

# COMPENDIUM OF VIGILANCE CIRCULARS

## COMPENDIUM OF VIGILANCE CIRCULARS

# 2012

[RBV-05](#) **NEW**

02.07.2012 Investigation of Vigilance cases pertaining to Workshop Projects/Zones.

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12.06.2012 Expeditious disposal of Vigilance cases involving public servants due to retire shortly.

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## 2011

[RBV-14](#)

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December 2011 Use of website in tendering process with facility of downloading of tender forms.

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22.09.2011 Enhancement of the rates of honorarium for Inquiry Officer and other assisting officials in the conduct of Departmental Inquiries, arising out of Vigilance investigations against Railway Servants

<a href="#">RBV-11</a>	20.09.2011	Advance Correction Slip No. 14
<a href="#">RBV-10</a>	11-08-2011	Procedure to be followed in cases involving Group 'C' & 'D' employees investigated by Board Vigilance
<a href="#">RBV-09</a>	July 2011	Expeditious disposal of cases involving public servants due to retire shortly
<a href="#">RBV-08</a>	June 2011	Vigilance Clearance of serving officers for the purpose of appointment as Arbitrators
<a href="#">RBV-07</a>	May 2011	Laying down a cooling off period between two postings in a sensitive seat
<a href="#">RBV-06</a>	April 2011	Adherence to time-limit while furnishing investigation report on complaints
<a href="#">RBV-05</a>	April 2011	Transparency in Tendering System.
<a href="#">RBV-04</a>	March 2011	Advance Correction Slip No.13
<a href="#">RBV-03</a>	March 2011	Instructions to be followed while sending cases for reconsideration
<a href="#">RBV-02</a>	Jan 2011	Guidelines for checking delay in grant of sanction for prosecution.
<a href="#">RBV-01</a>	Jan. 2011	Adherence to time-limit while furnishing report on preventive checks

2010

<b>RBV-20</b>	Dec.2010	Adherence to the Govt's 'Office Procedure' in respect up keep & maintenance of files/documents.
<b>RBV-18</b>	--	Time limit for referring the cases to CVC for its advice in cases relating to officers on the verge of retirement.
<b>RBV-17</b>	Aug. 2010	Adherence to time-limits for investigations of complaints.
<b>RBV-16</b>	Aug. 2010	Transparency in Works/Purchase/Consultancy contracts awarded on nomination basis.
<b>RBV-15</b>	Aug. 2010	Leveraging of Technology for improving vigilance administration in the National E-Governance Plan.
<b>RBV-14</b>	11.08.2010	Withdrawing the term stiff major, stiff minor penalty as a result of CVC's instructions.
<b>RBV-13</b>	05.08.2010	Representation against administrative action-Procedure regarding
<b>RBV-12</b>	09.07.2010	Cooperation with Vigilance team in discharge of its duty during conduct of preventive check
RBV-11	15.07.2010	Procedure for dealing with cases involving Group 'C' and 'D' employees in CVC composite cases ( <b>Advance Correction Slip No.11</b> )
RBV-10	17.03.2010	Advance Correction Slip No.10
RBV-09	17.03.2010	Advance Correction Slip No.9
RBV-08	19.02.2010	Advance Correction Slip No.8

<a href="#">RBV-07</a>	19.02.2010	Procedure for sending Investigation Reports to the Commission for seeking its first stage advice in cases where closure has been recommended by the Chief Vigilance Officer
<a href="#">RBV-06</a>	18.02.2010	Advance Correction Slip No.7
<a href="#">RBV-05</a>	16.02.2010	Reconsideration of vigilance cases by CVC in which the Commission have advised Administrative action.
<a href="#">RBV-04</a>	15.02.2010	System improvement in the working/attendance of Vigilance Inspectors/Supervisors in the Railways
<a href="#">RBV-03</a>	15.01.2010	Advance Correction Slip No.6
<a href="#">RBV-02</a>	14.01.2010	Procedure for dealing with complaints having no vigilance angle received directly by in Zonal Railways against officers
<a href="#">RBV-01</a>	12.01.2010	Authorization of the Central Government to file an application u/s 3 of the Criminal Law (Amendment) Ordinance, 1944 for attachment of the money or property procured by means of the scheduled offence.
<b>2009</b>		
<a href="#">RBV No. 21/2009</a>	19.11.2009	Usage of full forms of abbreviations in the Investigation Report.
<a href="#">RBV No. 20/2009</a>	10.11.2009	Preventive Checks on the basis of C&AG and internal Audit Reports.
<a href="#">RBV No. 19/2009</a>	04.11.2009	Written genuineness verification of complaints.

<a href="#">RBV No. 18/2009</a>	28.10.2009	Consultation with CVC for first stage advice.
<a href="#">RBV No. 17/2009</a>	03.09.2009	Maintenance of data bank for private foreign visits by Government employees.
<a href="#">RBV No. 16/2009</a>	03.09.2009	Advance Correction Slip No. 4
<a href="#">RBV No. 15/2009</a>	03.09.2009	Improving vigilance administration by leveraging technology: Increasing transparency through effective use of websites in discharge of regulatory, enforcement and other functions of Govt. organizations
<a href="#">RBV No. 14/2009</a>	28.08.2009	Marking of complaints having vigilance angle from various decentralized locations to the CVO/ SDGM
<a href="#">RBV No. 13/2009</a>	25.08.2009	Posting of details on website regarding tenders / contracts Awarded.
<a href="#">RBV No.12/2009</a>	20.08.2009	Consultation with CVC for first stage advice.
<a href="#">RBV No.11/2009</a>	20.07.2009	Quarterly structured meeting between the SDGMs / CVOs and the GMs / CAO / DG.
<a href="#">RBV No. 10/2009</a>	16.07.2009	Enhancement of the rates of honorarium for Inquiry Officer and other assisting officials in the conduct of Departmental Inquiries, arising out of Vigilance investigations against Railway Servants.
<a href="#">RBV No. 9/2009</a>	07.07.2009	Government of India Resolution on Public Interest Disclosure and Protection of Informer (PIDPI).

<a href="#">RBV No.8/2009</a>	12.06.2009	Scrutiny of Vigilance cases by Audit officials
<a href="#">RBV No.7/2009</a>	01.05.2009	Preparation of charge-sheets for RDA in CBI investigated cases
<a href="#">RBV No.6/2009</a>	20.04.2009	Role of Disciplinary Authorities while passing speaking orders
<a href="#">RBV No.5/2009</a>	16.04.2009	Consultation with CVC for advice along with tabular statement in a specified proforma.
<a href="#">RBV No.4/2009</a>	02.04.2009	Training of Railways officers/staff
<a href="#">RBV No. 3/2009</a>	25.03.2009	Expeditious disposal of DAR cases, involving officials on the verge of retirement.
<a href="#">RBV No. 2/2009</a>	18.02.2009	Rotation of officials working in sensitive posts.
<a href="#">RBV No.1/2009</a>	20.01.2009	Time limit for referring the cases to CVC for its advice in cases relating to officers on the verge of retirement.
<b>2008</b>		
<a href="#">RBV No.12/2008</a>	16.12.2008	Departmental Trap cases ? Procedure & guidelines.
<a href="#">RBV No.11/2008</a>	17.09.2008	Role of CVO (including part- time in Vigilance Administration)

<a href="#">RBV No.10/2008</a>	11.08.2008	Rotation of officials working in sensitive posts.
<a href="#">RBV No.9/2008</a>	29.07.2008	Seeking of CVC's 1st stage advice in cases of Group 'B' officers in Jr. Scale promoted to Sr. Scale before issue of charge-sheet
<a href="#">RBV No.8/2008</a>	22.07.2008	Referring of cases by Zonal Railways to CBI for investigations.
<a href="#">RBV No.7/2008</a>	16.05.2008	Reference to the Central Vigilance Commission  for reconsideration of its advice.
<a href="#">RBV No.6/2008</a>	7.05.2008	Constitution of Committee of Experts for scrutiny of a proposal for reconsideration of prosecution sanctions.
<a href="#">RBV No.5/2008</a>	6.05.2008	Check-lists for 1st stage advice and 2nd stage advice cases.
<a href="#">RBV No.4/2008</a>	14.03.2008	Guidelines for obtaining Vigilance clearance before posting an Officer as Dy. CPO (Recruitment).
<a href="#">RBV No.3/2008</a>	29.02.2008	Reconsideration of Vigilance cases by CVC in which CVC have advised 'Administrative Action'.
<a href="#">RBV No.2/2008</a>	20.02.2008	Advance Correction Slip No.3
<a href="#">RBV No.1/2008</a>	28.01.2008	Amendment to CDA Rules of PSUs to enable imposition of penalty on their employees after their retirement.
2007		

<a href="#">RBV No. 11/2007</a>	31.12.2007	Identical 'Relied upon Documents' to IO, PO and CO.
<a href="#">RBV No. 10/2007</a>	11.12.2007	Selection of Vigilance Inspectors on zonal railways/units and Investigating Inspectors (Vig.) in Railway Board.
<a href="#">RBV No. 09/2007</a>	12.11.2007	Expeditious disposal of cases involving Railway servants on the verge of retirement.
<a href="#">RBV No. 08/2007</a>	16.08.2007	Consultation with CVC at the Appeal/Revision Stage, where the Appellate/Revising Authority, subordinate to the President, proposes to modify/set aside the penalty imposed by the Disciplinary Authority
<a href="#">RBV No. 07/2007</a>	16.07.2007	Consultation with CVC for 2nd stage advice ? furnishing tentative views of DA.
<a href="#">RBV No. 06/2007</a>	29.05.2007	List of sensitive posts.
<a href="#">RBV No. 05/2007</a>	04.05.2007	Training of officials connected with conducting Departmental Inquiry - in the interest of effective and speedy completion of Departmental Inquiry.
<a href="#">RBV No. 04/2007</a>	25.04.2007	Cooperation with Vigilance team in discharge of its duty during conduct of preventive check.
<a href="#">RBV No. 03/2007</a>	25.04.2007	Proper framing of Charge-sheet.
<a href="#">RBV No. 02/2007</a>	12.03.2007	Mandatory consultation with CVC for its second stage advice.
<a href="#">RBV No. 01/2007</a>	23.02.2007	Addition to the ?List of Sensitive Posts?.
<b>2006</b>		
<a href="#">RBV No. 25/2006</a>	13.12.2006	Improving vigilance administration by leveraging technology: Increasing transparency through effective use of websites in discharge of regulatory, enforcement and other functions of Govt. Organizations

<a href="#">RBV No. 24/2006</a>	12.12.2006	Adherence to time limit for grant of sanction for prosecution
<a href="#">RBV No. 23/2006</a>	18.09.2006	Procedure for dealing with Vigilance cases in which CVC had advised 'Administrative action'.
<a href="#">RBV No. 22/2006</a>	15.09.2006	Individual cases of Tender/Procurement
<a href="#">RBV No. 21/2006</a>	18.09.2006	Internal Vigilance clearance in PSUs for extension of Tenure of Railway Officials on deputation with them.
<a href="#">RBV No. 20/2006</a>	13.09.2006	Maintenance of proper records of the complaints received through Central Vigilance Commission.
<a href="#">RBV No. 19/2006</a>	11.09.2006	Vigilance Administration- Role of CVO-regarding
<a href="#">RBV No. 18/2006</a>	06.09.2006	Adherence to time limit in processing of disciplinary cases.
<a href="#">RBV No. 17/2006</a>	18.08.2006	Transparency in Works/Purchase/Consultancy contracts awarded on nomination basis
<a href="#">RBV No. 16/2006</a>	14.08.2006	Difference of opinion between State Anti Corruption Bureaus and Central Government Authorities regarding Sanction of Prosecution of Central Government officials
<a href="#">RBV No.15/2006</a>	11.08.2006	Consultant with CVC- Routing of the case through the Competent Disciplinary Authority at the time of seeking 2nd stage advice of CVC
<a href="#">RBV No.14/2006</a>	10.08.2006	Examination of Public Procurement (Works/ Purchases/Services) contracts by CVOs
<a href="#">RBV No.13/2006</a>	19.07.2006	Procedure for dealing with DAR cases against group 'C' and 'D' staff arising out of vigilance investigation.
<a href="#">RBV No.12/2006</a>	13.07.2006	Jurisdiction of Railway Vigilance over RCT.
<a href="#">RBV No.11/2006</a>	22.06.2006	Use of website in tendering process with facility of downloading of tender forms.

<a href="#">RBV No.10/2006</a>	13.06.2006	Amplification of certain points concerning instructions regarding rates of honorarium etc., for Railway Inquiry Officers and other officials assisting the RIO.
<a href="#">RBV No.9/2006</a>	12.05.2006	Protection against victimization of Vigilance officials
<a href="#">RBV No.8/2006</a>	24.04.2006	Enhancement of the rates of honorarium for Inquiry Officer and other assisting officials in the conduct of Departmental Inquiries, arising out of Vigilance investigations against Railway Servants.
<a href="#">RBV No.7/2006</a>	07.04.2006	Consultation with Central Vigilance Commission - Documents including the draft charge sheet to be enclosed for seeking first stage advice and the documents to be enclosed for seeking second stage advice ? regarding.
<a href="#">RBV No.6/2006</a>	07.04.2006	Reducing delay in departmental proceedings ? ensuring availability of documents ? regarding.
<a href="#">RBV No.5/2006</a>	07.03.2006	Investigation of Arbitration cases.
<a href="#">RBV No.4/2006</a>	28.02.2006	Departmental trap cases ? Procedure and Guidelines
<a href="#">RBV No.3/2006</a>	22.01.2006	Nomination of Presenting Officer from CBI in DAR cases arisen as a result of Vigilance Investigation.
<a href="#">RBV No.2/2006</a>	17.01.2006	Reconsideration of Vigilance cases by CVC in which CVC have advised ?Administrative Action?.

**RBV NO. 05/2012**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2012/V-1/VP/1/7**

**New Delhi, dated 2<sup>nd</sup> July, 2012**

**The General Managers  
All Zonal Railways**

**The CAOs  
Railway Units**

**Sub: Investigation of vigilance cases pertaining to Workshop  
Projects/Zones.**

Recently, it is noticed that a large number of complaints received by Board Vigilance against officials of Workshop Projects, when forwarded to the respective zones for investigating into the matter, are returned without investigating into the complaint stating that the Workshop Projects are not within their jurisdiction. Complaints of such nature received by the Zones are also forwarded to Board Vigilance.

It has been decided that complaints received/forwarded against officials of Workshop Projects should be investigated by the respective zones in which the projects are located and investigation reports sent to Board Vigilance for further processing along with the comments of the concerned CAO/Head of Organisation.

**(Vikas Purwar)  
Director Vigilance (Mech.)  
Railway Board**

**Copy to :-**

- i) All Officers and the Branches of Vigilance Directorate.
- ii) AIRF, NFIR, IRPOF, FROA & AIRPFA
- iii) OSD to Hon'ble MR, MSR(M) & MSR(B)- for kind information
- iv) DME/C&IS/RB for information and uploading this letter on the website <http://10.1.10.21/railnet/depts/vigilance/Home.htm>)

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

**No. 2009/V-1/DAR/1/2**

**New Delhi, dt. 12.06.12**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA

**The General Managers**

**(Vigilance)**

Zonal Railways

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

**Sub: Expeditious disposal of vigilance cases involving public servants  
due to retire shortly**

It has been noticed that vigilance cases of officials/officers near retirement are not acted upon on time leading to an embarrassing situation where the cases become time-barred. Cases of officials/officers who are retiring in the near future should be acted upon promptly and care needs to be taken to initiate Disciplinary and Appeal proceedings before the official/officer retires as any negligence on this may end up in the case becoming time-barred. Recently the Central Vigilance Commission have taken a serious view that a case had already become timebarred and the official retired, by the time the Commission's advice was received and D&AR proceedings could be initiated. In order to overcome such situation, it is advised that while submitting the investigation report, the Zones/PUs/PSUs should clearly bring out the following information in the covering letter regarding the aspect of the case getting time barred (i) whether the suspect officials have already retired or retiring in the next one year (ii) the date on which the case becomes time barred.

Further it is reiterated that cases of retirement should be sent to Board's office at least six months before the date of retirement of the Officials/Officers.

**(Vikas Purwar)  
Director Vigilance (Mech.)  
Railway Board**

**Copy to :-** (i) All Officers and the Branches of Vigilance Directorate.  
(ii) AIRF, NFIR, IRPOF, FROA & AIRPFA  
(iii) OSD to Hon'ble MR, MSR(M) & MSR(B)- for kind information  
(iv) DME/C&IS/RB for information and uploading this letter on the website (<http://10.1.10.21/railnet/deptts/vigilance/Home.htm>)

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2009/V-1/CVC/1/5**

**New Delhi, dated 23rd May, 2012**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA

**The SDGMs**

Zonal Railways

**Managing Directors / PSUs,**

**Director Generals / RDSO/LKO & RSC/BRC**

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE

**CAO/COFMOW, DMW/Patiala**

**Sub: Need for self-contained speaking and reasoned orders to be issued  
by the authorities exercising disciplinary powers**

Attention is invited to Board's letters of even number dated 20.4.2009 and 28.12.2011 (RBV No.14/2011) stressing upon the role of the Disciplinary Authorities while passing Speaking Orders.

2. The Central Vigilance Commission, have recently, observed that the Disciplinary Authority, apart from recording his reasons in the case file, is also expected to record his reasoning (either in favour or against the Charged Official) in the final Memorandum to be served upon the delinquent officials.

3. It is once again reiterated that instructions contained in CVC's Office Order No.51/9/03 dated 15.09.2003 sent vide Board's letter No.2003/V1/CVC/1/19 dated 8.12.2003 (RBV No.13/2003) should be strictly followed while passing Speaking Orders in disciplinary cases.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**No.2009/V-1/CVC/1/5**

**New Delhi, dated 23rd May, 2012**

**Copy to :-** i) All Officers and the Branches of Vigilance Directorate  
ii) AIRF, NFIR, IRPOF, FROA & AIRPFA  
iii) OSD to Hon'ble MR, MSR(M) & MSR(B)- for kind information  
iv) DME/C&IS/RB **for information** and uploading this letter on the website - (<http://10.1.10.21/railnet/deptts/vigilance/Home.htm>)

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2011/V-1/ALSL/1/1**

**New Delhi, dated 11/04/2012**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR,  
NER, NFR, NWR, SR, SCR, SER,  
SECR, SWR, WR, WCR and CORE,

**(II) CHIEF VIGILANCE OFFICER (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
METRO, RDSO, IRCON, RITES, IRFC, CRIS, RLDA  
CONCOR, KRCL, IRCTC, RAILTEL, DFCCIL,  
MRVC and RVNL

**Sub: Advance Correction Slip No. 16**

Ministry of Railways (Railway Board) have decided to amend Para 9 of Annexure III/1 of the Indian Railway Vigilance Manual (2006 Edition) as per the enclosed Advance Correction Slip No 16. The amended para 9 of Annexure III/1 of Chapter III is enclosed for information.

