

No.118/4/89-AVD-I
Government of India
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS
(Department of Personnel & Training)

New Delhi, the 30 May, 1991.

OFFICE MEMORANDUM

Subject: Consultation with the Central Vigilance Commission
i in cases where action taken under Rule 19 of the
CCS(CC&A) Rules, 1965.

The question whether the advice of the Central Vigilance Commission is required to be sought in disciplinary proceedings involving special procedure under rule 19 of the Central Civil Services (Classification, Control & Appeal) Rules, 1965 has been examined by the Government. It is reiterated that the Government of India's Resolution No.24/7/64-AVS, dated the 11th February, 1964 requires the Disciplinary Authorities to consult the Central Vigilance Commission in cases having a vigilance angle irrespective of the fact whether the procedure laid down in Rule 14 or Rule 19 is followed. Accordingly, the cases falling under Rule 19(1) of the CCS(CC&A) Rules, 1965 where a penalty is proposed to be imposed on a Government servant on account of his conviction on a criminal charge, the disciplinary authorities are required to take a final decision in consultation with the Central Vigilance Commission. In cases under Rule 19(ii) *ibid* there would be no occasion to consult the CVC a second time since there would be no inquiry report as in the case of proceedings under rule 14. *ibid*. This, however, would not be applicable to cases (i) where the disciplinary authorities take a view which is not in confirmity with the first stage advice of the Commission and; (ii) Where the disciplinary authority is competent to impose a penalty without consulting the UPSC.

2. The Ministries/Departments are requested to bring the above instructions to the notice of all disciplinary authorities under their control for compliance.

C.P. Singh

(C.P. SINGH) 9/

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA.

To

All Ministries/Departments of the Government of India,
with usual number of spare copies.

No. 118/4/89-AVD-I

Dated 30-5-91

Copy forwarded with usual number of spare copies for inform to:-

- (i) Controller & Auditor General of India, New Delhi.
- (ii) UPSC, New Delhi.
- (iii) Central Vigilance Commission, New Delhi.
- (iv) Central Bureau of Investigation, New Delhi.
- (v) All Union Territories Administration,
- (vi) Commission for Linguistic Minority, Hyderabad.
- (vii) Lok Sabha/Rajya Sabha.
- (viii) All attached and Subordinate Office of the MHA and the Ministry of Personnel, Public Grievances & Pensions.
- (ix) All Officers and Sections of the Ministry of Home Affairs and the Ministry of Personnel, Public Grievances & Pensions.

C.P. Singh

(C.P. SINGH) 29/5/91

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA
