



दक्षिण रेलवे/SOUTHERN RAILWAY

No.P(R)227/P/Vol.III.

प्रधान कार्यालय/Headquarters Office  
कार्मिक शाखा/ Personnel Branch  
चेन्नै/ Chennai - 600 003  
दि./ Dated: 29-11-2013

पी बी सी सं/ PBC No. 152 / 2013

All PHODs / DRMs / CWMs / CEWE / CAO / CPM / Dy.CPOs / Sr.DPOs /  
DPOs / SPOs / WPOs / APOs of HQ / Divisions / Wokshops / other Units, etc.,  
(As per mailing list - 'A' )

विषय/Sub: Change in procedure of issuing Vigilance Position for  
Management decisions.

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A copy of SDGM & CVO / MAS letter No. VO/G/56/NOC dated 14-11-2013 on the above subject is enclosed for information, guidance and necessary action.

A copy of Railway Board's letter dated 19-07-2006 referred therein is enclosed for ready reference.

(V. SRINIVASAN)

वरिष्ठ कार्मिक अधिकारी/नियम  
Senior Personnel Officer/Rules  
कृते मुख्य कार्मिक अधिकारी  
For Chief Personnel Officer

संलग्न/Encl: as above

प्रतिलिपि/Copy to : The Genl Secy / SRMU  
The Genl Secy / AISCSTREA  
The Genl Secy/ AIOBCREA

The Genl Secy/NFIR



भारत सरकार / GOVERNMENT OF INDIA  
रेल मंत्रालय / Ministry of Railways  
दक्षिण रेलवे / Southern Railway

CPO  
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आर. मुकुन्दन  
वरिष्ठ उप महाप्रबंधक

& मुख्य सतकर्ता अधिकारी

R. MUKUNDAN  
SDGM & CVO

प्रधान कार्यालय/ Headquarters Office,  
सतकर्ता शाखा / Vigilance Branch,  
चेन्नै - 600 003/ Chennai - 600 003.

NO. VO/G/56/NOC

Dt: 14.11.2013

CPO, FA&CAO, CSC,  
PCE, CME, CSO, CEE, COS  
COM, CCM, CSTE, CMD

Sub : Change in procedure of issuing Vigilance Position  
for Management decisions.

Ref : RB letter No.2006/V-1/Meet/6/1, Dt.: 19.07.2006

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The Vigilance Position for various Management decisions like Promotion, Award, Deputation etc. are generated from the Database available in Vigilance Branch. The updation and processing of database was done through Vigilance Software System (VSS) untill recently. The Vigilance position generated from VSS was indicating the Past Vigilance/CBI cases of the Staff for a specified period in addition to the Present cases. Now, the VSS has been replaced with Integrated Railway Vigilance Information System (IRVINS) developed and maintained by Railway board to enable the access of database at their end.

Henceforth, the Vigilance position generated from IRVINS for Group 'C' & 'D' Staff will indicate the present ongoing Vigilance /CBI cases **only**, which is based on the instructions issued by Railway Board vide letter under reference (Copy enclosed). **The Past Vigilance/CBI cases will not be indicated in the Vigilance Position any more. The Service Register of the Staff concerned has to be referred for the Past cases.**

The Officers under your control who are processing the Vigilance Clearance for various Management decisions may kindly be advised suitably.

Encl: As above

आर. मुकुन्दन  
(R.MUKUNDAN)  
SDGM & CVO

**GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
RAILWAY BOARD**

**No. 2006/V-1/Meet/6/1**

**New Delhi, dated: July 19, 2006**

**The General Managers**  
CR, ER, ECR, ECOR, NR, NCR,  
NER, NFR, NWR, SR, SCR, SER,  
SECR, SWR, WR, WCR, CLW,  
DLW, ICF, RCF, RWF, CORE,  
METRO & NFR(Constr.)

**The Directors,**  
IRICEN, IRISSET, IRITM, IRIEEN  
& IRIMEE,

**Chief Administrative Officers**  
DLMW & COFMOW

**Managing Directors**  
RITES, IRCON, KRCL, CONCOR,  
IRFC, MRVC, RCTC, RAILTEL,  
CRIS, RVNL and IRWO.

**Director General**  
RDSO and RSC

**Others**  
CCRS/LKO

**Sub: Procedure for dealing with DAR cases against group  
'C' and 'D' staff arising out of vigilance investigation.**

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It has come to the notice of Railway Board that there is inordinate delay in giving vigilance clearance/ furnishing vigilance position by some of the Vigilance units on account of either not following the existing instructions or not interpreting the same correctly. This adversely affects the staff and delays their promotion.

2.0 The existing instructions for dealing with disciplinary proceedings and vigilance clearance have been considered and it has been decided that, in supersession of all previous instructions, on the subject, the procedure given below will henceforth be followed for dealing with DAR cases and vigilance clearance of Group 'C' and Group 'D' staff:-

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**2.1 Cases involving Group 'C' and Group 'D' staff only (i.e. not involving any Gazetted Officer).**

In these cases CVC advice is not required. These cases which are also known as Non-CVC cases be dealt as under:-

2.1.1 In minor penalty cases, vigilance clearance for a particular case would be given once the Disciplinary Authority (DA) has finalized the DAR action and a punishment notice (NIP) had been issued. No consultation is necessary with Vigilance even if DA differs with the first stage advice of vigilance organization and penalty imposed is at variance with Vigilance advice or DA exonerates the charged official. DA is only required to send a copy of NIP/ exoneration advice along with its speaking order and reasons of disagreement to Vigilance promptly, say within a week. In the cases of deviation, Vigilance can seek a revision by referring the case to Revising authority (RA) if considered necessary. Such revision would, however, not come in the way of vigilance clearance of staff.