DA/As above

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**Copy to :-**

- i) All Officers and the Branches of Vigilance Directorate and DG(RHS), ED(H) – Health Directorate
- ii) AIRF, NFIR, IRPOF, FROA & AIRPFA
- iii) PPS to Hon'ble MR, MSR(M) & MSR(B)
- iv) DME/C&IS/RB for uploading this letter on the website.  
(<http://10.1.10.21/railnet/deptts/vigilance/Home.htm>)

**ADVANCE CORRECTION SLIP. NO. 16**

**Amendment to Annexure III/I of Chapter III of the Indian Railways  
Vigilance Manual (2006 Edition)**

Existing Para 9 of Annexure III/1 of Chapter III of the Indian Railway Vigilance Manual (2006 Edition) shall be replaced as under:-

9. Medical Department:

- (i) Medical Superintendents and Chief Medical Superintendents of all Railway Hospitals (As per Advance Correction Slip No. 13 RBV No. 04/2011)
- (ii) Posts on which Doctors are nominated to conduct PME and Medical Examination of new recruits (As per Advance Correction Slip No. 13 RBV No. 04/2011)
- (iii) Posts on which Doctors are made in charge of Hospital Medical Stores and dealing with local purchases. (As per Advance Correction Slip No. 13 RBV No.04/2011)
- (iv) Posts on which Doctors are dealing with contracts relating to Sanitation/ cleaning etc. (As per Advance Correction Slip No.13 RBV No.04/2011)
- (v) Deputy Chief Medical Directors/Additional Chief Medical Directors. (As per Advance Correction Slip No.14 RBV No.11/2011).
- (vi) The Chief Health Directors handling procurement of medicines/surgical stores.

RBV No. 01/2012

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2011/V-1/CVC/1/9**

**New Delhi, dated 13.01.2012**

**The General Managers  
(Vigilance) Zonal Railways**

**Chief Vigilance Officers  
PSUs/PUs/RDSO/METRO/CORE/RSC**

**Sub: Procedure to be followed in the cases of SAG and  
above Officers while sending cases to Railway Board  
for obtaining second stage advice of the Central  
Vigilance Commission (Advance Correction Slip No.15)**

Ministry of Railways (Railway Board) have decided to modify the existing para 513.2 to the Indian Railways Vigilance Manual (2006 Edition) as per the enclosed Advance Correction Slip No 15.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**Copy to :-** i) All Officers and the Branches of Vigilance Directorate.  
ii) AIRF, NFIR, IRPOF, FROA & AIRPFA  
iii) OSD to Hon'ble MR, MSR(M) & MSR(B)- for kind information  
iv) DME/C&IS/RB for information and uploading this letter on the website  
(<http://10.1.10.21/railnet/deptts/vigilance/Home.htm>)

## **ADVANCE CORRECTION SLIP NO 15**

### **Indian Railways Vigilance Manual (2006 Edition)**

1. The existing para 513.2 of Indian Railways Vigilance Manual shall be read as under:

513.2: In the normal course, the question of obtaining CVC's second stage advice arises, in case of major penalty proceedings, after the disciplinary proceedings are completed and the Inquiry Officer concerned has submitted his report. For processing of second stage advice of CVC, the following action should be taken by Zonal Railways.

- (i) In the cases of Officers upto Selection Grade, the inquiry report and proceedings should be referred by Zonal Railway to Board along with the vigilance comments on the findings of the IO and the provisional views of the General Manager/DA as to the quantum of penalty proposed.
- (ii) In the cases of Officers of SAG and above, the inquiry report and proceedings should be referred by Zonal Railway directly to Board along with vigilance comments on the findings of IO.

The case will be referred to the Commission for advice and on receipt thereof, will be dealt with as laid down in paras 508 to 510

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2009/V-1/CVC/1/5**

**New Delhi, dated 28<sup>th</sup> Dec., 2011**

**The General Managers**

Zonal Railways/PUs/CORE/ALD  
NF(CONST)/METRO/KOLKATA

**The SDGMs**

Zonal Railways

**Managing Directors / PSUs,  
Director Generals / RDSO/LKO &  
RSC/BRC**

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE

**CAO/COFMOW, DMW/Patiala**

**Sub: Need for self-contained speaking and reasoned orders to be issued  
by the authorities exercising disciplinary powers**

Attention is invited to the Board's letter of even number dated 20.4.2009 stressing upon the role of the Disciplinary Authorities while passing Speaking Orders.

2. Recently, in a case, the Central Vigilance Commission have noticed that the Speaking Order passed by the Disciplinary Authority did not spell out the reasons clearly for disagreement with the Commission's advice leading to inclusion of the case as of disagreement in their Annual Report.

3. It is once again reiterated that instructions contained in Board's letter No.2003/V1/CVC/1/19 dated 8.12.2003 (RBV No.13/2003) enclosing CVC's Office Order No.51/9/03 dated 15.09.2003 (copy enclosed) stressing the need for issue of self contained, speaking and reasoned orders by the Disciplinary/Appellate Authorities should be strictly followed while passing Speaking Orders in disciplinary cases.

Encl: As above

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**No.2009/V-1/CVC/1/5**

**New Delhi, dated 28<sup>th</sup> Dec., 2011**

**Copy to :-** i) All Officers and the Branches of Vigilance Directorate  
ii) AIRF, NFIR, IRPOF, FROA & AIRPFA  
iii) OSD to Hon'ble MR, MSR(M) & MSR(B)- for kind information  
iv) DME/C&IS/RB **for information** and uploading this letter on the website - (<http://10.1.10.21/railnet/deptts/vigilance/Home.htm>)

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

No. 2003/V-1/CVC/1/19

**RBV No. 13/2003**

dt.8.12.2003

Sub: Need for self-contained speaking and reasoned order to be issued by the authorities exercising disciplinary powers.

A copy of the letter No. 003/DSP/3 dated 15<sup>th</sup> September, 2003, received from Central Vigilance Commission, on the above subject, is sent herewith for information.

Sd/-

(R.S. Sharma)

Director Vigilance (M)

Railway Board.

Copy of CVC's letter No. 003/DSP/3 dated 15<sup>th</sup> September, 2003

Sub: Need for self-contained speaking and reasoned order to be issued by the authorities exercising disciplinary powers

It was clarified in the Department of Personnel & Administrative Reforms' OM No. 134/11/81/AVD-I dated 13.7.1981 that the disciplinary proceedings against employees conducted under the provisions of CCS(CCA) Rules, 1965, or under any other corresponding rules, are quasi-judicial in nature and therefore, it is necessary that orders issued by such authorities should have the attributes of a judicial order. It was clarified that the recording of reasons in support of a decision by a quasi-judicial authority is obligatory as it ensures that the decision is reached according to law and is not a result of caprice, whim or fancy, or reached on ground of policy or expediency. Such orders passed by the competent disciplinary/appellate authority as do not contain the reasons on the basis whereof the decisions communicated by that order were reached, are liable to be held invalid if challenged in a court of law.

2. It is also a well-settled law that the disciplinary/appellate authority is required to apply its own mind to the facts and circumstances of the case and to come to its own conclusions, though it may consult an outside agency like the CVC. There have been some cases in which the orders passed by the competent authorities did not indicate application of mind, but a mere endorsement of the Commission's recommendations. In one case, the competent authority had merely endorsed the Commission's recommendations for dropping the proposal for criminal proceedings against the employee. In other case, the disciplinary authority had imposed the penalty of removal from service on an employee, on the recommendations of the Commission, but had not discussed, in the order passed by it, the reasons for not accepting the representation of the concerned employee on the findings of the inquiring authority. Courts have quashed both the orders on the ground of nonapplication of mind by the concerned authorities.

3. It is once again brought to the notice of all disciplinary/appellate authorities that Disciplinary Authorities should issue a self-contained, speaking and reasoned orders conforming to the aforesaid legal requirements, which must indicate, inter alia, the application of mind by the authority issuing the order.

Sd/-

(Anjana Dube)

Deputy Secretary

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

No. 2011/V-1/CVC/1/10

New Delhi, dt. 19/12/2011

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA

**The Sr.Dy.General Managers**

Zonal Railways

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

**CAO, CVO/COFMOW, DMW/Patiala Directors / All Centralised Training Institutes**

Sub: **Use of website in tendering process with facility of downloading of tender forms.**

Attention is invited to Board's letter No. 2006/V1/CVC/1/1 dated 22.6.2006 (RBV No.11/2006) advising that the Railways having their own well developed website shall link tender page of their individual websites to tender page of Board's website [www.indianrailways.gov.in](http://www.indianrailways.gov.in) for enabling the tenderers to get tender information by approaching common website.

It has been observed by CRIS that some of the Zones/PUs were hosting their tenders in [www.tenders.gov.in](http://www.tenders.gov.in) and some are hosting on their own website. With a view to bring in uniformity in tender hosting, the matter was discussed with the C&IS Directorate and a letter dated 21.11.2011 in this regard (copy enclosed) has been issued by them. According to this, all the zonal Railways, CTIs, PUs etc. who have their own websites on IR web portal shall host their tenders on their websites on IR web portal. The Railways, who were earlier hosting their tenders on the NIC tender portal, should now host their tenders on their website hosted on CRIS servers.

It is requested that the instructions given may be followed and action taken accordingly.

Encl : Board's letter No.2007/RBCC/5/6 Tender portal dated 21.11.2011

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

**Copy to :-**

- i) All Officers and the Branches of Vigilance Directorate
- ii) AIRF, NFIR, IRPOF, FROA & AIRPFA
- iii) All Board Members & Addl. Members
- iv) Hon'ble MR, MSR(M) & MSR(B)
- v) DME/C&IS/RB **for information** and uploading this letter on the website (<http://10.1.10.21/railnet/deptts/vigilance/Home.htm>)

Government of India  
Ministry of Railways  
(Railway Board)

No. 2009/V - 1/DAR/6/1

New Delhi, dated, 22<sup>nd</sup> September, 2011

The General Managers (P),  
All Indian Railways &  
Production Units

Sub: **Enhancement of the rates of honorarium for Inquiry Officer and other assisting officials in the conduct of Departmental Inquiries, arising out of Vigilance investigations against Railway Servants.**

The question of revision of rates of honoraria for Inquiry Officers (Retired and the serving Railway Officers) and their assisting officials, in the conduct of Departmental Inquiry against Railway Servants, arising out of Vigilance Investigations, had been under consideration of the Board for some time and it has now been decided that, **in super-session of all previous instructions on the subject**, the revised rates of honoraria will be as under:-

**(a) Where Departmental Inquiry is conducted against gazetted officer(s) or against a combination of gazetted and the non-gazetted officials (composite case) by a retired senior Railway officer *not below the rank of Selection Grade*.**

**(i) The rate of honoraria for Inquiry Officer**

The Inquiry Officer, in such departmental inquiries, will be entitled to a fixed Honorarium of Rs.37,500/- (Rs. Thirty seven thousand five hundred only), **exclusive of local transport charges, per inquiry report.**

**(ii) Rate of TA/DA for Inquiry Officer**

Where the duties and responsibilities entrusted to the RIO involve travelling, the rate of TA/DA, in such cases will be the same as applicable to the serving Railway Officers of equivalent rank.

**(iii) The rate of honorarium for Presenting Officer**

The Presenting Officer will be entitled to a fixed honorarium of Rs.4690/- (Rs. Four thousand six hundred and ninety only), per Inquiry Report in a case.

**(iv) The rate of honorarium for Stenographer/Typist**

In addition to the fixed amount of Rs.37,500/- (Rs. Thirty seven thousand five hundred only), the Inquiry Officer will be entitled for an additional amount of Rs.6560/- (Rs. Six thousand five hundred and sixty only), per Inquiry Report, provided the Stenographic/Typing assistance is arranged by the Inquiry Officer himself. Where the services of a serving Stenographer/Typist are placed at the disposal of the Retired RIO, on his request, the serving stenographer/Typist will be eligible for honorarium @ of Rs.4690/- (Rs. Four thousand six hundred and ninety only), per Inquiry Report in a case.

**(b) Where Departmental Inquiry is conducted against a gazetted officer by a serving gazetted Railway officer, not below the rank of Selection Grade**

**(i) The rate of honoraria for Inquiry Officer**

The Inquiry Officer will be entitled to an Honorarium of Rs. 21,100/- (Rs. Twenty one thousand one hundred only) **per Inquiry Report in a case.**

**(ii) Rate of TA/DA for Inquiry Officer**

Where the duties and responsibilities entrusted to the RIO involve travelling, the rate of TA/DA, in such cases will be the same as applicable to the serving Railway Officers of equivalent rank.

**(iii) The rate of honorarium for Presenting Officer**

The Presenting Officer will be entitled to an honorarium of Rs.4690/- (Rs. Four thousand six hundred and ninety only), per Inquiry Report in a case.

**(iv) The rate of honorarium for Stenographer/Typist**

The Stenographer/Typist assisting the Inquiry Officer, in the conduct of a Departmental Inquiry, will be entitled to an Honorarium of Rs.4690/- (Rs. Four thousand six hundred and ninety only), per Inquiry Report in a case.

**(c) Where Departmental Inquiry is conducted against a non-gazetted official by a retired Railway servant of JA grade and below upto the rank of group 'B' gazetted.**

**(i) The rate of honoraria for Inquiry Officer**

The Inquiry Officer will be entitled to an Honorarium of Rs.9375/- (Rs. Nine Thousand Three Hundred and seventy five only) per Inquiry Report in a case, besides local conveyance

allowance amounting to Rs. 950/- (Rs. Nine Hundred Fifty only), per Inquiry Report for A, A-1 and B- 1 cities. The local conveyance charges for other cities shall be Rs.550/- (Rs. Five Hundred Fifty only) per Inquiry Report.

**(ii) The rate of honorarium for Presenting Officer**

The Presenting Officer will be entitled to an honorarium of Rs.3125/- (Rs. Three Thousand One Hundred Twenty Five only) per Inquiry Report in a case.

**(iii) The rate of honorarium for Stenographer/Typist**

The RIO will be entitled to an additional amount of per Rs.2810/- (Rs. Two Thousand Eight Hundred and Ten only) Inquiry Report in a case for Clerical/ Stenographer/Typing assistance arranged by him. However, where the services of a serving Stenographer/Typist are made available to the RIO, an amount of Rs.1875/- (Rs. One thousand eight hundred and seventy five only), per departmental Inquiry report, will be paid to the serving Stenographer/Typist.

**(d) Where Departmental Inquiry is conducted against a non-gazetted official by a serving Railway official of JA Grade and below upto Senior Supervisor level.**

**(i) The rate of honoraria for Inquiry Officer**

The Inquiry Officer will be entitled to an Honorarium of Rs. 6250/- (Rs. Six Thousand Two Hundred and Fifty only) per departmental Inquiry report.

**(ii) The rate of honorarium for Presenting Officer**

The Presenting Officer will be entitled to an Honorarium of Rs.3125/- (Rs. Three Thousand One Hundred Twenty Five only) per departmental Inquiry report.

**(iii) The rate of honorarium for Stenographer/Typist**

The Stenographer/Typist, assisting the Inquiry Officer, in the conduct of Departmental Inquiry, will be entitled to an Honorarium of Rs. 1875/- (Rs. One Thousand Eight Hundred Seventy Five only) per Inquiry Report.

**(e) Contingency Expenditure**

An amount of Rs.100/- (Rs. One Hundred only) is permitted as contingency expenditure to meet the basic courtesy requirement of serving tea/biscuits etc. for each sitting of the Inquiry. This expenditure will be incurred by the Presenting Officer and will be reimbursed to him by the Railway Administration on certification of Inquiry Officer. In the absence of Presenting Officer, the Inquiry Officer shall incur the expenditure and the same will be reimbursed to him by the Railway administration along with honorarium.

**(f) Rate of Local Transport charges**

The rate of local transport charges will be the same as applicable to the serving Railway Officers of equivalent rank. For this purpose, the notified residential address of the Inquiry Officer, will be the deemed HQs of the Inquiry Officer.

**(g) Postage and Stationery charges**

Postage and Stationery charges, on certification by Inquiry Officer shall be borne by the Railways.

**(h) Expenses made by the Inquiry Officer**

Expenses made by the Inquiry Officer towards Fax and telephone call charges, shall be reimbursed to them on actuals, on certification by Inquiry Officer, subject to a maximum of Rs.250/- (Rs. Two Hundred Fifty only) per Inquiry Report.

2. This issues with the concurrence of Finance Directorate in the Ministry of Railways and the revised rates will be applicable to the Inquiry reports that have been submitted after issue of this letter.

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

*No. 2009/V - 1/DAR/6/1*

*New Delhi, dated 22<sup>nd</sup> September , 2011*

Copy to –

- (i) The Principal Director of Audit, Northern Railway, New Delhi.
- (ii) Dy. Comptroller & Auditor General of India (Rlys.), Room No. 224, Rail Bhavan, New Delhi.
- (iii) FA&CAOs/All Indian Railways & Production Units etc.

**for Financial Commissioner (Railways)**  
**Railway Board**

*No. 2009/V - 1/DAR/6/1*

*New Delhi, dated September, 2011*

Copy forwarded for information & necessary action to:

- (i) The GM(Vigilance), All Indian Railways & Production Units etc.
- (ii) All Officers and Branches of the Vigilance Directorate.
- (iii) All the empanelled Railway Inquiry Officers.
- (iv) ERB-I, ERB-III, EO-I, FE-II, EG, PAO and O&M.

**(Vikas Purwar)**  
**Director Vigilance (Mech.)**  
**Railway Board**

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2011/V-1/ALSL/1/1**

**New Delhi, dated 20.09. 2011.**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR,  
NER, NFR, NWR, SR, SCR, SER,  
SECR, SWR, WR, WCR and CORE,

**(II) CHIEF VIGILANCE OFFICER (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
METRO, RDSO, IRCON, RITES, IRFC,  
CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Advance Correction Slip No. 14**

Ministry of Railways (Railway Board) have decided to amend Para 9 of Annexure III/1 of the Indian Railway Vigilance Manual (2006 Edition) as per the enclosed Advance Correction Slip No 14. The amended para 9 of Annexure III/1 of Chapter III is enclosed for information.

