

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"

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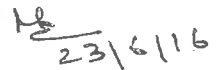
CIRCULAR

Subject: Non-initiation of RDA in a CBI case even after suspension

In a case of CCL, an executive was suspended in a CBI case for alleged demand and acceptance of illegal gratification in connection with a tender after his arrest by CBI in 1993. In the same year, sanction for prosecution was granted. However, no charge-sheet was issued after receipt of police report. Additionally, his suspension was revoked in 1996. He retired in 2004 and still no charge-sheet was issued before retirement. All retiral dues were released on superannuation. Now he has been convicted and sentenced by the trial court. However, as no charge sheet was issued during his service period, no action can be taken at this stage despite the fact that he has been convicted on a grave charge involving moral turpitude. This became possible clearly because of reckless attitude of persons handling the case who failed to issue the charge-sheet immediately after receipt of CBI report.

To prevent such type of reoccurrence, it is advised that as per provisions contained under rule 24.2 of Coal India Executives' CDA Rules 1978 (as amended) in all such cases where an executive has been placed under suspension, charge sheet must be issued within a reasonable time from the date of suspension. As already directed vide Memorandum No. CIL/VIG/2014/MK-3/Conf/1077 dated 11th Oct 2014, irrespective of whether the executive is placed under suspension or not, simultaneous disciplinary action must be initiated by issue of Charge-sheet if sanction for prosecution has been granted against any employee. Moreover, the departmental proceedings in such cases should be concluded in an expeditious manner without waiting for outcome of the criminal trial.

This may be followed strictly.


23/6/16

(Manoj Kumar)
Chief Vigilance Officer
Coal India Limited

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