2.1.2 For major penalty cases, the vigilance case will get closed once the DA has imposed any of the major penalties and sends copy of NIP along with its speaking order to Vigilance Organisation. No consultation with Vigilance is necessary where DA intends to impose penalty in accordance with first stage of Vigilance Organisation. However, where punishment is not considered adequate, the vigilance organization can later seek a revision by referring the case to RA as per extant procedure. Such revision would, however, not come in the way of vigilance clearance of staff.

2.1.3 For major penalty cases, where DA proposes to exonerate or impose a minor penalty, consultation with vigilance would be necessary. In such cases, DA has to first record his provisional views and consult Vigilance organization once giving reasons for disagreement with Vigilance advice. Vigilance Organisation should examine and furnish their comments to DA on such references. Normally vigilance organization is expected to furnish their comments to DA within two weeks of receipt of such references. Even if after this consultation, DA is not in agreement with views of Vigilance, then DA is free to proceed and pass speaking order for exoneration/imposition of penalty. Copy of the NIP/ exoneration advice is required to be promptly sent by DA to Vigilance along with its speaking order and reasons of disagreement within a week of passing such orders. Vigilance organisation may seek a revision by referring the case to RA, if considered necessary. However, such a revision would not come in the way of vigilance clearance of staff

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2.1.4 The procedure for consultation with Vigilance once as described in Para 2.1.3 would also be applicable in major penalty cases when appellate/ revising authority proposes to exonerate or impose a minor penalty.

2.1.5 Procedure as described in Paras 2.1.1. to 2.1.4 above would also be applicable for the cases investigated by Board Vigilance. However, in cases of disagreement of DA/Appellate Authority/RA, Zonal Railway Vigilance has to send case to Board Vigilance along with their comments for consultation.

2.1.6 SDGM/CVO may put up details of cases where penalty imposed by DA/AA/RA is either at variance with vigilance advice or considered inadequate to General Manager, once every quarter, for his information endorsing a copy to A.M.(Vig.), Railway Board.

**2.2 Composite cases involving Group 'C' and 'D' staff along with Group 'A' officer(s) or Group 'B' officer(s) working in senior scale (also called CVC composite cases).**

2.2.1 In minor penalty cases, no consultation with Vigilance/CVC is necessary if punishment proposed to be imposed by DA is in line with CVC advice. However, in cases of deviation, case is required to be sent to CVC for reconsideration along with provisional views of DA and Vigilance comments thereon. Vigilance Units should promptly (say within two weeks) send the cases to Board Vigilance for seeking CVC's reconsidered advice. DA is however, free to pass speaking order and issue NIP if he is still not in agreement with CVC's reconsidered advice. Copy of this NIP alongwith reasons of his disagreement should be promptly sent to Vigilance for onward transmission to CVC. CVC can include this case in its Annual Report that is submitted to Parliament and can be discussed by Hon'ble. MPs.

2.2.2 In major penalty cases, all cases are required to be referred to CVC for second stage advice after completion of Inquiry along with IO's report, provisional views of DA and Vigilance comments. Vigilance case is closed once DA imposes penalty in accordance with CVC's second stage advice and furnishes a copy of NIP to Vigilance for onward submission to CVC.

However, if DA differs with CVC's second stage advice, case is again required to be referred to CVC for reconsideration along with reasons for disagreement by DA and Vigilance comments. If DA still differs with CVC's reconsidered second stage advice, he can pass speaking orders and issue NIP. A copy of NIP along with reasons of disagreement is required to be sent to Board Vigilance for onward submission to CVC. CVC can include this case in

its Annual report that is submitted to Parliament and can be discussed by Hon'ble MPs.

2.2.3 The procedure for consultation with CVC once as described in Paras 2.2.1 & 2.2.2 would be applicable when appellate/ revisionary authority proposes to deviate from CVC's advice.

### 2.3 Composite cases involving Group 'C' and 'D' staff alongwith Group 'B' officer(s).

2.3.1 Same procedure as prescribed for CVC composite cases detailed in Para 2.2 above would be applicable except that the case would be decided at the level of AM(Vig) and would not be referred to CVC.

3.0 In the light of above instructions, there should not be any difficulty in dealing with DAR cases expeditiously. Vigilance organisation will only furnish the current vigilance position about the employee to the executive branch, which has to take decision about promotion/ deputation/ training etc of the employee in accordance with the extant instructions. There should, therefore, be no reason for delay in furnishing vigilance position by the Vigilance organisation.

4.0 Efforts should also be made by Vigilance organisation to computerise their vigilance clearance module to enable furnishing vigilance position reports promptly. This computerisation should be completed within six months and report furnished to Railway Board.

(Mathew John)  
Addl. Member (Vigilance)  
Railway Board