DA/As above

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**Copy to :-**

- i) All Officers and the Branches of Vigilance Directorate and DG(RHS), ED(H) – Health Directorate
- ii) AIRF, NFIR, IRPOF, FROA & AIRPFA
- iii) Hon'ble MR, MSR(M) & MSR(B)
- iv) DME/C&IS/RB for uploading this letter on the website.  
(<http://10.1.10.21/railnet/deptts/vigilance/Home.htm>)

**ADVANCE CORRECTION SLIP. NO. 14**

**Amendment to Annexure III/I of Chapter III of the Indian Railways  
Vigilance Manual (2006 Edition)**

Para 9 of Annexure III/1 of Chapter III of the Indian Railway Vigilance Manual (2006 Edition) shall be read as under:-

9. Medical Department:

- (i) Medical Superintendents and Chief Medical Superintendents of all Railway Hospitals (As per Advance Correction Slip No. 13 RBV No. 04/2011)
- (ii) Posts on which Doctors are nominated to conduct PME and Medical Examination of new recruits (As per Advance Correction Slip No. 13 RBV No. 04/2011)
- (iii) Posts on which Doctors are made in charge of Hospital Medical Stores and dealing with local purchases. (As per Advance Correction Slip No. 13 RBV No. 04/2011)
- (iv) Posts on which Doctors are dealing with contracts relating to Sanitation/ cleaning etc. (As per Advance Correction Slip No. 13 RBV No. 04/2011)
- (v) Deputy Chief Medical Directors/Additional Chief Medical Directors.

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2010/V-1/Meet/5/1**

**New Delhi, dated August, 11<sup>th</sup> 2011**

**The General Managers (Vigilance)**

Zonal Railways

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

**Sub: Procedure to be followed in cases involving Group'C' &  
'D' employees investigated by Board Vigilance.**

Ministry of Railways (Railway Board) have decided to slightly modify para 2.1.5 of Board letter No.2006/V-1/Meet/6/1 dated 19.7.2006 by adding a new sub para below para 2.1.5. The amended para will be read as follows:

2.1.5: Procedure as described in paras 2.1.1 to 2.1.4 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.

It has been further decided that cases involving Group'C' and 'D' employees investigated by Board Vigilance need not be referred to Railway Board for second stage advice, if the proposed penalty is in line with Board's first stage advice. The adequacy of punishment in such cases will also be assessed by respective Zonal Railways. Details of the final outcome of the case may be sent to Board for information. However, if there is a difference of opinion between the Board Vigilance and the DA, the same should be referred to Board for advice.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**Copy to :-**

- i) All Officers and the Branches of Vigilance Directorate.  
(RBV No.10/2011 issued as ACS No.14 circulated vide Board's letter of even number dated 11.8.11 may please be treated as withdrawn)
- ii) AIRF, NFIR, IRPOF, FROA & AIRPFA
- iii) Hon'ble MR, MSR(M) & MSR(B)
- iv) DME/C&IS/RB for uploading this letter on the website.  
(<http://10.1.10.21/railnet/deptts/vigilance/Home.htm>)

RBV No.09/2011

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

**No. 2009/V-1/DAR/1/2**

**New Delhi, dt 01.07.11**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA

**The General Managers (Vigilance)**

Zonal Railways

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

**Sub: Expeditious disposal of cases involving public  
servants due to retire shortly**

Please find enclosed Circular No.03/03/11 issued by the Central Vigilance Commission on the subject referred to above for strict compliance. It may be stated that time and again instructions have been issued for sending the cases of officers/officials at least 6 months before the date of their retirement. In spite of this, it is noticed that such cases continue to come at the fag end. You are requested to take note of the Commission's circular and send cases of retirement well in advance for processing the same.

DA: As above.

**(Vikas Purwar)  
Director Vigilance (Mech.)  
Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2011/V-1/VC/1/1**

**New Delhi, Dated 7<sup>th</sup> June, 2011**

**The General Managers (Vigilance)**

Zonal Railways

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

**Sub: Vigilance Clearance of serving officers for the purpose of appointment as Arbitrators**

From time to time, proposals have been received from various zonal railways seeking vigilance clearance in respect of serving officers for the purpose of appointment as arbitrators.

2. It has been observed that some of the zonal railways while seeking vigilance clearance from Railway Board send almost the entire cadre strength of officers (from a particular grade upwards) and sometimes the list also include names of officers, who are on unauthorized absence, long leave etc.

3. As per guidelines laid down for appointment of Serving Railway Officers as Arbitrators, an officer:

- (a) Should not have undergone punishment arising out of vigilance/CBI cases during last five years;
- (b) Should not be borne on Secret / Agreed list;
- (c) No DAR proceedings should be in progress;
- (d) Should not be having any Registered Cases (RC) by CBI.

4. Current status of Agreed/Secret List of officers working on the railways as also names of officers who are facing Major/Minor Penalty action is definitely available with zonal railway vigilance. Information regarding a case registered by CBI against an officer may also be available with zonal railway vigilance.

5. It has now been decided by competent authority that vigilance clearance should be obtained from Railway Board vigilance only in respect of those officers, who are actually being considered for appointment as arbitrators. Furthermore, an initial scrutiny should be done at zonal vigilance level to exclude the names of such officers who are

- (a) on unauthorized absence/long leave
- (b) borne on current Agreed/Secret list
- (c) figuring in current Major Penalty/Minor Penalty cases
- (d) figuring in a case under investigation by CBI (as known to zonal railway)

Any proposal seeking vigilance clearance of serving offices for the purpose of appointment as Arbitrators which has already been sent by any of the zonal railways and for which no reply has been received from Railway Board vigilance should be reviewed in light of above revised guidelines and proposals should be sent afresh.

**(B.M.Gupta)  
Executive Director Vigilance (Engg.)  
Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2011/V-1/CVC/1/3**

**New Delhi, Dated 27<sup>th</sup> May, 2011**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA

**The General Managers**

**(Vigilance)**

Zonal Railways

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/

RSC

**Sub: Laying down a cooling off period between two postings  
in a sensitive seat**

Please refer to Board's letter No.2008/V1/CVC/1/4 dated 18.2.2009 (RBV No.02/2009) specifying a tenure of 04 (four) years for both Gazetted Officers and Non-Gazetted Officials posted in sensitive posts.

With the approval of Board, it has now been decided that an official who has been transferred from a particular post under the 'policy on rotation of officials working in sensitive posts' should not be posted back on the same seat for a minimum period of two years.

These instructions may strictly be followed in both letter and spirit.

**(VIKAS PURWAR)  
Director/Vigilance (Mech.)  
Railway Board.**

**No. 2011/V-1/CVC/1/3**

**New Delhi, dt. .11**

Copy to :- (i) The Secretary, Central Vigilance Commission, Satarkata Bhawan  
(ii) AIRF, NFIR, IRPOF, FROA & AIRPFA  
(iii) All Officers and the Branches of Vigilance Directorate.

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

**No. 2011/V-1/CVC/1/4**

**New Delhi, dt. 28.4. 11**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA

**The General Managers  
(Vigilance)**

Zonal Railways

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

Sub: Adherence to time-limit while furnishing investigation report on complaints (other than CVC referred complaints for investigation and report).

While pointing out the inordinate delay in submission of investigation reports arising out of complaints (other than CVC referred complaints for investigation and report) The Central Vigilance Commission, have advised the following time frame for conducting investigation and processing/sending the investigation report.

- **Six months** for conducting detailed investigation (inclusive of time consumed for obtaining clarifications from the suspected officials);
- **Two months** for processing and sending the recommendation to the Board Vigilance and
- **One month** for processing the case in Railway Board (Vigilance).

It is desired that the prescribed time-limit for sending the investigation reports to Board (Vigilance) should be strictly complied with.

**(VIKAS PURWAR)  
Director/Vigilance (Mech.)  
Railway Board.**

**No. 2011/V-1/CVC/1/4**

**New Delhi, dt. .11**

- Copy to :-
- (i) The Secretary, Central Vigilance Commission, Satarkata Bhawan  
w.r.t their ID No.0096/RLY/36/121656 dated 14.03.2011
  - (ii) AIRF, NFIR, IRPOF, FROA & AIRPFA
  - (iii) All Officers and the Branches of Vigilance Directorate.

Government of India  
Ministry of Railways  
Railway Board

**No.2006/V-1/CVC/1/9**

**New Delhi, dated 25th April, 2011**

**(I) General Managers (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officers**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Transparency in Tendering system.**

Please find enclosed a copy of Office Memorandum No.011/VGL/014 dated 11.2.2011 issued by the Central Vigilance Commission regarding the instructions to be followed on the subject mentioned above, for strict compliance.

DA : As above.

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

**No.2006/V-1/CVC/1/9**

**New Delhi, dated April, 2011**

Copy to:—

1. All Officers of Vigilance Directorate.
2. PPS to all Board Members for issuing suitable instructions to all concerned.
3. The Central Vigilance Commission, Block A, Satarkata Bhawan GPO Complex, INA, New Delhi – 110 023 w.r.t. their letter No. No.011/VGL/014 dated 11.2.2011 – for information.

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

**RBV No.04/2011**

Government of India  
Ministry of Railways  
Railway Board

No. 2011/V-1/ALSL/1

New Delhi, dated 16th March, 2011.

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR,  
NER, NFR, NWR, SR, SCR, SER,  
SECR, SWR, WR, WCR and CORE,

**(II) CHIEF VIGILANCE OFFICER (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
METRO, RDSO, IRCON, RITES, IRFC,  
CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Advance Correction Slip No.13**

Ministry of Railways (Railway Board) have decided to amend Para 9 of Annexure III/1 of the Indian Railway Vigilance Manual (2006 Edition) by way of deletion and substitution, as per the enclosed Advance Correction Slip No.13.

DA/As above

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to :- All Officers and the Branches of Vigilance Directorate.

## **ADVANCE CORRECTION SLIP. NO. 13**

### **Indian Railways Vigilance Manual (2006 Edition)**

Para 9 of Annexure III/1 of the Indian Railway Vigilance Manual (2006 Edition) shall be replaced as under:-

9. Medical Department:

- (i) Medical Superintendents and Chief Medical Superintendents of all Railway Hospitals
- (ii) Posts on which Doctors are nominated to conduct PME and Medical Examination of new recruits
- (iii) Posts on which Doctors are made in charge of Hospital Medical Stores and dealing with local purchases.
- (iv) Posts on which Doctors are dealing with contracts relating to Sanitation/ cleaning etc.

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RBV NO.03/2011

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

**No.2008/V-1/CVC/1/3**

**New Delhi, dated, .3.2011**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA

**The General Managers (Vigilance)**

Zonal Railways

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

**Sub: Instructions to be followed while sending cases for  
reconsideration**

Please refer to Board's letter of even number dated 16.5.08 laying down detailed instructions to be followed while sending cases to the Central Vigilance Commission for reconsideration. It has once again been reiterated by the Commission that reference for reconsideration of cases to the Commission should not be made unless new additional facts have come to light which would have the effect of altering the seriousness of the charges/allegations leveled against an officer. The Disciplinary Authority should express his views based on logic duly bringing out any new facts and send the same to Board for enabling Board Vigilance to offer specific comments on the views of the Disciplinary Authority, before sending the same to the Commission for reconsideration.

**(Vikas Purwar)  
Director Vigilance(M)  
Railway Board**

**No.2008/V-1/CVC/1/3**

**New Delhi, dated, .3.2011**

Copy to :

- (i) All Officers and the Branches of Vigilance Directorate.
- (ii) AIRF, NFIR, IRPOF, FROA & AIRPFA
- (iii) PPS to CRB, FC, ME,ML,MM, MS – for information
- (iv) Central Vigilance Commission, New Delhi

**RBV NO.02/2011**

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

**No.2011/V-1/CVC/1/1**

**New Delhi, dated, .1.2011**

**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, NF/Constr.

**The Managing Directors**

ITES, IRCON, KRCL, CONCOR, IRFC, MRVC, IRCTC, RAILTEL, CRIS, RVNL & IRWO.

**Chief Administrative Officers**

DLMW, COFMOW

**The Directors**

IRIEEN, IRIMEE, IRICEN, IRISSET & IRITM.

**Director General**

RDSO and RSC Others

CCRS/LKO

**Sub: Guidelines for checking delay in grant of sanction for  
prosecution – regarding**

Please find enclosed Circular No.33/09/10 dated 28th September, 2010 issued by the Central Vigilance Commission for checking delay in grant of sanction for prosecution. It has been instructed that tentative views of the Organization should be sent to the Commission for seeking sanction for prosecution within three weeks from the date of receipt of the CBI's request failing which the Commission will tender its advice, suo-moto. Further, any communication/comments received after three weeks but before 31 days will be treated by the Commission as a request for reconsideration and the Commission, after consulting experts will tender its advice within a fortnight. Any communication/comments received after 31 days of receipt of CBI's report will not be entertained by the Commission and the same will be sent to the Department of Personnel and Training for a final decision.

The guidelines issued by the Commission should be strictly followed while forwarding the tentative views to Board's office so that the same is sent to the Commission within the prescribed time limit. Tentative views should be furnished within 10 days from the date of receipt of CBI's request

**(Vikas Purwar)  
Director Vigilance(M)  
Railway Board**

DA: As above

**No.2011/V-1/CVC/1/1**

**New Delhi, dated, .1.2011**

Copy to :

- (i) Central Vigilance Commission with reference to their O.M. No. 010/CRD/003/103208 (Circular No. 33/09/10) dated 28th Sep., 2010.
- (ii) PPS to CRB, FC, ME, ML, MM, MS – for information
- (iii) Secretary, Railway Board for circulating these instructions to all concerned sections dealing with sanction for prosecution cases
- (iv) All Officers and the Branches of Vigilance Directorate.

PUC is a circular No.33/09/10 dated 28<sup>th</sup> September, 2010 issued by the Central Vigilance Commission for checking delay in grant of sanction for prosecution. It has been instructed that tentative views of the Organization should be sent to the Commission for seeking sanction for prosecution within three weeks from the date of receipt of the CBI's request failing which the Commission will tender its advice, suo-moto. Further, any communication/comments received after three weeks but before 31 days will be treated by the Commission as a request for reconsideration and the Commission, after consulting experts will tender its advice within a fortnight. Any communication/comments received after 31 days of receipt of CBI's report will not be entertained by the Commission and the same will be sent to the Department of Personnel and Training for a final decision.

If approved, we may write to all zonal railways as per draft placed below for approval, please.

**DDV-1  
20.1.10**

**DV(M)**

**EDV(E)**

**Adv(Vig)**

**RBV No. 01 /2011**

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

**No. 2010/V-1/CVC/1/4**

**New Delhi, dt. 21 .1.11**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA

**The General Managers (Vigilance)**

Zonal Railways

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

Sub: Adherence to time-limit while furnishing report on preventive checks

Recently, the Central Vigilance Commission have pointed out that a Zonal Railway, after conducting a preventive check, submitted their report after a lapse of more than 4 years, which is clearly in contravention with the instructions issued by the Commission. The same has been adversely commented upon by CVC.

It is desired that the prescribed time-limit for submitting the investigation reports (either arising out of a preventive check or a complaint) should be followed without fail and report sent to Board's office within a period of three months for taking further necessary action. In case the report is likely to be delayed more than 3 months due to unavoidable circumstances, an interim report may be sent indicating the reasons for delay and a tentative date of submission of the same.

**(VIKAS PURWAR)  
Director/Vigilance (Mech.)  
Railway Board.**

**No. 2010/V-1/CVC/1/4**

**New Delhi, dt. 21.1.11**

- Copy to :-
- (i) The Secretary, Central Vigilance Commission, Satarkata Bhawan  
w.r.t their ID No.101/RLY/034/11229 dated 13.12.10
  - (ii) AIRF, NFIR, IRPOF, FROA & AIRPFA
  - (iii) All Officers and the Branches of Vigilance Directorate.

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

**No. 2010/V1/VP/1/5**

**New Delhi, dated .12.2010**

**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, NF/Constn.

**The Managing Directors**

RITES, IRCON, KRCL, CONCOR, IRFC, MRVC, IRCTC, RAILTEL, CRIS, RVNL & IRWO.

**Chief Administrative Officers**

DLMW, COFMOW

**The Directors**

IRIEN, IRIMEE, IRICEN, IRISSET & IRITM.

**Director General**

RDSO and RSC

**Others**

CCRS/LKO

**Sub: Adherence to the Govt's 'Office Procedure' in respect  
up keep & maintenance of files/documents.**

Please refer to the instructions/guidelines issued from time to time regarding maintenance and upkeep of files/records/documents.

It is once again reiterated that the Zonal Railways/PUs should maintain proper record of the following, whenever any document is seized or received by the Vigilance Inspectors or Vigilance Officers:

1. Copy of Seizure Memo with date
2. Unit/Office from where seized
3. Details of the documents seized
4. File No./case no. in connection with which the files/documents were seized.
5. Dates and the Authority from whom the documents were seized/returned.

This record should be handed over by the Vigilance Inspectors/Vigilance Officer to his successor while relinquishing his charge either on completion of his tenure or otherwise, for maintaining the same effectively.

**(Vikas Purwar)  
Director/Vigilance (Mech.)  
Railway Board.**

RBV NO. 18/2010

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2009/V-1/CVC/1/1**

**New Delhi, dated: , 2010**

**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, NF/Constn.

**The Managing Directors**

ITES, IRCON, KRCL, CONCOR, IRFC, MRVC, IRCTC, RAILTEL, CRIS, RVNL & IRWO.

**Chief Administrative Officers**

DLMW, COFMOW

**The Directors**

IRIEN, IRIMEE, IRICEN, IRISSET & IRITM.

**Director General**

RDSO and RSC

**Others**

CCRS/LKO

**Sub: Time limit for referring the cases to CVC for its advice in cases relating to officers on the verge of retirement.**

Please refer to Board's letter of even number dated 20.1.2009 (RBV No.01/2009) instructing the Zonal Railways/PUS to send the cases of officials on the verge of retirement to Board Vigilance at least six months prior to the date of retirement. It is seen that still some cases are being received either after the official has retired or on the verge of retirement, leaving very little or no time for processing the cases for obtaining the Central Vigilance Commission's first stage advice.

It is once again reiterated that cases involving officials who are on the verge of retirement should be sent to Board Vigilance at least six months prior to the date of their retirement failing which, responsibility will be fixed on the errant officials.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**No. 2009/V-1/CVC/1/1**

**New Delhi, dated , 2010**

Copy to :- i) AIRF, NFIR, IRPOF, FROA & AIRPFA  
ii) All Officers and the Branches of Vigilance Directorate.

