Existing para below (ix) of para 807 detailing on Penalties under Discipline & Appeal :** The penalties mentioned against (vii), (viii) and (ix) will be considered as stiff major penalties and will be imposed only by the appointing authority or higher authority.

**Modified para to read as :** The penalties mentioned against (vii), (viii) and (ix) will be imposed only by the appointing authority or higher authority.

**Existing para 514.2 :** In the case of Group‘A’ Officers, the power to impose a stiff major penalty rests only with the President. In all such cases, the disciplinary case file is submitted to the Minister for Railways, to pass provisional orders, on behalf of the President. The case is, thereafter, referred to the UPSC for advice, alongwith all relevant records.

**Modified para to read as :** In the case of Group‘A’ Officers, the power to impose a major penalty of Compulsory retirement, Removal from service and Dismissal from service rests only with the President. In all such cases, the disciplinary case file is submitted to the Minister for Railways, to pass provisional orders, on behalf of the President. The case is, thereafter, referred to the UPSC for advice, alongwith all relevant records.
Existing para 821.2: The procedure brought about above will also be followed in those cases also where the vigilance has recommended imposition of a “stiff major penalty” namely, compulsory retirement/removal/dismissal from service, but the Disciplinary Authority/Appellate /Revisionary Authority, as the case may be, wishes to disagree and proposes to impose any of the other major penalties.

Modified para to reas as : The procedure brought about in para 821.1 above will also be followed in those cases also where the vigilance has recommended imposition of a major penalty of compulsory retirement/removal/dismissal from service, but the Disciplinary Authority/Appellate /Revisionary Authority, as the case may be, wishes to disagree and proposes to impose any of the other major penalties.

Change proposed with regard to stiff minor/penalty:

Existing para below (iv) of para 807 detailing on Penalties under Discipline & Appeal: The penalties mentioned in (ii), (iii) (iii-b) & (iv) will be considered as stiff/severe minor penalties.

Change proposed: The para below (iv) of para 807 detailing on Penalties under Discipline and Appeal is deleted.

If approved, we may issue an ACS as per draft letter placed below for approval, please.

DDV-1
29.7.10

DV(M)

EDV(E)

Adv. (Vigilance)

MS