

Coal India Limited

(A Govt. of India Enterprise)

कोल इण्डिया लिमिटेड

(भारत सरकार का उपक्रम)

CIN.L23109WB1973GOI028844
Website: www.coalindia.in



A Maharatna Company

VIGILANCE DIVISION

सतर्कता विभाग

"COAL BHAWAN"

Premises No. 04 MAR, Plot No. AF-III
Action Area - 1A, New Town, Rajarhat
Kolkata 700156 (WB)

Ph. (033)2324 4134/4152, Fax: 2324 4055

E-Mail: cvo@coalindia.in

संदर्भ संख्या / Ref. No.CIL:VIG: 2016/25018/02/347

तिथि / Date: 17.05.2016
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To
The Chief Vigilance Officer
ECL, BCCL, CCL, WCL, SECL, NCL, MCL & CMPDIL

Sub: Action against Retired Executives under CDA Rules.

Sir,

Kindly refer to the letter No. CIL: VIG: SECY:MK-3:742 dated 27.06.2013 on the above subject. With the said letter, the Legal Advice furnished by Shri G.E. Vahanvati, Attorney General of India, was sent wherein he had opined that action can be taken against retired executives, if the charge sheet is issued before retirement, by way of deemed dismissal. In modification of the earlier letter dated 27.06.2013 it is clarified that as the Ld. Attorney General had advised that Deemed Dismissal can be imposed on retired executives which is the severest of the punishments, other penalties listed in Rule 27.1 (i) & (ii) of the Coal India CDA Rules 1978 (as amended) can also be imposed on a retired executive. In case the penalty of Deemed Compulsory Retirement / Deemed Removal / Deemed Dismissal is imposed it will be effective from the date of actual retirement. For other penalties, the date and period of effect may be decided in the individual cases appropriately.

Yours faithfully,

(Manoj Kumar,)
Chief Vigilance Officer