RBV NO.17/2010

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

**No. 2010/V-1/CVC/1/4**

**New Delhi, dt. .08.10**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA,

**The General Managersn(Vigilance)**

Zonal Railways.

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

Sub: Adherence to time-limits for investigations of complaints.

The Commission has prescribed time-limit for submitting the investigation report within the period of 3 months in the case of CVC referred complaints and one month in the case of PIDPI complaints. While emphasizing the need for strict adherence to the prescribed time limits for furnishing reports, the Commission has observed that prescribed time limits are generally not being adhered in submission of investigation reports and in a few cases there has been undue delay in submission of cases to CVC. SDGM/CVO of zonal railways are required to monitor the progress of PIDPI and CVC referred complaints keeping in view these time limits.

In case extension of time is required, CVO should personally look into the matter and send an interim reply to Railway Board seeking extension of time-limit, duly indicating the progress of investigation and reasons for delay.

This may be strictly followed whenever there is a delay in submitting the investigation reports within the prescribed time limit.

**(VIKAS PURWAR)**  
**Director/Vigilance (Mech.)**  
**Railway Board.**

The Secretary, Central Vigilance Commission, Satarkata Bhawan – w.r.t their  
Office Order No.20/05/10 dated 19.5.10  
The General Secretary, AIRF, 4 State Entry Road, New Delhi.

**RBV No.16/2010**

**Government of India  
Ministry of Railways  
Railway Board**

**No.2006/V-1/CVC/1/9**

**New Delhi, dated August , 2010**

**The General Managers (Vigilance)**  
Zonal Railways.

**Director Generals**  
RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**  
PSUs/PUs/METRO/CORE/MRVC and RVNL

**Sub: Transparency in Works/Purchase/Consultancy  
contracts awarded on nomination basis.**

Please refer to Board's letter of even no. dated 18<sup>th</sup> August, 2006 (RBV 17/2006) on the above mentioned subject.

2. Consequent upon certain amendments suggested by the Central Vigilance Commission, it has now been decided to amend para 2(i) of Board's letter dated 18/8/06 as below:

<b>Existing</b>	<b>Modified</b>
(i) All works awarded on nomination basis should be brought to the notice of the Board of the respective PSUs for scrutiny and vetting post facto; (ii) The reports relating to such awards should be submitted to the Board every quarter; and	All works awarded on nomination basis should be brought to the notice of the Board of the respective PSUs for information.  (ii) No change proposed.

<b>Existing</b>	<b>Modified</b>
(iii) The audit committee may be required to check at least 10% of such cases.	(iii) No change proposed

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

**No.2006/V-1/CVC/1/ 9**

**New Delhi, dated August 2010**

Copy to:– The Central Vigilance Commission, (**Attention : Shri Vineet Mathur, Director**) Block A, Satarkata Bhawan, GPO Complex, INA, New Delhi – 110 023 w.r.t. their letter No. 005/CRD/19 (part) dated 19.05.2010 – for information.

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

Copy along with enclosure to:–

1. Addl. Member/CE, Railway Board, New Delhi.
2. All Officers and the Branches of Vigilance Directorate.

**RBV NO.15/2010**

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

**No.2010/V-1/CVC/1/5**

**New Delhi, dated, .8.2010**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA,

**The General Managers  
(Vigilance)**

Zonal Railways.

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

**Directors**

IRICEN, IRIEEN, IRIMEE, IRISSET,IRITM

**Sub:- Leveraging of Technology for improving vigilance  
administration in the National E-Governance Plan.**

\*\*\*\*\*

A copy of Central Vigilance Commission's Circular No. 23/06/2010 circulated vide their No.010/VGL/035/91921 dated 23-06-2010 on the subject mentioned above is enclosed as Annexure 'A' for information and compliance.

Encl : As above.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

Copy to :-

1. PPS/CRB and all Board Members.
2. DG/RHS, DG/RPF.
3. All AMs/Advisors/Secretary
4. All Directorates in Railway Board
5. All Officers and Branches of Vigilance Directorate in Railway Board.
6. The General Secretary, AIRF and NFIR.

**Government of India  
Ministry of Railways  
Railway Board**

No. 2010/V-1/DAR/1/1

New Delhi, dated Aug, 11,2010

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES,  
RVNL, RLDA & DFCCIL.

**Sub: Withdrawing the term stiff major, stiff minor penalty as a result of  
CVC's instructions. Issue of Advance Correction Slip No.12**

Consequent upon the decision of the Central Vigilance Commission to withdraw the term stiff/severe minor/major penalty and Board's letter of even number dated 26.4.10 conveying the decision, Ministry of Railways (Railway Board) have decided to make certain changes to para 514.2 of Chapter-V, paras below (iv) and (ix) of 807 and para 821.2 of Chapter-VIII of the Indian Railways Vigilance Manual (2006 Edition), as per the enclosed Advance Correction Slip No.12.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

- Copy to :-**
- i) AIRF (w.r.t their letter No.AIRF/1 dated 30.6.10) NFIR, IRPOF, FROA & AIRPFA
  - ii) All Officers and the Branches of Vigilance Directorate.
  - iii) Central Vigilance Commission w.r.t their OM No. 99/DSP/1/ dated 03.03.2010

## ADVANCE CORRECTION SLIP NO.12

### Modifications in Chapter-V, and VIII of Indian Railways Vigilance Manual (2006 Edition)

Ministry of Railways (Railway Board) have decided to make the following changes to para 514.2 of Chapter V, paras below (iv) and (ix) of 807 and para 821.2 of Chapter VIII of the Indian Railways Vigilance Manual (2006 Edition).

1. **Modified para 514.2** : In the case of Group'A' Officers, the power to impose a major penalty of Compulsory retirement, Removal from service and Dismissal from service rests only with the President. In all such cases, the disciplinary case file is submitted to the Minister for Railways, to pass provisional orders, on behalf of the President. The case is, thereafter, referred to the UPSC for advice, alongwith all relevant records.

2(i) **Modified para below (ix) of para 807 detailing on Penalties under Discipline & Appeal** : The penalties mentioned against (vii), (viii) and (ix) will be imposed only by the appointing authority or higher authority.

2(ii) **The para below (iv) of para 807** stating that the penalties mentioned in (ii), (iii) (iii-b) & (iv) will be considered as stiff/severe minor penalties, **stands deleted.**

3. **Modified para 821.2:** The procedure brought about in para 821.1 above will also be followed in those cases also where the vigilance has recommended imposition of a major penalty of compulsory retirement/removal/dismissal from service, but the Disciplinary Authority/Appellate /Revisionary Authority, as the case may be, wishes to disagree and proposes to impose any of the other major penalties.

\*\*\*\*\*

Keeping in view the instructions laid down in para 411.5 that the Railway servant against whom the complaint is being investigated should normally be afforded an opportunity to furnish his clarifications vis-à-vis the allegations against him, in the questionnaire given to him by the Vigilance Officer, it has been decided that the questionnaire prepared must be sent to the Officer concerned by name and acknowledgement obtained. This may be brought to the notice of all concerned.

This has the approval of Adviser(Vigilance) as Chief Vigilance Officer of Ministry of Railways.

Based on an Office Order N.99/DSP/1 dated 3.3.2010 received from the CVC, reviewing their earlier instructions dated 5.2.99 (F/A) and 20.6.2003 (F/B) detailing on the term stiff/severe minor/major penalty and deciding to withdraw/cancel the same, a letter 26.4.2010 was issued to All Indian Railways/PUs/PSUs/Trg Institutes with immediate effect.

It has now been decided to incorporate the changes in the IRVM. Accordingly, paras 514.2 of Chapter V, paras below 807 (iv) and 807(ix) and 821.2 are being proposed to be amended.

#### **Changes proposed with regard to stiff major/major penalty:**

**Existing para below (ix) of para 807 detailing on Penalties under Discipline & Appeal :** The penalties mentioned against (vii), (viii) and (ix) will be considered as stiff major penalties and will be imposed only by the appointing authority or higher authority.

**Modified para to read as :** The penalties mentioned against (vii), (viii) and (ix) will be imposed only by the appointing authority or higher authority

**Existing para 514.2:** In the case of Group'A' Officers, the power to impose a stiff major penalty rests only with the President. In all such cases, the disciplinary case file is submitted to the Minister for Railways, to pass provisional orders, on behalf of the President. The case is, thereafter, referred to the UPSC for advice, alongwith all relevant records.

**Modified para to read as :** In the case of Group'A' Officers, the power to impose a major penalty of Compulsory retirement, Removal from service and Dismissal from service rests only with the President. In all such cases, the disciplinary case file is submitted to the Minister for Railways, to pass provisional orders, on behalf of the President. The case is, thereafter, referred to the UPSC for advice, alongwith all relevant records.

**Existing para 821.2:** The procedure brought about above will also be followed in those cases also where the vigilance has recommended imposition of a “stiff major penalty” namely, compulsory retirement/removal/dismissal from service, but the Disciplinary Authority/Appellate /Revisionary Authority, as the case may be, wishes to disagree and proposes to impose any of the other major penalties.

**Modified para to read as :** The procedure brought about in para 821.1 above will also be followed in those cases also where the vigilance has recommended imposition of a major penalty of compulsory retirement/removal/dismissal from service, but the Disciplinary Authority/Appellate /Revisionary Authority, as the case may be, wishes to disagree and proposes to impose any of the other major penalties.

**Change proposed with regard to stiff minor/penalty:**

**Existing para below (iv) of para 807 detailing on Penalties under Discipline & Appeal :** The penalties mentioned in (ii), (iii) (iii-b) & (iv) will be considered as stiff/severe minor penalties.

**Change proposed:** The para below (iv) of para 807 detailing on Penalties under Discipline and Appeal is deleted.

If approved, we may issue an ACS as per draft letter placed below for approval, please.

**DDV-1  
29.7.10**

**DV(M)**

**EDV(E)**

**Adv. (Vigilance)**

**MS**

RBV No. 13/2010

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2010/V-1/DAR/1/4**

**New Delhi, dated 5<sup>th</sup> August 2010**

**The General Managers(P),**  
All Zonal Railways, PUs, CORE & Metro

**The Managing Directors,**  
All PSUs

**The DGs/RDSO & RSC The CAO/DLMW**

**The SDGMs/CVOs,**  
All Zonal Railways/PUs & PSUs

**Sub: Representation against Administrative action - procedure  
regarding.**

Please refer to Board's letters of even number dated 16.8.2004 (RBV No.19/2004) and 6.10.2005 (RBV No.21/2005) laying down that a Railway Servant has a right to appeal/represent against an order of recorded warning.

In spite of issue of these instructions, certain instances have come to notice where recorded warnings have been administered to the concerned Railway Servant without issuing a show cause notice thereby denying him an opportunity to explain his conduct. It is once again reiterated that where it is proposed to administer recorded warning, the person concerned should be given a chance to explain the reasons, if any, which led him to do the acts of omission or commission disapproved of. Action to administer the Recorded Warning may be taken only after the reply of the Railway Servant is considered by the competent authority, but not found acceptable. **The Railway Servant concerned should be given a chance to represent against an order of recorded warning.**

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

**No.2010/V-1/DAR/1/4**

**New Delhi, dated 5<sup>th</sup> Aug, 2010**

Copy to :-  
i) AIRF, NFIR, IRPOF, FROA & AIRPFA  
ii) All Officers and the Branches of Vigilance Directorate.

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

No.2010/V-1/PC/1/1

New Delhi, dated 09.07.2010

**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 & NF (Constn.)

**The Directors,**

IRICEN, IRISSET & IRITM.  
IRIEEN, IRIMEE

**Chief Administrative Officers**

DLMW, COFMOW

**Director General**

RDSO and RSC

**Sub: Cooperation with Vigilance team in discharge of  
its duty during conduct of preventive check.**

Instances have come to notice that during Preventive Checks conducted by teams from the Vigilance Directorate of Railway Board, full cooperation is not being extended by the officials of zonal Railways, for eliciting requisite information and collecting relevant documents, thereby, hampering smooth and effective working by the Vigilance officials.

2. It may be mentioned that Investigating Inspectors of the Vigilance Directorate of Railway Board are authorized to enter any of the Railway offices, record statements of the officials concerned, who are expected to render them all possible assistance in the proper discharge of their official duties. They are also empowered to seize all relevant documents against issue of proper 'Seizure Memo'.

3. As preventive checks are an effective way of monitoring the system, there is a need to extend full cooperation by the officials of the concerned Zonal Railways to the Vigilance team conducting the check, by providing them requisite information, documents etc. This will go a long way in strengthening the vigilance administration.

4. This letter supercedes Board's letter No.2007/V1/PC/1/1 dated 25.4.2007 (RBV No.04/2007).

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

No.2010/V-1/PC/1/1

New Delhi, dated 09.07.2010

Copy to :- i) AIRF, NFIR, IRPOF, FROA & AIRPFA  
ii) All Officers and the Branches of Vigilance Directorate.

**RBV No.11/2010**

**Government of India  
Ministry of Railways  
Railway Board**

No. 2009/V-1/CVC/1/14

New Delhi, dated 15<sup>th</sup> July, 2010

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES,  
RVNL, RLDA & DFCCIL.

**Sub:** Procedure for dealing with cases involving Group 'C' and 'D' employees in CVC composite cases (**Advance Correction Slip No.11**)

Ministry of Railways (Railway Board) have decided to add a new para 513.4 below the modified para 513.3 to the Indian Railways Vigilance Manual (2006 Edition) specifying the procedure for seeking second stage advice in respect of major penalty cases involving Group 'C' and 'D' employees in CVC composite cases, as per the enclosed Advance Correction Slip No.11

Para 2.3.1 of Board's letter No.2006/V-1/Meet/6/1 dated 19.7.2006 may be superceded to read as in the ACS No.11.

DA/As above.

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

**Copy to :-** All Officers and the Branches of Vigilance Directorate.

## **ADVANCE CORRECTION SLIP NO.11**

### **Addition in Chapter-V of Indian Railway Vigilance Manual** **(2006 Edition)**

A new para 513.4, below para 513.3 specifying the procedure for seeking second stage advice in respect of major penalty cases involving Group 'C' and 'D' employees in CVC composite cases is added as under:

**New para 513A shall read as follows:**

As a corollary to para 513.3, it is now proposed that in composite cases, where the Commission had tendered its first stage advice for all category of officers, reference to Board for the approval of Adviser(Vigilance) as the Chief Vigilance Officer of the Ministry of Railways should be restricted only to officers falling under CVC/Railway Board's jurisdiction viz. Group 'A', Group 'B' and Group 'B' Officers officiating in Sr.Scale. Cases involving Group 'C' and 'D' employees need not be referred to Railway Board for second stage advice if the proposed penalty is in line with the Commission's first stage advice. Details of the final outcome of the case may be sent to Board for information. However, if there is a difference of opinion between the Commission and the DA, the same should be referred to Board for advice

**RBV No.10/2010**

**Government of India  
Ministry of Railways  
Railway Board**

No. 2009/V-1/CVC/1/13

New Delhi, dated March 17, 2010

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES,  
RVNL, RLDA & DFCCIL.

**Sub: Advance Correction Slip No.10**

Ministry of Railways (Railway Board) have decided to add a sub-para as 410.1(a) below para 410.1 specifying the priority for complaints referred for investigation by CVC, to the Indian Railways Vigilance Manual (2006 Edition), as per the enclosed Advance Correction Slip No.10.

DA/As above.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**Copy to :-** All Officers and the Branches of Vigilance Directorate.

## **ADVANCE CORRECTION SLIP NO.10**

### **Modification in Chapter-IV of Indian Railways Vigilance Manual** **(2006 Edition)**

Ministry of Railways (Railway Board) have decided to modify the existing para 410.1 of Chapter IV, specifying the priority for complaints referred for investigation by CVC, to the Indian Railways Vigilance Manual (2006 Edition), by addition of a sub-para 410.1(a) below para 410.1 as per the Advance Correction Slip No.10.

#### **New sub-para 410.1(a) below para 410.1 shall be read as under:**

Chief Vigilance Officer, Ministry of Railways is authorized to dispose off CVC-referred complaints pertaining to Non-Gazetted Officers (including Group 'B' Gazetted Officers) without referring the case to the Commission. However, the outcome of such cases will be advised to the Commission. Only in cases where the involvement of Group 'A' Officers are found during investigation, the complete case need be referred to the Commission for first stage advice and dealt subsequently as per para 513.3 applicable in composite case.

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**RBV No.09/2010**

**Government of India  
Ministry of Railways  
Railway Board**

No. 2009/V-1/CVC/1/14

New Delhi, dated March 17, 2010

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES,  
RVNL, RLDA & DFCCIL.

**Sub: Advance Correction Slip No.9**

Ministry of Railways (Railway Board) in consultation with the Central Vigilance Commission have decided to modify the existing para 513.3 to the Indian Railways Vigilance Manual (2006 Edition), specifying the procedure for seeking second stage advice in respect of major penalty cases involving Group 'C' and 'D' employees in CVC composite cases, as per the enclosed Advance Correction Slip No.9

Para 2.2.2 of Board's letter No.2006/V-1/Meet/6/1 dated 19.7.2006 may be superceded to read as above.

DA/As above.

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

**Copy to :-** i) All Officers and the Branches of Vigilance Directorate.  
ii) Central Vigilance Commission w.r.t their OM No.  
009/VGL/056/72484 dated 21.1.2010

## **ADVANCE CORRECTION SLIP NO.9**

### **Modification in Chapter-V of Indian Railways Vigilance Manual** **(2006 Edition)**

Para 513.3, specifying the procedure for seeking second stage advice in respect of major penalty cases involving Group 'C' and 'D' employees in CVC composite cases may be modified as under:-

**Existing Para 513.3 shall be replaced as follows:-**

In composite vigilance cases where the Commission had tendered its first stage advice for all categories of officers, reference to the Commission for second stage advice should be restricted only to those officers falling under the Commission's jurisdiction (Group 'A' Officers). In case of officers/officials other than those in Group 'A' the case should be referred to the Commission for second stage advice, **only** if there is a difference of opinion between the Commission and the DA.

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**RBV No. 8/2010**

**Government of India  
Ministry of Railways  
Railway Board**

No. 2009/V-1/CVC/1/12

New Delhi, dated Feb 19, 2010

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES,  
RVNL, RLDA & DFCCIL.

**Sub: Advance Correction Slip No.8**

Ministry of Railways (Railway Board) have decided to add another sub-para 414.7 below para 414.6 in specifying the procedure for preparation and submission of investigation report, to Chapter IV of the Indian Railways Vigilance Manual (2006 Edition), as per the enclosed Advance Correction Slip No. 8.

