

No.006/VGL/ 098
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block –A,
GPO Complex,
INA, NEW DELHI-110 023.
New Delhi, the 10th October, 2006

Circular No.39/10/06

Subject: Difference of opinion with CVC's advice regarding quantum of penalty, etc.

Reference is invited to the Department of Personnel & Training O.M. No. 134/2/95-AVD-I dated 13.6.1995 and the earlier instructions contained in Department of Personnel & Administrative Reforms O.M. No.118/2/78-AVD-I dated 28.9.78 on the above subject.

The Commission has observed that in a number of cases of disagreement with the Commission's advice, the Commission has not been informed about the reasons for disagreement or whether a reference to the DOPT, as required under the above instructions, was made. The CVOs are, therefore, directed to ensure that before it is finally decided to disagree with the Commission's advice on further action on a complaint or on an investigation report, or in a vigilance case, reference is made to the Department of Personnel in respect of all such cases, where the appointing authority is the President or the disagreement is due to UPSC's advice.

The CVOs may please note these instructions for strict compliance. They should also ensure that wherever it has been finally decided to disagree with the Commission's advice, reasons for the same are communicated to the Commission along with a final order in the case, to enable the Commission to decide about inclusion of the case in its Annual Report.

SD/-
(V.KANNAN)
DIRECTOR

All Chief Vigilance Officers