

Coal India Limited  
कोल इण्डिया लिमिटेड

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कोलकाता, पं. बंगाल-700001

CIN/कॉ.प.सं. : L23109WB1973GOI028844

Website वेबसाइट: www.coalindia.in



A MAHARATNA  
COMPANY

महारत्न

कंपनी

VIGILANCE DIVISION

सतर्कता विभाग

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02.03

Clarification

Sub : Handling of cases referred by CBI – clarification

Ref : Memorandum No. CIL/VIG/2014/MK-3/Conf/1077 dated 11-10-2014

Some issues with regard to the above referred memorandum have been raised which are clarified as follows :-

CVO, BCCL : In case where the prosecution sanction has been granted against any non-executive on request of CBI, the RDA against the non-executive may be started under the Certified Standing Orders irrespective of whether CBI has recommended RDA or not. However, it should be ensured that penalty is commensurate with the seriousness of the misconduct. If leniency has been shown by the Disciplinary Authority, matter may be brought before Reviewing Authority.

CVO, ECL : (i) RDA for major penalty proceeding may be started against the employee against whom prosecution sanction has been granted irrespective of whether CBI recommend RDA for the same or not. The charge sheet may be issued by the Disciplinary Authority as prescribed under Rule 27 of the CDA Rules. The inquiry will be handled by the Vigilance Section of subsidiary companies. However, if at the end of inquiry, penalty other than dismissal, removal or compulsory retirement has been awarded, the entire case file should be sent to the office of CVO, CIL within 7 days for review by the Chairman, CIL.

(ii) In the para-4 of the referred memorandum, it has been indicated that the RDA should be concluded within one month of the CBI report. This is in cases where the

proceeding has already been initiated long time back at the time of grant of prosecution sanction. As the proceeding is already in progress, one month should be sufficient to conclude it. However, if no RDA has been initiated at all in the case, the entire matter needs to be referred to CVO, CIL for taking action under Rule 34.1 of the CDA Rules immediately.

(iii) For the old cases (received before 01.01.2014) in which RDA had not been initiated against the concerned employee, we may wait for the outcome of the criminal prosecution. If the employee is convicted by the Criminal Court, the case details should be sent to CVO, CIL office for action under Rule 34.1 of CDA Rules. On the other hand, for cases received on or after 01.01.2014, if RDA has not been started in prosecution sanction cases, the same may be done without any further delay.

This is issued with approval of the Chairman, CIL.

MS  
27/2/16  
(Manoj Kumar)

Chief Vigilance Officer

Distribution:

1. All FDs of CIL for information
2. All CMDs of subsidiaries for necessary action.
3. All CVOs of subsidiaries for necessary action.