DA/As above.

**(Vikas Purwar)**  
**Director Vigilance (M)**  
**Railway Board**

**Copy to :-** All Officers and the Branches of Vigilance Directorate.  
ii) Central Vigilance Commission w.r.t their OM No. 009/VGL/056/72484  
dated 21.1.2010

ADVANCE CORRECTION SLIP NO. 8

Modification in Chapter-IV of Indian Railways Vigilance Manual  
(2006 Edition)

Ministry of Railways (Railway Board) have decided to add a new sub-para 414.7 below para 414.6 of Chapter IV, specifying the procedure for preparation and submission of investigation report to the Indian Railways Vigilance Manual (2006 Edition) as per the Advance Correction Slip No.8

**New sub-para 414.7 below para 414.6 shall be read as under:**

It has now been decided that in investigation reports where the vigilance findings do not establish any vigilance angle and the case is proposed to be closed without any penal action, there is no need for obtaining the comments of the Disciplinary Authority/General Manager. However, in cases where irregularities have been found, the views of the DA/GM should be taken along with the comments of the PHODs and the case sent to Board for obtaining the comments of the CVO/Ministry of Railways.

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**Government of India  
Ministry of Railways  
Railway Board**

No. 2009/V-1/CVC/1/12

New Delhi, dated Feb. 19, 2010

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES,  
RVNL, RLDA & DFCCIL.

**Sub: Procedure for sending Investigation Reports to the Commission for  
seeking its first stage advice in cases where closure has been  
recommended by the Chief Vigilance Officer**

It has now been decided that in investigation reports where the vigilance findings do not establish any vigilance angle and the case is proposed to be closed without any penal action, there is no need for obtaining the comments of the Disciplinary Authority/General Manager. The vigilance report should be sent to Railway Board for obtaining the comments of the CVO before the same is sent to the Central Vigilance Commission for obtaining their first stage advice. However, in cases where irregularities have been found, the views of the DA/GM should be taken along with the comments of the PHODs and the case sent to Board for obtaining the comments of the CVO/Ministry of Railways.

This has the approval of the Adviser (Vigilance) as Chief Vigilance Officer of this Ministry.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

No. 2009/V-1/CVC/1/12

New Delhi, dated Feb. 19, 2010

Copy to :-  
i) AIRF, NFIR, IRPOF, FROA & AIRPFA  
ii) All Officers and the Branches of Vigilance Directorate.  
iii) Central Vigilance Commission w.r.t their OM No09/VGL/056/72484 dated 21.1.2010

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2009/V-1/CVC/1/15**

**New Delhi, dated Feb. 18, 2010**

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES, RVNL, RLDA & DFCCIL.

**Sub: Advance Correction Slip No.7**

Ministry of Railways (Railway Board) in consultation with the Central Vigilance Commission, have decided to modify the existing para 506 specifying the procedure for referring the cases of Group 'B' officers officiating on adhoc basis in Group 'A' posts (Senior scale grade) to the Commission for their advice, to the Indian Railways Vigilance Manual (2006 Edition), as per the enclosed Advance Correction Slip No.7

DA/As above.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**Copy to :-** i) All Officers and the Branches of Vigilance Directorate.  
ii) Central Vigilance Commission w.r.t their OM No. 009/VGL/056/72484 dated 21.1.2010

## **ADVANCE CORRECTION SLIP NO.7**

### **Modification in Chapter-V of Indian Railways Vigilance Manual (2006 Edition)**

Para 506, specifying the procedure for disposing of cases of Group 'B' Officers, officiating in Group 'A' posts (Senior scale posts) at the level of Chief Vigilance Officer of the Ministry of Railways.

Existing Para 506 shall be read as follows:-

Cases of Group 'B' officers in the grades Rs.7500-12000 and Rs.8000- 13500 need not be referred to the CVC for advice (save in the circumstances envisaged in items (b), (c) and (d) of para 505 of the IRVM. It has further been decided that the cases of Group 'B' Officers officiating in Group 'A' posts need not be sent to the Commission for their advice as the same will be decided at the level of the Chief Vigilance Officer of the Ministry of Railways on the same lines of Group 'B' Junior Scale Officers.

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**Government of India  
Ministry of Railways  
Railway Board**

**No. 2009/V-1/CVC/1/16**

**New Delhi, dated Feb.16, 2010**

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR,WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO, CONCOR, IRCON, IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES, RVNL, RLDA & DFCCIL.

**Sub: Reconsideration of vigilance cases by CVC in which the Commission have advised Administrative action.**

Board's letter No.2005/V1/DAR/1/12 dated 28.2.2008 (RBV No.03/2008) is hereby withdrawn with immediate effect. Henceforth, such cases in which CVC has advised Administrative action in its first stage advice and if there is disagreement between the CVC and the DA i.e. the DA proposes to deviate and take a decision at variance with CVC's advice, need not be referred to the Commission for reconsideration.

However, such cases shall be brought to the notice of the Commission.

This has the approval of the Adviser (Vigilance) as Chief Vigilance Officer of this Ministry.

**(Vikas Purwar)  
Director Vigilance (M)  
Railway Board**

**No. 2009/V-1/CVC/1/16**

**New Delhi, dated Feb. 16, 2010**

**Copy to :-**

- i) AIRF, NFIR, IRPOF, FROA & AIRPFA
- ii) All Officers and the Branches of Vigilance Directorate.
- iii) Central Vigilance Commission w.r.t their OM No. 009/VGL/056/72484 dated 21.1.2010

**Government of India  
Ministry of Railways  
Railway Board**

**No.2010/V1/VP/1/2**

**New Delhi, dated February 15, 2010**

**The General Managers (Vigilance)**  
All Zonal Railways & CORE

**The Chief Vigilance Officers**  
PU, PSUs, METRO & RDSO

**Sub: System improvement in the working/attendance of Vigilance  
Inspectors/Supervisors in the Railways**

CVC have observed that in order to bring in more accountability in the attendance/working of the Vigilance Inspectors/Vigilance Supervisors, certain measures be brought out as a part of system improvement. It has now been decided that Vigilance Supervisors/Inspectors of Railways visiting foreign Railway/Railway Board for a specific purpose should, after returning, submit a report to his controlling officer regarding his attendance and the outcome of the meeting. This report may be kept in the concerned case file.

This issues with the approval of Adviser (Vig.) and Chief Vigilance Officer of this Ministry.

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**(S. S. Gupta)**  
**Executive Director Vigilance (E)**  
**Railway Board**

**No. 2010/V1/VP/1/2**

**New Delhi, dated February , 2010**

**Copy to :-** The Director, Central Vigilance Commission, Satarkata Bhawan, GPO Complex, Block 'A', INA, New Delhi-21 – for information w.r.t. their ID No. 0066/RLY/18/5302 dated 10.9.2009.

**(S. S. Gupta)**  
**Executive Director Vigilance (E)**  
**Railway Board**

**Copy to :-** i) AIRF, NFIR, IRPOF, FROA & AIRPFA  
ii) All Officers and the Branches of Vigilance Directorate.

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2008/V-1/CVC/1/4**

**New Delhi, dated January 15, 2010**

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR, WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO, CONCOR, IRCON, IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES, RVNL, RLDA & DFCCIL.

**Sub: Advance Correction Slip No.6**

Ministry of Railways (Railway Board) have decided to modify the existing para 1205.4 of the Indian Railways Vigilance Manual (2006 Edition), specifying the posting and tenure of officers in the Vigilance Organization as per the enclosed Advance Correction Slip No. 6.

DA/As above.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to :- All Officers and the Branches of Vigilance Directorate.**

## **ADVANCE CORRECTION SLIP NO. 6**

Modification in Chapter-XII of Indian Railways Vigilance Manual (2006 Edition)

Para 1205.4, specifying the posting and tenure of officers in the Vigilance Organisation may be modified as under:-

Existing Para 1205.4 shall be replaced as follows:-

The tenure of Vigilance Officers / Enquiry Officers on the Railways should be four years from the date of their posting. In case, it has to be extended beyond four years, Board's prior approval should be obtained.

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**Government of India  
Ministry of Railways  
Railway Board**

**No.2009/V1/Comp/1/3**

**New Delhi, dated, January 14, 2010**

**The General Managers (Vigilance),**

All Zonal Railways (except NCR) & CORE

**The Chief Vigilance Officers,**

PU, PSUs, METRO & RDSO.

**Sub: Procedure for dealing with complaints having no vigilance angle received directly by in Zonal Railways against officers**

In respect of complaints received directly by against vigilance officers upto Junior Administrative Grade/Selection Grade level, it has been decided by the competent authority that wherever zonal vigilance is prima facie of the view that the complaint involves no vigilance angle and is merely an administrative matter, the SDGM/CVO of the Zonal Railway/Unit may take a final view on the complaint either for closure/transfer to the concerned administrative authority. SDGM/CVO shall, however, send a one page summary report in respect of all such cases to Board Vigilance for information.

However, in the case of complaints angle against officers of Senior Administrative Grade and above, which in the opinion of SDGM/CVO have no vigilance angle may be sent to Board Vigilance with the comments of the SDGM/CVO for taking a final view in the matter.

This has the approval of Adviser (Vigilance) as Chief Vigilance Officer of this Ministry. This does disposes off SDGM/NCR's letter No. Vig/COMP/Elect./Misc dated 23.11.2009

**(Sanjay Goel)  
Director Vigilance (M)**

**Railway Board No.2009/V1/Comp/1/3**

**New Delhi, dated Jan.14, 2010**

**Copy to :- i) AIRF, NFIR, IRPOF, FROA & AIRPFA**

ii) All Officers and the Branches of Vigilance Directorate.

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2009/V-1/VP/1/10**

**New Delhi, dated January 12, 2010**

**The General Managers,  
All Zonal Railways, PUs, CORE & METRO**

**The DGs/RDSO & RSC**

**The SDGMs/CVOs,  
All Zonal Railways/CORE, METRO, RDSO,  
PUs & PSUs**

**The CAO/DLMW**

**The Managing Directors/All PSUs**

**Sub: Authorization of the Central Government to file an application**

u/s 3 of the Criminal Law (Amendment) Ordinance, 1944 for attachment of the money or property procured by means of the scheduled offence. A copy of the Department of Personnel & Training's Office Memorandum No. 219/12/2009-AVD-II dated 13.05.2009, on the above subject is sent herewith for information and necessary action.

Accordingly, Ministry of Railways (Railway Board) have decided to incorporate the provisions relating to authorization by inserting a new para 212A after Para 212 and before Para 213 to the Indian Railway Vigilance Manual (2006 Edition), in Chapter II as per the enclosed Advance Correction Slip No.5.

DA/As above.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**No.2009/V-1/VP/1/10**

**New Delhi, dated January 12, 2010**

Copy to :- The Deputy Secretary (Ms Manisha Saxena), Ministry of Personnel, Public Grievances & Pensions, DOP&T in reference to their O.M.No. 219/12/2009-AVD-II dated 13-5-2009.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

All Officers and branches of Vigilance Directorate

## **ADVANCE CORRECTION SLIP NO.5**

### **Addition/Modification in Chapter-II of Indian Railways Vigilance Manual (2006 Edition)**

A new para 212A after para 212.9 and before para 213 may be inserted, specifying the procedure to be followed in Authorisation cases in the Vigilance Directorate of Ministry of Railways as under:-

New para 212A shall read as follows:-

212A. Procedure to be followed in cases of authorization for attachment of money or public property.

212A.1 In order to attach and forfeit illegally acquired property of public servants, the CBI/Prosecution Agency is presently invoking the provisions of the Criminal Law (Amendment) Ordinance, 1944 (Ordinance No.38 of 1944). Accordingly, if the State Government or the Central

Government, as the case may be has reason to believe that any person has committed (whether after commencement of this ordinance or not) any scheduled offence, the State Government or the Central Government, as the case may be, may whether or not any court has taken cognizance

of the offence, authorize for making of an application to the District Judge within the local limits of whose jurisdiction the said person ordinarily resides or carries on business, for the attachment under this ordinance of the money or other property which the State Government or the Central

Government believes the said person to have procured by means, of the offence, or if such money or property cannot for any reason, be attached or other property of the said person of value as nearly as may be equivalent to that of the aforesaid money or other property.

212A.2 Therefore, a decision has been taken that all references from Central Bureau of Investigation seeking authorization of the Ministry of Railways to file an application u/s 3 of the Criminal Law (Amendment) Ordinance, 1944, for attachment of the money or property procured by means of the scheduled offence by the person, who is employed in connection with the affairs of the Union and is not removable from his office save by or with the sanction of the Central Government, shall be addressed to the authority competent to accord sanction u/s 19 of the PC Act, 1988 and the said Competent Authority would give the said authorization also.

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**RBV NO. 21/2009**

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

**No. 2009/V-1/CVC/1/5**

**New Delhi, dated 19.11.2009**

**The General Managers (Vigilance),  
All Zonal Railways & CORE**

**The Chief Vigilance Officers,  
PU, PSUs, Metro & RDSO**

**The DGs, RDSO & RSC The Managing Directors, All PSUs**

**The CAO/DLMW**

**Sub: Usage of full forms of abbreviations in the Investigation Report.**

In a recent meeting held in the CVC, the Vigilance Commissioner directed that full forms of the various abbreviations should be used at least once, wherever they appear first in the Investigation Report or a separate table of abbreviations used along with their full forms should be incorporated at the beginning of the Investigation Report itself to avoid confusions/back references etc.

2. All concerned may please note for compliance.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**No. 2009/V-1/CVC/1/5**

**New Delhi, dated 19.11.2009**

Copy to :- The Commissioner, Central Vigilance Commission, Satarkata  
Bhawan, GPO Complex, Block 'A', INA, New Delhi-21 – w.r.t the meeting held  
in the Commission with Adviser(Vigilance) on 23.10.2009

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

Copy to :- i) The AIRF, NFIR, IRPOF, FROA and AIRPFA  
ii) All Officers and the Branches of Vigilance Dte.

**RBV NO. 20/2009**

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

No. 2009/V-1/CVC/1/5

New Delhi, dated 10.11.2009

**The General Managers (Vigilance),**  
All Zonal Railways & CORE

**The Chief Vigilance Officers,**  
PU, PSUs, Metro, & RDSO

**The DGs,**  
RDSO & RSC,

**The CAO/DLMW,**

**The Managing Directors,**  
All PSUs

**Sub: Preventive Checks on the basis of C&AG and internal Audit Reports.**

In a recent meeting held in the Commission, the Vigilance Commissioner has directed that Audit Reports are rich source of information and more Preventive Checks need to be carried out on the basis of C&AG Audit Reports and internal Audit Reports. These reports should be gone through with lot of attention by the Zonal Railways and Preventive Checks carried out accordingly. In this connection, instructions issued by CVC vide its O.M.No.3(v)/99/14 dated 16<sup>th</sup> May, 2001 also refers (photocopy enclosed).

2. All concerned may please note for compliance.

DA/As above.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No. 2009/V-1/CVC/1/5

New Delhi, dated 10.11 2009

Copy to :- The Commissioner, Central Vigilance Commission, Satarkata Bhawan, GPO Complex, Block 'A', INA, New Delhi-21 – w.r.t the meeting held in the Commission with Adviser(Vigilance) on 23.10.2009

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to :- i) The AIRF, NFIR, IRPOF, FROA and AIRPFA  
ii) All Officers and the Branches of Vigilance Directorate.

**No.3(v)/99/14**  
**Government of India**  
**Central Vigilance Commission**  
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**Satarkta Bhawan, Block 'A',**  
**GPO Complex, I.N.A.,**  
**New Delhi- 110 023**  
**Dated the 16<sup>th</sup> May 2001**

**Subject: System improvement to fight corruption through better synergy between CAG and CVC.**  
\*\*\*\*\*

Under the powers vested in the DOPT Resolution No.371/20/99-AVD.III dated 4<sup>th</sup> April 1999, para 3(v), the following instructions are issued:

The audit reports of the Comptroller & Auditor General many a time reveal not only administrative and financial irregularities but also actual cases of corruption. The CAG reports are generally well documented and would be useful in bringing the corrupt public servants to book.

2. There is a need for introducing a system for prompt follow up action in the cases of corruption brought out by the CAG in its audit reports. The Public Accounts Committee and the Committee on Public Undertakings which scrutinise the CAG reports may not have the time to scrutinise all the reports and all the paragraphs. At the same time, the valuable information available through the CAG audit reports in the form of documented cases of corruption call for prompt action on the part of the disciplinary authorities.

3. It is, therefore, decided that with immediate effect the CVOs in all the organisations must scrutinise the CAG audit reports issued after the date of this circular to check whether any cases of corruption are revealed in them. In all such cases immediate action must be initiated against the public servants concerned through the standard practice of referring vigilance cases to CVC.

4. The Commission had also been in correspondence with the CAG on this subject. It has been agreed that all serious cases of malpractices reported by CAG which are perceived to have a vigilance angle would also be sent to the Commission for examination and follow up action. On receiving such references from CAG, the CVC would take follow up action with the disciplinary authorities. In this way, it will be ensured that the cases of corruption and issues having a vigilance angle are not lost sight of and there is effective synergy between CAG and CVC to Strengthen the system to fight corruption.

5. This instruction is also available on the CVC web site at <http://cvc/nic.in>.



(N. VITTAL)  
CENTRAL VIGILANCE COMMISSIONER

To

1. The Secretaries of all Ministries/Departments of Government of India
2. The Chief Secretaries to all Union Territories
3. The Comptroller & Auditor General of India
4. The Chairman, Union Public Service Commission
5. The Chief Executives of all PSEs/Public Sector Banks/ Insurance Companies/Autonomous Organisations/ Societies
6. The Chief Vigilance Officers in the Ministries/Departments/PSEs/ Public Sector Banks/Insurance Companies/Autonomous Organisations /Societies
7. President's Secretariat/Vice-President's Secretariat/Lok Sabha Secretariat/Rajya Sabha Secretariat/PMO
8. Director, CBI
9. Department of Personnel & Training, North Block, New Delhi

**RBV No. 19/2009**

**Government of India  
Ministry of Railways  
Railway Board**

No.2009/V1/VP/1/13

New Delhi, dated Nov. 04 , 2009

**The General Managers (Vigilance),**  
All Zonal Railways & CORE

**The Chief Vigilance Officers,**  
PUs, PSUs, METRO & RDSO.

**Sub: Written genuineness verification of complaints.**

In a vigilance case sent to the CVC for its advice, the Commission has observed that the complainant was contacted by the vigilance department only on phone and he failed to give any substantial information. Since no proof of tele conversation is available, the Railway vigilance, instead of making contact on telephone, should have written an official letter to the complainant.

