Sub: Reducing delay in departmental proceedings – ensuring availability of documents – regarding.

In continuation of Board’s letter No. 2003/V-1/CVC/1/12 dated 20/04/2004 (copy enclosed for ready reference) stressing the need to ensure that the Presenting Officer is given custody of all the listed documents along with his appointment order to avoid delay in disciplinary proceedings, the Central Vigilance Commission have reiterated that non-availability of documents relevant to the departmental inquiry proceedings continues to be a major problem contributing to the delay in the finalization of the inquiry.

It is further desired that in respect of the CBI cases, the CBI should make available to the organization, legible certified photocopies of all documents seized by them. It is, therefore, imperative to ensure that legible and certified copies of the documents taken over by CBI are made available to the Disciplinary Authority in the interest of expeditious departmental proceedings.

The above instructions may be noted for strict compliance.

DA/as above.

(Sanjay Goel)
Director Vigilance (M)
Railway Board.
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

No.2003/V-1/CVC/1/12

New Delhi, dated 20-04-2004

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

The Chief Vigilance Officer,
CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO,
RDSO, IRCON, RITES, IRFC, CONCOR, KRC Ltd., IRCTC,
RAILTEL and MRVC.

Sub: Procedure for making reference to the Commission for its first stage advice.

Reference is invited to the Board's letter of even No. dated 14.10.2003, followed by letter of even No. dated 30.01.2004 regarding submission of Bio-data of the charged official(s), in the prescribed format, along with investigation report, while seeking first stage advice of the CVC.

2. It has been observed by CVC that after the Commission tenders its first stage advice, in cases of major penalty, the vigilance cases get unnecessarily delayed or result in exoneration due to non-availability of proper documents. The Commissioners for Departmental Inquiries (CDIs) have also pointed out that in many cases the Presenting Officers find problems even in the production of prosecution/management documents. This results in undue delay in finalisation of the inquiries.

3. The Commission is, therefore, of the view that the Disciplinary Authority should go through all the documents/evidences carefully, at the initial stage itself before deciding whether the case(s) against the SPS(s) warrant (s) major penalty or not. Once a decision is taken by the DA and the case is referred to the Commission for its first stage advice with the recommendation of major penalty proceedings against the SPS(s), the Disciplinary Authority should enclose a copy of draft charge sheet along with the list of documents and witnesses through which the department intends to prove the charges, besides the completed 'proforma for seeking advice'.

Contd...p/2
4. Disciplinary Authority should also ensure that the Presenting Officer(s) is/are given the custody of all the listed documents in original or certified copies thereof alongwith his appointment order so that the delay in disciplinary proceedings are reduced.

5. It is desired that these instructions may be followed in letter and spirit, for expeditious disposal of the cases.

(R.S.Sharma)
Director Vigilance (Mech.)
Railway Board

No. 2003/V-I/CVC/1/12
New Delhi, dated 20-04-2004

Copy to: The Central Vigilance Commission, Satarkta Bhavan, Block ‘A’ GPO Complex, INA, New Delhi. w.r.t their letter No.NZ/PRC/1 dated 26th February, 2004.

COPY TO:

All Officers and the Branches of Vigilance Directorate.