

कोल इण्डिया लिमिटेड

सतर्कता विभाग
15, पार्क स्ट्रीट, (6 तल्ला)
कोलकाता-700 016, प. बंगाल
फैक्स : 033 229 4002
ई.मेल : edvigcil@cal3.vsnl.net.in
वेबसाइट : www.coalindia.nic.in



Coal India Limited

VIGILANCE DIVISION
15, PARK STREET, (6TH FLOOR)
KOLKATA-700 016
FAX : (033) 229-4002
E-Mail : edvigcil@cal3.vsnl.net.in
Website : www.coalindia.nic.in

No. CIL:VIG:VIG. ADMN./24/ 881

संदर्भ संख्या / Ref. No.

Date : 04-08-2006

तिथि / Date.

Office Memorandum

**Sub: Corrigendum to the Office Memorandum No. No. CIL:VIG:VIG. ADMN./24/ 857
Dated 01/03-08-2006**

This OM is being issued in supersession of the earlier OM issued under even no. dated 01-03-08-2006.

It is being observed that in vigilance procedures certain common mistakes are being made repeatedly while dealing with the vigilance cases. During investigation and post investigation actions all desk officers are being advised to strictly adhere to the following guidelines issued by CVC and provisions contained in the Conduct, Discipline and Appeal Rules of CIL:

- 1) Version/ Statement of the official against whom, at the initial stage of investigation, charges have been prima facie substantiated must be obtained and should be reflected in the final investigation report before submission to the Disciplinary Authority. The actual statement/ version should be included as an annexure to the report. Clear recommendation with respect to the action proposed to be taken by the Disciplinary Authority should be an in-built part of the report.
- 2) While forwarding the report to MOC (in case of Board level appointees) or CVC for 1st stage advice a draft imputation of misconduct showing the culpability of the official involved, a list of documents by which charges are proposed to be proved during Departmental Inquiry and a list of witnesses who would make depositions before the Inquiring Authority must be included. When a case file is sent to the Disciplinary Authority (other than MOC) for his opinion (if the draft charge sheet/ imputation of misconduct can not be immediately put up), culpability of the indicted official in brief should be spelt out in the proposal note of the case file.
- 3) After obtaining the 1st stage advice of CVC, it is to be ensured that the same is forwarded to the delinquent official by the Disciplinary Authority along with the Memorandum of charge sheet and his (official's) representation if any, should be examined, if so directed by the Disciplinary Authority before processing the case further.
- 4) In case there is difference of opinion between the Inquiring Authority and the Disciplinary Authority it is to be ensured that the reasons for difference of opinion is forwarded by the Disciplinary Authority to the charged official and his fresh version

obtained. However, if the opinion of the Disciplinary Authority goes in favour of the charged official, the difference of opinion need not be forwarded to the charged official.

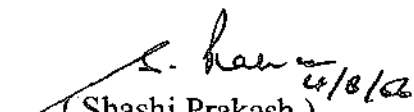
In that event, a reasoned self contained note of dissent need to be put up to CVO for his decision regarding reference of the case to CVC as a case of "Disagreement with the Disciplinary Authority" irrespective of whether the charged official falls within the jurisdiction of CVC or not.

5) It is to be ensured that after receiving the 2nd stage advice of CVC a show cause notice is served by the Disciplinary Authority along with the 2nd stage advice of CVC upon the charged official and final order of the Disciplinary Authority is issued only after careful examination of representation received, if any.

6) The final order of the Disciplinary Authority is to be got served upon the charged officer through the office of the concerned CMD/ Director/ HOD under whom the charged officer is currently posted. A copy of the Final order is to be forwarded to CVC, in such cases in which the Commission has rendered its advice.

8) The Appeals must be accompanied by comments of the Disciplinary Authority. While examining the an Appeal, any new fact brought out by the punished officer, not considered or known during the course of departmental action or lapses in vigilance procedure/ failure to observe CDA Rules or CVC guidelines, if any, should be highlighted and reasoned recommendation bringing into focus the attending documents should be made in the appraisal note.

It is reiterated that the above steps need to be complied with strictly.


(Shashi Prakash)
Chief Vigilance Officer

Distribution :

For necessary action-

- 3) Chief Vigilance Officers, ECL/BCCL/CCL/WCL/ SECL/MCL/ NCL/CMPDI
- 4) All Officers of CIL Vigilance/ Guard file *See Sital Chakraborty, Sr. P.A. CIL (U14)*

Copy for kind information of-

- 5) Secretary, CVC, Satarkta Bhavan, New Delhi
- 6) JS&CVO, MOC, New Delhi
- 7) Chairman, CIL and Director (P&IR)/ Director (Tech)/ Director (Finance)/ Director (S&M), CIL
- 8) CMD, , ECL/BCCL/CCL/WCL/ SECL/MCL/ NCL/CMPDI

File with GM (veg)