In view the observations made by the Commission, it is desired that all communication with the complainant, except in urgent cases, shall be made in writing. Moreover, instructions already laid down in Para 408.1(a) of the Indian Railway Vigilance Manual should be strictly followed while verifying the genuineness of the complaint.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No.2009/V1/VP/1/13

New Delhi, dated Nov.04 , 2009

Copy to :- The Director, Central Vigilance Commission, Satarkata Bhawan, GPO  
Complex, Block 'A', INA, New Delhi-21 – for information w.r.t. their ID  
No.0086/RLY/66/57816 dated 7.10.2009.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to :- i) AIRF, NFIR, IRPOF, FROA & AIRPFA  
ii) All Officers and the Branches of Vigilance Directorate.

**RBV No.18/2009**

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

No. 2009/V-1/CVC/1/17

New Delhi, dated, October 28 , 2009

**The Senior Deputy General Managers**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, WCR & CORE.

**The Chief Vigilance Officers**

CLW, DLW, ICF, RCF, RWF, METRO, RDSO, DLMW,  
RITES, IRCON, KRCL, CONCOR, IRFC, MRVC, IRCTC,  
RAILTEL, RVNL, RLDA and DFCCIL.

**Sub: Consultation with CVC for first stage advice.**

Please refer to Board's letter of even number dated 21.08.2009 (RBV No.12/2009) on the above subject enclosing a copy of CVC's Circular No.21/8/09 dated 06.08.2009 regarding revised format of investigation reports for seeking first stage advice of CVC.

2. It has been observed that some of the Railways/Units are still not sending the investigation reports in the revised format and in some cases, the Assurance Memo to be signed by SDGM/CVO is not being enclosed, resulting in back references being made to the Railways/Units and consequent delay in submission of the cases to the Central Vigilance Commission.

3. Formats for Assurance Memo to be signed by SDGM/CVO for Zonal Railway/Unit investigated cases and CBI investigated cases are enclosed as Annexure 1 and 2 respectively.

4. It may please be ensured that the investigation report is sent to Railway Board for seeking first stage advice of CVC, only in the prescribed format and invariably along with the Assurance Memo signed by SDGM/CVO. If this is not ensured, Vigilance Directorate shall be constrained to return such cases back to the Zonal Vigilance/Unit, as cases which are not in prescribed format are not being entertained by the Commission.

5. All concerned may please note for compliance.

DA/As above.

**(A. P. MISHRA)**  
**Adviser (Vigilance)**  
**Railway Board**

Annexure-1

**ASSURANCE MEMO**

(File No. )

This is to provide reasonable assurance to the Commission:

- (a) That all necessary facts and relevant evidence have been gathered.
- (b) That all facts and supporting evidence have been duly verified.
- (c) That contested evidence, if any, have been conclusively handled with reference to the facts at the disposal of Vigilance.

(Name of SDGM/CVO)

(Designation)

**Concerned Dy.CVO/SVO**

Annexure-2

**ASSURANCE MEMO**

(File No. )

This is to provide reasonable assurance to the Commission that all necessary facts and relevant evidence, as has been provided by the Central Bureau of Investigation, has been examined and the recommendations forwarded to the Commission for advice are based on the said facts and evidence.

(Name of SDGM/CVO)  
(Designation)

**Concerned Dy.CVO/SVO**

**RBV NO.17/2009**

**Government of India  
Ministry of Railways  
( Railway Board )**

No. 2009/V-1/CVC/1/10

New Delhi, dated September 03, 2009

**The General Managers,**  
All Zonal Railways, All PUs, CORE & Metro

**The SDGMs/CVOs,**  
All Zonal Railways/PUs & PSUs/CORE/METRO/RDSO

**The Managing Directors/All PSUs The CAOs/DLMW & COFMOW**

**The Director Generals/RDSO & RSC,**

**The Directors**  
All Centralized Training Institutes

**Sub: Maintenance of data bank for private foreign visits by  
Government employees.**

In terms of the directives received from the Central Vigilance Commission, it is mandatory for Vigilance Directorate to maintain a data bank of the private foreign visits undertaken by the Railway officials and to furnish declaration, in this regard, to the CVC every year by the end of February that the updated information along with all details is available, so that it could be made available to the Commission at a short notice, as and when desired by them.

2. It is, therefore, desired that a data bank, indicating the details of the private foreign visits undertaken by the Railway employees, should be maintained by the SDGMs/CVOs of the Zonal Railway/Units in the proforma prescribed below, for onward submission to furnishing the same to Railway Board:-

S.No	Name & Designation of the Officer	Name of the country visited	Duration of stay	Source of funding	Remarks
1	2	3	4	5	6

**(Sanjay Goel)**  
**Director Vigilance (M)**

No. 2009/V-1/CVC/1/10

**Railway Board**  
New Delhi, dated September 03, 2009

Copy to:- The Central Vigilance Commission, { Kind Attention : Smt Shalini Darbari, Director } Satarkata Bhawan, Block 'A', GPO Complex, INA, New Delhi – 110 023 for information. CVC's Office Order No.16/07/09 dated 06.07.2009 connects.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

- Copy to:-
- i) All the Officers and Branches of Vigilance Directorate, Railway Board – for information & necessary action.
  - ii) Sr.PPSs/PPSs/PSs to MR, MOSR, CRB, FC, ME, MM, MS, ML, MT, Secretary, All Additional Member/Advisers – for information.
  - iii) Secretary/Rly. Board – for similar action.

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**RBV No.16/2009**

**Government of India  
Ministry of Railways  
Railway Board**

No. 2009/V-1/IRVM/1/1

New Delhi, dated September 03, 2009

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON,  
IRCTC, IRFC, KRCL, MRVC, RAILTEL, RITES,  
RVNL, RLDA & DFCCIL.

**Sub: Advance Correction Slip No. 4**

Ministry of Railways (Railway Board) have decided to insert a *new* Para 107(e), specifying 'duties and functions of Executive Director Vigilance (Electrical)' to the Indian Railways Vigilance Manual (2006 Edition), as per the enclosed Advance Correction Slip No. 4.

2. Consequently the existing para 107(e) specifying 'duties and functions of Director Vigilance (Police)' is renumbered as para 107(f),

DA/As above.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to :-** All Officers and the Branches of Vigilance Directorate.

## ADVANCE CORRECTION SLIP NO. 4

### Addition/Modification in Chapter-I of Indian Railways Vigilance Manual (2006 Edition)

Para 107, specifying duties of functionaries in the Vigilance Directorate of Railway Board, may be modified as under:-

I Existing Para 107(a) shall be replaced as follows:-

107. Duties of functionaries in the Vigilance Directorate, Railway Board:

(a) Executive Director Vigilance (Engineering)

- (i) Deals with cases of Engineering and Mechanical departments.
- (ii) Furnishes vigilance clearance to officials of Engineering and Mechanical departments.
- (iii) Deals with vigilance cases pertaining to tenders of Engineering and Mechanical departments.
- (iv) Deals with all matters of Vigilance policy.
- (v) Processes intake of Vigilance Inspectors on deputation basis in the Vigilance Directorate, and posting of Vigilance officers on Zonal Railways.
- (vi) Deals with recruitment of Havildars & Sainiks in the Vigilance Directorate.
- (vii) Deals with staff matters in the Vigilance Directorate.
- (viii) Nodal Officer for preparation of Agreed & Secret lists.
- (ix) Organizes training courses for Vigilance Officers and Vigilance Inspectors.
- (x) Organizes SDGMs' conferences.
- (xi) Arranges printing of Vigilance Bulletins.
- (xii) Coordinates dispatch of returns to CVC.
- (xiii) Processes statistical information, publicity etc.

(xiv) Processes banning of firms of Engineering and Mechanical departments.

(xv) Keeps a watch on working of the Inquiry Organization on various Zonal Railways.

(xvi) Nominates Inquiry Officers for DAR inquiries in cases of Gazetted Officials.

EDV(E) is assisted by Director Vigilance (Engineering) I & II, Director Vigilance (Mechanical) and Dy. Director (Vigilance-I), and Vigilance I, III branches.

II      Para 107(e) may be inserted as follows:-

(e) Executive Director Vigilance (Electrical)

(i) Deals with cases of Electrical and S&T departments.

(ii) Furnishes vigilance clearance to officers of Electrical and S&T departments.

(iii) Deals with Vigilance cases pertaining to tenders of Electrical and S&T departments in which Convener is from Electrical and S&T department.

(iv) Processes cases of banning of firms pertaining to Electrical and S&T departments.

(v) Processes all cases received under the RTI Act – Nodal Officer for Vigilance Directorate.

(vi) Updation of website of Vigilance Directorate.

(vii) Organises checks in spheres pertaining to Electrical and S&T departments.

Executive Director Vigilance (Electrical) shall be assisted by Director Vigilance (S&T) in performance of these activities.

II      Consequently existing Para 107(e) specifying duties of Director Vigilance (Police) may be renumbered as Para 107(f)

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**RBV No. 15/2009**

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2006/V-1/CVC/1/11 (Pt.A)**

**Dated: 03.09.09**

**The SDGMs,  
All Zonal Railways & CORE**

**The CVOs,  
All Production Units, Metro & RDSO**

**Sub: Improving vigilance administration by leveraging technology:  
Increasing transparency through effective use of websites in  
discharge of regulatory, enforcement and other functions of  
Govt. organizations**

**Ref: Adviser (Vigilance) D.O. of even number dated 21.08.09**

Implementation of instructions relating to leveraging of technology for increasing transparency is one of the thrust areas being repeatedly stressed upon by the CVC. Instructions in this regard have already been circulated and reiterated time and again. The target date for implementation fixed by CVC was 1<sup>st</sup> April, 2007. Vide D.O. letter referred above, Adviser (Vigilance) has requested the General Managers to ask various Heads of Departments to nominate nodal officers, who shall be entrusted with overseeing implementation of both the stages including periodic updation. Thereafter, from October onwards, SDGMs/ CVOs are required to carry out Checks on the aspect of implementation of these instructions of the CVC. Cases of non-implementation including non-updation of status may have a vigilance angle, which may lead to investigations.

In view of above, all SDGMs/CVOs are requested to ensure implementation including carrying out of Checks in right earnestness from October, 2009 onwards. A report in this regard may also be sent for information of Adviser (Vigilance).

**(Sanjay Goel)  
Director Vigilance (Mech.)  
Railway Board**

**RBV No. 14/2009**

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2009/V-1/COMP/1/2**

**New Delhi, dt. 28.08.09**

**General Managers,  
All Zonal Railways, All PUs, CORE & Metro**

**Managing Directors,  
All PSUs**

**Director General,  
RDSO & Railway Staff College/Vadodara**

**Directors,  
All Centralized Training Institutes**

**CAO,  
COFMOW & Diesel Loco Modernization Works/Patiala**

**Sub: Marking of complaints having vigilance angle from various  
decentralized locations to the CVO/ SDGM**

**Ref: CVC Circular No. 15/07/09 circulated vide their letter No.  
009/VGL/035 dated 1<sup>st</sup> July, 2009**

Complaints containing information about corruption, malpractices or misconduct by public servants are received in any organization including the Railways in a decentralized manner. Similarly, CVOs/SDGMs also receive such complaints through different means. Of these complaints/grievances, those having vigilance angle, are sent to the Vigilance Department entirely depending on the perception of the officer controlling such decentralized locations. Thus, there is every chance in such a system that some of the complaints with vigilance overtones may not get forwarded to the Vigilance Department due to lack of appreciation of "vigilance angle" or for other bonafide reasons.

The above shortcomings have also been detected by the CVC during Vigilance audit conducted by them for some organizations. In order to ensure uniformity in handling and processing complaints, a "Complaint Handling Policy" is required to be laid down for receipt, handling and processing of all types of complaints/grievances not only from the

public but also from the contractors, vendors and suppliers etc. The policy should be such that any complaint/ grievance received by any functionary of the decentralized location, containing any allegation of alleged corruption, malpractice or misconduct etc., should necessarily be sent to the CVO/SDGM for further scrutiny and action. For this purpose, a proper mechanism is required to be put in place.

With a view to ensure above, CVC has directed that all organizations should have a comprehensive "Complaint Handling Policy" so that all complaints/grievances etc. being received by other Divisions/Units of the organization are properly scrutinized on a continuous basis and those involving issues/allegations having vigilance angle are duly forwarded to the Vigilance Department.

In view of above, a "Complaint Handling Policy" as envisaged by the CVC is required to be established on a sound footing at the earliest. For this purpose, registers are required to be maintained in the format enclosed, in which all complaints/grievances being received from various sources get entered. These registers shall also be scrutinized by Vigilance Department on a periodic basis to detect complaints/grievances having prima-facie vigilance angle but not having been marked to them.

These instructions shall also equally apply to all Directorates/Offices of Railway Board as well as to all the Zonal Railways/Production Units/Public Sector Undertakings under the Ministry of Railways and their field units/associate offices.

**(K.B.L. Mittal)**  
**Secretary,**  
**Railway Board**

**DA: One Proforma**

**Copy to:**

- 1. Sr. PPSs/PPss/PSs to MR, MOSR, CRB, FC, ME, MM, MS, ML, MT, Secretary, All Additional Members/Advisers**
- 2. OSD/MR, Adviser/CC**
- 3. EDPG/MR, EDPG/MOSR**
- 4. All Directorates of Railway Board**

<b>S.No.</b>	<b>Date of receipt</b>	<b>Name &amp; address of sender/complainant</b>	<b>Subject of complaint/ grievance</b>	<b>Officer to whom complaint/grievan ce marked to &amp; date</b>

**RBV No.13/2009**

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

No.2004/V-1/CVC/1/18

New Delhi, dated August 25 , 2009

**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, NF/Constn.

**The Managing Directors**

ITES, IRCON, KRCL, CONCOR,IRFC, MRVC, IRCTC, RAILTEL, CRIS, RVNL & IRWO.

**Chief Administrative Officers**

DLMW, COFMOW

**The Directors**

IRIEEN, IRIMEE, IRICEN, IRISSET &IRITM.

**Director General**

RDSO and RSC

**Others**

CCRS/LKO

**Sub: Posting of details on website regarding tenders / contracts  
Awarded.**

Please refer to Board's letter of even number dated 18.05.2005 and 23.08.2005 (RBV No.17/2005), on the above subject, directing the Railways to display on the website the details of all the Tenders/works contract of value more than Rs.One Crore, in respect of Engineering/Mechanical/Electrical/ Signal & Telecommunications and Medical Departments, Rs.50 Lacs for Commercial Department and all the purchases of value more than Rs.20 Lacs, done through the Stores contract and to furnish compliance report along with their monthly report to CVC.

2. The CVC has reiterated that these instructions should be strictly adhered to and summary of the details of contracts/purchases posted on the website so as to cover 75%, (repeat 75%) of the value of the transactions, without any further delay. It is further added that any failure on this count would be viewed seriously by the Commission.

3. It is desired that the above instructions of CVC may be implemented in letter and spirit.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No.2004/V-1/CVC/1/18

New Delhi, dated August 25 , 2009

Copy to :- The Director, Central Vigilance Commission, Satarkata Bhawan,  
GPO Complex, Block 'A', INA, New Delhi-21 – for information w.r.t. their  
Circular No. 17/7/09 dated 14.07.2009.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

All Officers and the Branches of Vigilance Directorate.

**RBV No.12/2009**

**Government of India  
Ministry of Railways  
(Railway Board)**

No.2009/V-1/CVC/1/17

New Delhi, dated August 21 , 2009.

**(I) General Managers (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR & WCR.

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON, IRCTC, IRFC,  
KRCL, MRVC, RAILTEL, RITES, RVNL,  
RLDA & DFCCIL.

**Sub: Consultation with CVC for first stage advice.**

In super-session of all previous instructions of the Commission on submission of investigation reports, a copy of the CVC's Circular No. 21/8/09, circulated vide their letter No. 006/PRC/1 dated 6th August, 2009, on the above subject, is sent herewith for necessary action.

2. It is desired that henceforth the investigation reports be sent to Railway Board for seeking first stage advice of CVC, only in the format prescribed in the aforesaid Circular of the CVC.

**DA/As above**

**(Sanjay Goel)  
Director Vigilance (Mech)  
Railway Board**

No.2009/V-1/CVC/1/17

New Delhi, dated August 21 , 2009.

Copy to :- The Secretary (Attention : Smt Shalini Darbari, Director), Central Vigilance Commission, Satarkata Bhawan, Block-A, GPO Complex, INA, New Delhi-110 023 – for information w.r.t. their letter No. Circular No. 21/8/09, circulated vide their letter No. 006/PRC/1 dated 6th August, 2009,

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

Copy to:- All officers and branches of Vigilance Directorate.



No.006/PRC/1  
Government of India  
Central Vigilance Commission  
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Satarkta Bhawan, Block 'A',  
GPO Complex, INA,  
New Delhi- 110 023  
Dated the 6<sup>th</sup> August, 2009

**Circular No.21/8/09**

**Subject: References to the Commission for first stage advice – procedure regarding.**

**Reference: (i) Commission's circular No.NZ/PRC/1 dated 26.2.2004;  
(ii) Commission's circular No.NZ/PRC/1 dated 9.5.2005;  
(iii) Commission's circular No. 006/PRC/1 dated 13.3.2006; and  
(iv) Commission's circular No.006/PRC/1 dated 1.12.2008**

The Commission receives preliminary inquiry reports from the Chief Vigilance Officers (CVOs) of Departments/Organisations, seeking the first stage advice. Reports for similar action also emanate from the CVOs in response to the Commission's directions for investigation issued u/s 8(1)(d) of the CVC Act, 2003. However, these reports are often found lacking in cogent analysis of misconduct or allegations, evidence on record and the recommendation of line of action. The supporting documents catered are also very often disjointed, casually arranged or unduly bulky, making the examination cumbersome and leading to protracted correspondence and delays.

2. With a view to improving the quality and focus of these investigation reports, the Commission has devised a new reporting format. Accordingly, it is directed that henceforth, a vigilance report should broadly conform to the parameters specified in Annexure A. Further, as the Commission lays utmost emphasis on facts, evidence and recommendations made by the CVOs, an investigation report should invariably be accompanied by an Assurance Memorandum (Annexure B) signed by the CVO, taking due responsibility and giving assurance of a comprehensive application of mind while submitting the report.

3. In supercession, therefore, of earlier instructions of the Commission on submission of investigation reports, the following instructions should be followed scrupulously while seeking the first stage advice:

- (i) All vigilance reports of the CVOs should conform to the parameters prescribed in **Annexure-A**.
- (ii) They would be accompanied by an Assurance Memo, in the form of **Annexure-B**.

Contd...2/-



- (iii) Bio-data of suspect officials, figuring in the investigation reports, should be enclosed as per the format provided at **Annexure-C**.
- (iv) Tabular statements, as prescribed vide the Commission's circular dated 1.12.2008, shall continue and be kept objective and precise.
- (v) Draft charge-sheets and imputation of charge in respect of suspect officials where disciplinary action, such as major penalty or minor penalty proceedings, is proposed, would accompany the investigation reports.

4. The CVOs would ensure that all documents/exhibits, constituting the basic evidence for the charge, are systematically identified and arranged. Superfluous and voluminous documents, with little or no relevance to the misconduct under examination, should be retained at the CVOs' end. In case any additional material or evidence is required, it can always be recalled by the Commission before an advice is tendered.

5. The aforesaid reporting procedure would become operative with immediate effect.

  
(Shalini Darbari)  
Director

**All Chief Vigilance Officers**

**Encl: As proposed.**

**Vigilance Report**

**Title of the report**

**1. Source**

- Background of the report – whether based on source information, complaint referred to by the CVC, CTE/CTE type inspection or direct enquiry.

**2. Gist of allegations**

**3. Facts**

- The relevant facts relating to the issue under examination should be presented in chronological or activity-wise sequence.
- Each fact should be supported by documentary evidence (other forms of evidence may also be presented) denoted as E1, E2, and E3 etc. Since the facts occur in chronological order, the evidence E1, E2, E3, etc., should necessarily be arranged under the report in the same order, thus making it easier for reference.
- While annexing the evidence, the relevant portion of the document should be highlighted and annexed. For example, the evidence for educational qualifications for promotion should consist of the Xerox copy of only the clause prescribing the qualifications and not the whole 20 pages of the promotion policy.
- There may be several issues in a report which may be conveniently arranged as different paras viz. 2.1, 2.2 etc.
- All relevant facts needed to support the observations/conclusion should be gathered and presented. Irrelevant facts, bearing no consequence on the issues under inquiry should be avoided.
- Evidence presented should be credible and adequate.

**4. Observations**

- Ordinarily, observations are logical deductions arrived at through a set of facts. They are in the nature of objections or anomalies observed with reference to the gathered facts. There may be several observations arising out of the analysis of facts.

- Observations are also arrived at by evaluating the facts against certain criteria viz. rules, regulations, policies, procedures, norms, good practices or normative principles. Evidence of these criteria (extracts of rules, procedures, etc.) should also be presented as E1, E2, etc.

#### **5. Response of the officials concerned**

- It is necessary to elicit the reasons and clarifications of the management or the officers concerned for the anomalies pointed out in the observations. Every deviation from rules or procedure cannot be attributed to a malafide/corrupt intent. There may be situations where it may be difficult to achieve the objectives of a task by strictly abiding by the rules. Rules may be circumvented, while expediting the work or in the larger interest of the work, with good intentions. It is, therefore, essential for Vigilance to distinguish between acts of omission and acts of commission. Therefore, obtaining the response of the officers concerned is essential in order to arrive at an objective conclusion.
- Response of the management is also necessary in order to clarify differences in interpretation or an understanding of the issues between vigilance and the management.

#### **6. Counter to the response**

- In order to sustain the observations made by Vigilance, it is necessary to counter the defence given by the management/officers concerned with facts and supporting evidence. It should be clearly and convincingly brought out why the explanation given by the management is not tenable.

#### **7. Conclusion**

- Conclusion is the logical summation of the observations. The observations denoting various counts of irregularity, lapses or impropriety should finally lead to a logical conclusion on whether the case involves commission of irregularity/impropriety with the intention of corruption.
- Undue favour given to a party or obtained for self and its adverse impact on the government or the citizens in terms of

additional cost, poor quality or delayed service should be clearly highlighted.

**8. Responsibility of officials**

- Having determined the vigilance angle in the case, the next step is to fix the accountability of the individuals involved in the misconduct. Name of officers should be clearly stated in this para.
- The role of each officer should be judged with reference to his prescribed charter of duties. In case the tender committee is responsible for the misconduct then, as far as possible, all members should be equally and collectively held responsible.
- Comments of Disciplinary Authority should invariably be included.

**9. Recommendation for action**

- Recommendation for closure of the case in case there is no discernable vigilance angle or criminal misconduct, should be clearly spelt out.
- Bio-data of the officials reported against in the investigation report should be included in the given format.

**10. Recommendation for systemic improvement**

- Punitive action on detection of corruption does not by itself lead to a logical conclusion unless it is able to prevent recurrence of the lapse. Any fraud, corruption, irregularity or impropriety indicates a failure of control mechanism or gaps in systems and procedures. Therefore, each case throws up an opportunity to identify these control failures and suggest ways of plugging them to prevent recurrence of the lapse. Therefore, at the end of the report the CVO should also try to recommend systemic improvements in order to prevent the risk of a recurrence of the lapse/misconduct.

**ASSURANCE MEMO**

This is to provide reasonable assurance to the Commission:

- (a) That all necessary facts and relevant evidence have been gathered.
- (b) That all facts and supporting evidence have been duly verified.
- (c) That contested evidence, if any, have been conclusively handled with reference to the facts at the disposal of Vigilance.

Chief Vigilance Officer

**Format of Bio-Data of officer(s) against whom Commission's advice is sought**

**(To be incorporated in the Vigilance Report of the CVO)**

1. Name of the officer :
2. Designation  
(a) At present :  
(b) At the time of alleged misconduct :
3. Service to which belongs :  
(Cadre and year of allotment in case of officers of the organized/All India Services)
4. Date of birth :
5. Date of superannuation :
6. Level/group of the present post and pay scale :
7. Date of suspension [if under suspension] :
8. Disciplinary Rules applicable to the officer :

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**RBV No.11/2009**

**Government of India  
Ministry of Railways  
(Railway Board)**

No.2009/V-1/Meet/1/2

New Delhi, July 20, 2009

**The General Managers (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER,  
NFR, NWR, SR, SCR, SER, SECR, SWR,  
WR & WCR.

**The Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO & RDSO.

**Sub: Quarterly structured meeting between the SDGMs /  
CVOs and the GMs / CAO / DG.**

During the Annual Zonal Review Meeting, held with the Central Vigilance Commission on 10.06.2009, it was decided that a quarterly structured meeting with a duly circulated agenda be held between the SDGMs / CVOs and the GMs / CAO / DG. Moreover the Minutes of such meetings be also drawn and a copy sent for information of Adviser (Vigilance).

2. The first such meeting may be held in July, 2009 and the minutes sent for perusal of Adviser/Vigilance.

DA/Nil.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

No. 2009/V-1/DAR/6/1

New Delhi, dated, July 16 , 2009

**The General Managers (P),  
All Indian Railways &  
Production Units.**

**Sub: Enhancement of the rates of honorarium for Inquiry Officer and other assisting officials in the conduct of Departmental Inquiries, arising out of Vigilance investigations against Railway Servants.**

The question of revision of rates of honoraria for Inquiry Officers (Retired and the serving Railway Officers) and their assisting officials, in the conduct of Departmental Inquiry against Railway Servants, arising out of Vigilance Investigations, had been under consideration of the Board for some time and it has now been decided that, **in super-session of all previous instructions on the subject**, the revised rates of honoraria will be as under:-

**(a) Where Departmental Inquiry is conducted against gazetted officer(s) or against a combination of gazetted and the non-gazetted officials (composite case) by a retired senior Railway officer *not below the rank of Selection Grade*.**

**(i) The rate of honoraria for Inquiry Officer.**

The Inquiry Officer, in such departmental inquiries, will be entitled to a fixed Honorarium of Rs.15,000/- (Rs. Fifteen thousand, only), **exclusive of local transport charges, per inquiry report.**

**(ii) Rate of TA/DA for Inquiry Officer.**

Where the duties and responsibilities entrusted to the RIO involve travelling, the rate of TA/DA, in such cases will be the same as applicable to the serving Railway Officers of equivalent rank.

**(iii) The rate of honorarium for Presenting Officer.**

The Presenting Officer will be entitled to a fixed honorarium of Rs.1875/- (Rs. One Thousand Eight Hundred Seventy Five only), **per Inquiry Report in a case.**

**(iv) The rate of honorarium for Stenographer/Typist.**

In addition to the fixed amount of Rs.15000/- (Rs. Fifteen thousand, only), the Inquiry Officer will be entitled for an additional amount of Rs.2625/-(Rs. Two Thousand Six Hundred Twenty Five only), **per Inquiry Report**, provided the Stenographic/Typing assistance is arranged by the Inquiry Officer himself.

Where the services of a serving Stenographer/Typist are placed at the disposal of the Retired RIO, on his request, the serving stenographer/Typist will be eligible for honorarium @ Rs.1875/- (Rs. One Thousand Eight Hundred Seventy Five only), **per Inquiry Report in a case.**

**(b) Where Departmental Inquiry is conducted against a gazetted officer by a serving gazetted Railway officer, not below the rank of Selection Grade.**

**(i) The rate of honoraria for Inquiry Officer.**

The Inquiry Officer will be entitled to an Honorarium of Rs.8440/- (Rs. Eight Thousand Four Hundred Forty only) **per Inquiry Report in a case.**

**(ii) Rate of TA/DA for Inquiry Officer.**

Where the duties and responsibilities entrusted to the RIO involve travelling, the rate of TA/DA, in such cases will be the same as applicable to the serving Railway Officers of equivalent rank.

**(iii) The rate of honorarium for Presenting Officer.**

The Presenting Officer will be entitled to an Honorarium of Rs.1875/- (Rs. One Thousand Eight Hundred Seventy Five only) **per Inquiry Report in a case.**

**(iv) The rate of honorarium for Stenographer/Typist.**

The Stenographer/Typist assisting the Inquiry Officer, in the conduct of a Departmental Inquiry, will be entitled to an Honorarium of Rs.1875/- (Rs. One Thousand Eight Hundred Seventy Five only) **per Inquiry Report in a case.**

**(c) Where Departmental Inquiry is conducted against a non-gazetted official by a retired Railway servant of JA grade and below upto the rank of group 'B' gazetted.**

**(i) The rate of honoraria for Inquiry Officer.**

The Inquiry Officer will be entitled to an Honorarium of Rs.3750/-(Rs. Three Thousand Seven Hundred Fifty only) **per Inquiry Report in a case**, besides local conveyance allowance amounting to Rs. 950/-(Rs. Nine Hundred Fifty only), per Inquiry Report for A, A-1 and B-1 cities. The local conveyance charges for other cities shall be Rs.550/- (Rs. Five Hundred Fifty only) per Inquiry Report.

**(ii) The rate of honorarium for Presenting Officer.**

The Presenting Officer will be entitled to an honorarium of Rs.1250/- (Rs. One Thousand Two Hundred and Fifty only) **per Inquiry Report in a case.**

**(iii) The rate of honorarium for Stenographer/Typist.**

The RIO will be entitled to an additional amount of Rs.1125/- (Rs. One Thousand One Hundred Twenty Five only) **per Inquiry Report in a case** for Clerical/ Stenographer/Typing assistance arranged by him. However, where the services of a serving Stenographer/Typist are made available to the RIO, an amount of Rs.750/- (Rs. Seven Hundred Fifty only), **per departmental Inquiry report**, will be paid to the serving Stenographer/Typist.

**(d) Where Departmental Inquiry is conducted against a non-gazetted official by a serving Railway official of JA Grade and below upto Senior Supervisor level.**

**(i) The rate of honoraria for Inquiry Officer.**

The Inquiry Officer will be entitled to an Honorarium of Rs.2500/- (Rs. Two Thousand Five Hundred only) **per departmental Inquiry report.**

**(ii) The rate of honorarium for Presenting Officer.**

The Presenting Officer will be entitled to an Honorarium of Rs.1250/- (Rs. One Thousand Two Hundred Fifty only) **per departmental Inquiry report.**

**(iii) The rate of honorarium for Stenographer/Typist.**

The Stenographer/Typist, assisting the Inquiry Officer, in the conduct of Departmental Inquiry, will be entitled to an Honorarium of Rs.750/- (Rs. Seven Hundred Fifty only) **per Inquiry Report.**

**(e) Contingency Expenditure**

An amount of Rs.100/- (Rs. One Hundred only) is permitted as contingency expenditure to meet the basic courtesy requirement of serving tea/biscuits etc. for each sitting of the Inquiry. This expenditure will be incurred by the Presenting Officer and will be reimbursed to him by the Railway Administration on certification of Inquiry Officer. In the absence of Presenting Officer, the Inquiry Officer shall incur the expenditure and the same will be reimbursed to him by the Railway administration along with honorarium.

**(f) Rate of Local Transport charges**

The rate of local transport charges will be the same as applicable to the serving Railway Officers of equivalent rank. For this purpose, the notified residential address of the Inquiry Officer, will be the deemed HQs of the Inquiry Officer.

**(g) Postage and Stationery charges**

Postage and Stationery charges, on certification by Inquiry Officer shall be borne by the Railways.

**(h) Expenses made by the Inquiry Officer**

Expenses made by the Inquiry Officer towards Fax and telephone call charges, shall be reimbursed to them on actuals, on certification by Inquiry Officer, subject to a **maximum of Rs.250/- (Rs.Two Hundred Fifty only) per Inquiry Report.**

2. This issues with the concurrence of Finance Directorate in the Ministry of Railways and **the revised rates will be applicable w.e.f the date of issue of this letter i.e. inquiries in which SF-7 for appointment of Inquiry Officer have been signed by the DA on or after the date of issue of this letter.**

(Sanjay Goel)  
**Director Vigilance (M)**  
**Railway Board**

No. 2009/V-1/DAR/6/1

New Delhi, dated July 16 , 2009

Copy to – (i) The Principal Director of Audit, Northern Railway, New Delhi.

(ii) Dy. Comptroller & Auditor General of India (Rlys), Room No.224,  
Rail Bhavan, New Delhi.

**for Financial Commissioner (Railways)**  
**Railway Board**

No. 2009/V-1/DAR/6/1

New Delhi, dated July 16 , 2009

Copy forwarded for information & necessary action to:

- (i) The General Manager (Vigilance), All Indian Railways & Production Units etc.
- (ii) FA&CAOs/All Indian Railways & Production Units etc.

**(Sanjay Goel)**  
**Director Vigilance (Mech)**  
**Railway Board**

Copy to – (i) All Officers and Branches of the Vigilance Directorate.  
(ii) All the empanelled Railway Inquiry Officers.  
(iii) ERB-I, ERB-III, EO-I, FE-II, EG, PAO and O&M.  
(iv) E(G) Branch. Their File No.2005/E(G)/HO/1-6 connects.

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**Government of India  
Ministry of Railways  
(Railway Board )**

No. 2009/V-1/CVC/1/8

New Delhi, dated July 07, 2009

**The General Managers,**  
All Zonal Railways, PUs, CORE & Metro

**The CAO/DLMW, DGs/RDSO & RSC,**

**The Managing Directors/All PSUs**

**The SDGMs/CVOs,**  
All Zonal Railways/PUs & PSUs

**Sub: Government of India Resolution on Public Interest Disclosure and Protection of Informer (PIDPI).**

Board's letters No.2004/V-1/CVC/1/14 dated 13.05.2004 (RBV No.10/2004) and dated 19.05.2004 (RBV No. 10(A)/2004), circulated Government of India Resolution on PIDPI. As per this resolution, the Government have authorized the Central Vigilance Commission as the "Designated Agency" to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action in the matter. Central Vigilance Commission had recently advised us to submit investigation reports on PIDPI complaints within a period of one month from the receipt of reference of the Commission. CVC has now observed inordinate delays beyond prescribed time limit in submission of investigation reports, which is against the spirit of PIDPI Resolution. CVC has therefore, decided that, henceforth, in all cases of delays beyond prescribed time limit, exact reasons for delay in investigation / submission of reports should be stated / explained by the CVO while reporting to the Commission.

2. In order to adhere to the prescribed time limit and CVC's directive, it is desired that the complaints received through the Commission, under PIDPI Resolution, should be assigned high priority, so that the investigation reports are submitted to Board Vigilance within a period of 15 days, to enable them to send the case to the Commission within a period of one month from receipt of the complaint. **The reasons for delay in investigation and submission of report, if any, should also**

**be clearly brought out so as to apprise the Commission. Needless to say that delay should be in rare cases only.**

3. On receipt of the complaints, under PIDPI Resolution, immediate action should be taken to obtain all the relevant papers/documents so that investigation into the complaint is commenced without any delay. Accordingly, such complaints should be registered under separate category of PIDPI complaints and their progress monitored on a day to day basis.

4. However, it may be ensured that no punitive action is taken by any concerned administrative authority against any person on perceived reasons/suspicion of being the “whistle blower.” Further action in the matter has to be taken by the administrative authority, based on the directions received from the Commission.

These instructions may be followed scrupulously.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No. 2009/V-1/CVC/1/8

New Delhi, dated July 07, 2009

Copy to:- The Central Vigilance Commission, { Kind Attention : Smt Shalini Darbari, Director } Satarkata Bhawan, Block 'A', GPO Complex, INA, New Delhi – 110 023 for information. CVC's Office Order No.9/5/09 dated 12.05.2009 connects.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- All the Officers and Branches of Vigilance Directorate, Railway Board – for information.

**RBV NO.08/2009**

**Government of India  
Ministry of Railways  
(Railway Board)**

No.2009/V-1/VP/1/5

New Delhi, dated June 12, 2009

**The SDGMs**

All Zonal Railways & CORE

**The CVOs**

All PUs/PSUs/METRO & RDSO

**Sub: Scrutiny of Vigilance cases by Audit officials**

Instances have come to notice of the Board Vigilance, where the Audit department have asked for inspection of Vigilance cases and in the absence of Board's guidelines in this regard, references are being received from Zonal Railways, seeking clarification in this regard.

2. It is clarified that in case a request is received from Principal Director of Audit or his next in command to see a case, the same can be shown to the Principal Director or his next in command in the office of CVO provided that the investigation has been completed, reasonable firm conclusions have been reached and disciplinary action where necessary has been initiated.

3. This also disposes off NWR's D. O. No. SDGM/NWR/Conf/09 dated 18.05.2009, addressed to Adviser (Vigilance).

DA/Nil.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

Copy to:- All Officers & Branches of Vigilance Directorate.

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2009/V-1/DAR/1/3**

**New Delhi, dated May 1, 2009**

**The General Managers(P),**  
All Zonal Railways, PUs, CORE & Metro

**The Managing Directors,**  
All PSUs

**The DGs/RDSO & RSC The CAO/DLMW**

**The SDGMs/CVOs,**  
All Zonal Railways/PUs & PSUs

**Sub: Preparation of charge-sheets for RDA in CBI investigated cases**

Attention is invited to Board's letter No.2005/V-1/CVC/1/15 dated 22.01.2006 (RBV No.03/2006) vide which it was advised that in certain types of CBI investigated cases, the CBI could be requested, through the CVC, for providing a Presenting Officer.

2. CBI has since dispensed with the practice of sparing their officials for appointment as Presenting Officer in departmental proceedings. The CVC is of the opinion that as the organisation's functionaries are appointed as Presenting Officers in departmentally investigated cases, there is no reason why a departmental functionary cannot present the case before an Inquiry Officer in a CBI investigated case.

3. Moreover, CBI has recently also discontinued the longstanding practice of appending draft charge-sheets/imputations of misconduct along with the SPs reports in those cases where RDA is recommended by the CBI. The Commission is of the view that when draft charge-sheets are prepared internally for departmentally investigated cases, there is no reason not to do so, in respect of cases investigated by the CBI, where reports are well structured and also well

made out. However, where the departmental functionaries, owing to the technicalities or intricacies involved in a case, face a real/genuine problem or difficulty in preparing charge-sheets, the same can be taken up with the CBI appropriately. Needless to say that such instances should be few and far between i.e. exceptions only.

4. In view of above, the respective departmental functionaries shall prepare charge-sheet/statement of imputations and list of exhibits and witnesses in CBI investigated cases where RDA has been advised. Similarly, Presenting Officer shall also be appointed from within the organization.

5. All concerned may please note for strict compliance that in CBI investigated cases, where RDA has been recommended, follow-up actions on CBI reports shall henceforth not be delayed or held up on account of either non-availability of draft charge-sheets from CBI or because CBI is not in a position to spare its officials for appointment as Presenting Officer.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**No.2009/V-1/DAR/1/3**

**New Delhi, dated May 1, 2009**

Copy to:- The Secretary (Attention : Smt. Shalini Darbari, Director), Central Vigilance Commission, Satarkata Bhawan, Block-A, GPO Complex, INA, New Delhi-110023 - for information w.r.t. their Circular No. 8/4//09, circulated vide their letter No.009/VGL/018 dated 01.04.2009.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- All Officers & the Branches of Vigilance Directorate.

**RBV NO.06/2009**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2009/V-1/CVC/1/5**

**New Delhi, dated April 20, 2009.**

**The General Managers (P),  
All Zonal Railways, PUs, CORE & Metro.**

**The CAO/DLMW & COFMOW.**

**The Directors General/RDSO & RSC.**

**The Managing Directors/All PSUs.**

**The GMs(Vigilance)/CVOs,  
All Zonal Railways/PUs & PSUs.**

**Sub: Role of Disciplinary Authorities while passing speaking orders**

Attention is invited to the Board's letter No.2003/V-1/CVC/1/19 dated 08.12.2003 (**RBV NO.13/2003**), enclosing CVC's Office Order No.51/9/03 contained in their letter No.003/DSP/3 dated 15.09.2003, stressing the need for issue of self contained, speaking and reasoned orders by the disciplinary/ appellate authorities, followed by letter No.2003/V-1/CVC/1/19 dated 19.04.2004 (**RBV No.07/2004**), further pointing out that at the time of issue of final order, imposing a penalty on the charged officer, on the advice of the CVC, and/or at the time of deposing affidavits in the courts, some of the Disciplinary Authorities (DAs) mention the Commission's reference, which leads to an unwarranted presumption that the DA has acted under the influence /pressure of the CVC.

2. Instances have, however, come to the notice of the Commission in which the final orders passed in disciplinary cases by the competent disciplinary authorities did not indicate proper application of mind, but a mere endorsement of the Commission's recommendations which leads to an unwarranted presumption that the DA has taken the decision under the influence of the Commission's advice.

The cases where the final orders do not indicate proper application of mind by the DA are liable to be quashed by the courts.

3. As regards, making available a copy of CVC's first and second stage advices to the charged officials is concerned, instructions were issued vide Board's letter No.2001/V-1/CVC/1/2 dated 12.07.2004 (**RBV No.14/2004**), which should be followed, scrupulously.

2. It is reiterated that the CVC's views/advices in disciplinary cases are advisory in nature and it is for the DA concerned to take a reasoned decision by applying its own mind. The DA while passing the final order, has to state that the Commission has been consulted and after due application of mind, the final orders have been passed. It may also be noted that in the speaking order of DA, the Commission's advice should not be quoted verbatim

3. It may be ensured that the above guidelines/procedure is strictly followed while processing the disciplinary cases.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No.2009/V-1/CVC/1/5

New Delhi, dated April 20, 2009.

Copy to:- The Secretary (Attention : Smt. Shalini Darbari, Director), Central Vigilance Commission, Satarkata Bhawan, Block-A, GPO Complex, INA, New Delhi-110023 - for information w.r.t. their Circular No. 02/01/09, circulated vide their letter No.003/DSP/3/31364 dated 15.01.2009.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- i) All Board Members.  
ii) All Officers & the Branches of Vigilance Directorate.

**RBV NO.05/2009**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2008/V-1/CVC/1/6**

**New Delhi, dated April 16, 2009.**

**(I) General Managers (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR & WCR.

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, CONCOR, IRCON, IRCTC, IRFC,  
KRCL, MRVC, RAILTEL, RITES, RVNL,  
RLDA & DFCCIL.

**Sub: Consultation with CVC for advice along with  
tabular statement in a specified proforma.**

Attention is invited to Board's letters No.2003/V-1/CVC/1/12 dated 14.10.2003 and No.2006/V-1/VP/1/4 dated 07.04.2006 (RBV No.07/2006).

2. With a view to streamlining the procedure for referring cases to the CVC for their advice (first stage/second stage) and to avoid delay on account of incomplete information, the Commission has decided that the Vigilance case along with all other relevant records/documents, should be accompanied with the following tabular statement:-

SNo.	Name & designation of the suspected officer	Allegations in brief	Findings of the investigation /inquiry on each allegation	Defence of the suspected officer	Comments/ recommendations of the DA	Comments/ recommendations of the CVO
1	2	3	4	5	6	7

3. It may be noted that serious view would be taken for nonobservance of these instructions. Henceforth, the references for first stage/second stage advice, not accompanied with the requisite tabular statement, shall be returned forthwith. The concerned Vigilance officers shall also be held responsible for the same.

**(Sanjay Goel)**  
**Director Vigilance (Mech)**  
**Railway Board**

No.2008/V-1/CVC/1/6

New Delhi, dated April 16, 2009.

Copy to :- The Secretary (Attention : Smt Shalini Darbari, Director),  
Central Vigilance Commission, Satarkata Bhawan, Block-A, GPO  
Complex, INA, New Delhi-110 023 – for information w.r.t. their letter  
no. 006/PRC/1 dated 18.02.2009 (Circular No.03/02/09) and letter  
no.006/PRC/1/27483 dated 01.12.2008 (Circular No.32/12/09).

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- All officers and branches of Vigilance Directorate.

**RBV No. 4/2009**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2009/V-1/TRG/4/1**

**N. Delhi, Dated: 02.04.09**

**The SDGMs,  
All Zonal Railways and CORE**

**The CVOs,  
All PUs, PSUs, Metro & RDSO**

**Sub: Training of Railways officers/staff**

In a recently held meeting, the Vigilance Commissioner expressed the concern of the Commission about the lapses/irregularities observed in handling of tenders by the Railway officers. One of the reasons for this could be that while the number of contracts awarded is increasing regularly on account of outsourcing of services, yet, the officers handling such contracts are not properly familiar with the updated instructions/guidelines on the subject.

To overcome this problem, the Commission was of the opinion that Railways should sensitize the officers/staff who are required to handle tenders by organizing training programmes, through seminars, conduct of workshops etc. At the same time, the Commission advised that SDGMs/CVOs of the Zonal Railways Vigilance/Units, on their own, should randomly choose tender files and look into the lapses/irregularities in handling the tenders and award of contracts. Simultaneously, the SDGMs/CVOs should also suggest ways and means to address these lapses/irregularities, as deemed fit, on case to case basis.

Accordingly, it has been decided that all SDGMs/CVOs should organize regular training programmes/seminars/workshops etc. to sensitize and familiarize the officers/staff handling tenders on the latest instructions/guidelines in the matter and the pitfalls etc. to be avoided. SDGMs/CVOs should also look into tender files on a random basis and propose corrective and preventive measures into the

various lapses/irregularities that may have occurred in the handling of tenders and award of contracts.

All concerned may please take note for strict compliance.

**(Sanjay Goel)**  
**Director Vigilance (Mech.)**  
**Railway Board**

**No. 2009/V-1/TRG/4/1**

**New Delhi, dt. 02.04.09**

**Copy to:**

**The Advisor/CVC (Kind Attention: Ms. Parminder Kaur) with respect to item at S.No.3 of the Minutes of the meeting taken by Vigilance Commissioner (R) with Adviser (Vigilance)/Railway Board on 19.2.09 and circulated vide CVC letter No. 009/MISC/1/36942 dated 16.3.09.**

**(Sanjay Goel)**  
**Director Vigilance (Mech.)**  
**Railway Board**

**RBV NO.03/2009**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2009/V-1/DAR/1/2**

**New Delhi, dated March 25, 2009**

**The General Managers (P)**

All Indian Railways, PUs, CORE & METRO.

**The Managing Directors**

All PSUs

**The Director General**

RDSO & RSC

**The General Managers (Vigilance)**

All Indian Railways, PUs & CORE

**The Chief Administrative Officers**

DLMW, COFMOW

**The Chief Vigilance Officers**

RDSO, METRO & all PSUs

**Sub:   Expeditious disposal of DAR cases, involving  
         officials on the verge of retirement.**

A case has come to notice of the CVC in which seeking CVC's first stage advice took unduly long period of more than 2½ years, resulting in smooth retirement of the accused official against whom minor penalty was proposed by the Disciplinary Authority and also endorsed by the Vigilance Directorate.

2. It is reiterated that in cases where minor penalty action is envisaged, appropriate action needs to be taken well before the date of retirement of the accused official and at least six months before the date of retirement of the official concerned.

3. All concerned may please note for strict compliance.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

No. 2009/V-1/DAR/1/2

New Delhi, dated March 25, 2009

Copy to :- The Secretary (Attention : Smt. Ranjana Kumar, VC), Central Vigilance Commission, Satarkata Bhawan, GPO Complex, Block 'A', INA, New Delhi-21 – for information w.r.t. their letter No. 009/Misc/1/36942 dated 16.03.2009.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

Copy to - All Officers and the Branches of the Vigilance Directorate – for information.

**RBV No 02/ 2009**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2008/V-1/CVC/1/4**

**New Delhi, dated: 18<sup>th</sup> February, 2009**

**The General Managers(P),**  
All Zonal Railways, PUs, CORE & Metro

**The DGs,**  
RDSO & RSC,

**The CAO/DLMW,**

**The Managing Directors,**  
All PSUs

**The SDGMs/CVOs,**  
All Zonal Railways/PUs & PSUs

**Sub: Rotation of officials working in sensitive posts.**

Attention is invited to Board's letter of even number dated August 11, 2008 (RBV No. 10/2008), vide which, based on the CVC's directives lists of sensitive posts operating in the zonal Railways/Production Units etc. as also in the Railway Board were enclosed, requiring that the officials manning the sensitive posts should be rotated every 2 or 3 years to avoid developing vested interests. Any violation in this regard was required to be intimated to the Adviser (Vigilance) and CVO of the Ministry of the Railways for remedial action by SDGM/CVO of the Railway / Unit concerned.

2. The matter has been reconsidered by the full Board and it has now been decided that the **tenure of officials (both GOs and NGOs) in sensitive posts should continue to be 4 years as per the extant policy in the Railways.**

3. In addition, posts in Railway Board and its subordinate offices, including RDSO, are tenure posts. Such posts have a tenure of 5 years for Selection Grade and Senior Administrative Grade officers. For these posts, tenure policy shall continue to be followed.

**(A.K.Madhok)**  
**Deputy Director Vigilance**  
**Railway Board**

**No.2008/V-1/CVC/1/4**

**New Delhi, Dated, 18<sup>th</sup> February, 2009**

**Copy to –** The Secretary/CVC, Satarkata Bhawan, Block 'A', GPO Complex, INA, New Delhi – 110 023 for information. This connects Railway Board's letter of even no. dated 27-11-2008, with reference to CVC's Circular No. 17/4/08 dated 01.05.2008.

**(A.K.Madhok)**  
**Deputy Director Vigilance**  
**Railway Board**

Copy to: (1) The Secretary/Railway Board – for information and necessary action.  
(2 ) All Officers and the Branches of Vigilance Directorate.

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2009/V-1/CVC/1/1**

**New Delhi, dated January 20, 2009**

**The General Managers (P)**

All Indian Railways, PUs, CORE & METRO.

**Chief Administrative Officers**

DLMW, COFMOW

**Director General**

RDSO & RSC

**The General Managers (Vigilance)**

All Indian Railways, PUs & CORE

**Chief Vigilance Officers**

RDSO & METRO

**Sub: Time limit for referring the cases to CVC for its advice  
in cases relating to officers on the verge of  
retirement.**

A case has come to the notice of the Board in which the investigation report and comments of the administrative authority (ies) thereon were sent to the CVC for its advice only a day prior to the retirement of one of the officials involved in the case.

2. The CVC have taken the delay in submission of the case seriously. Accordingly, apart from fixing responsibilities for the delay in the case, CVC have desired that the cases involving officials on the verge of retirement should be referred to the Commission at least three months prior to their retirement. Thus, Zonal Railways/Units should send such cases to Board Vigilance at least six months prior to the date of retirement so that CVC's directives can be complied with. Such cases should be clearly superscribed

'Retirement Case' followed by name, designation and date of retirement of Suspected Public Servant.

3. It may be ensured by all concerned that the CVC's directive in the matter is followed scrupulously in all cases, in future.

DA/Nil.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No. 2009/V-1/CVC/1/1

New Delhi, dated January 20, 2009

Copy to :- The Secretary, Central Vigilance Commission, Satarkata Bhawan, GPO Complex, Block 'A', INA, New Delhi-21 – for information w.r.t. their I.D. No. 0083/RLY/76/25020 dated 31.10.2008.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

No. 2008/V-1/VP/1/6

New Delhi, dated December 16, 2008

**The General Managers (Vigilance)  
Zonal Railways & CORE**

**The Chief Vigilance Officers  
PUs, PSUs, METRO & RDSO.**

**Sub: Departmental Trap cases – Procedure & guidelines.**

Para 307 of Indian Railways Vigilance Manual, 2006 lays down the procedures and guidelines for conducting departmental trap cases. Para 307.3 deals with the selection of the “decoy” and reads as follows:-

“The selection of the decoy has also to be done very carefully. If he is a Government Servant, he should have a clear past and should not have any enmity against the person who is to be trapped. If the decoy is a non- Government person, then he should be adequately informed of the purpose of this trap. The decoy should be one who would always stand with the Vigilance agency under all circumstances and not be bought over or pressurized by the trapped person. He would have to be told before-hand that his commitment in the case would last a long while, he would face cross examination in the subsequent inquiry process and, hence, should be willing to cooperate with the Vigilance till the very end.”

In a decoy check conducted by Vigilance on one of the Zonal Railways at a Health Unit, regarding demand of illegal gratification in lieu of issue of Sick/Fit certificates, a Khalasi from the Vigilance branch was sent as the “decoy” patient. In this case, CVC while furnishing its advice, had observed that the decoy was an employee of the Vigilance department and, in real terms, cannot be termed as an independent witness. The Commission has further observed that the decoy selected for departmental trap cases should be an independent person.

In view of the above, it has been decided that the decoy selected for departmental trap cases should not be an official of the vigilance department.

These instructions may please be noted for strict compliance.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No. 2008/V-1/VP/1/6

New Delhi, dated December 16, 2008

**Copy to :-** The Secretary, { Kind Attention : Shri K.L.Ahuja, Director }  
CVC, Satarkata Bhawan, Block-A, GPO Complex, INA, New Delhi-110  
021– for information w.r.t. their I. D. No. 0076/RLY/11-13356 dated 16.06.2008.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**Copy to :-** All Officers and Branches of Vigilance Directorate – for  
information and necessary action.

**No. 2006/V-1/VP/1/11**

**Dated: 17.9.08**

**The General Managers,  
All PUs and Metro**

**The DG/RDSO**

**The CVOs,  
All PUs, Metro and RDSO**

**Sub: Role of CVO (including part-time in Vigilance administration)**

**Ref: RBV No. 19/2006 circulated vide letter No. 2006/V-1/VP/1/11 dated 11.9.06**

CVC has issued a number of instructions on different aspects of Vigilance administration and the role of the CVO in it. Guidelines regarding the role of CVO in Vigilance administration were laid down vide RBV No. 19/2006 referred above.

Para (ii) (b) & (c) lays down that –

**Para ii(b)** – CVOs should not get involved in decisions in individual cases like works/ procurement, etc. having financial implications.

**Para ii(c)** - CVO's should not be given any operational duties. If any such duty with financial implication is assigned to him, the CVO of the Ministry of Railways i.e. Adviser (Vig.) should promptly bring it to the notice of CVC for its intervention.

From the above, it is clear that even part time CVOs such as in Production Units, Metro and RDSO are not expected to be nominated to Selection Committees, Tender Committees including working as Tender Accepting Authority, appointed as Arbitrators or as Inquiry Officers. The above instructions may please be noted for strict compliance. Any deviation warranting dispensation (in exceptional circumstances) etc., may be brought to the notice of Adviser (Vig.) by the General Manager concerned for necessary action. Till such dispensation is granted, instructions as above may be strictly followed.

**(Sanjay Goel)  
Director Vigilance (Mech.)  
Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

No.2008/V-1/CVC/1/4

New Delhi, Dated, August 11, 2008

**The General Managers,**  
All Zonal Railways, PUs, CORE & Metro

**The DGs,**  
RDSO & RSC,

**The CAO/DLMW,**

**The Managing Directors,**  
All PSUs

**The SDGMs/CVOs,**  
All Zonal Railways/PUs & PSUs

**Sub: Rotation of officials working in sensitive posts.**

The CVC vide their Circular No.17/4/08 dated 01.05.2008, on the above subject have directed to identify the sensitive posts and to send a list of such posts to the CVC to ensure that officials posted on sensitive posts are rotated every two/three years to avoid developing vested interests.

2. The CVC's various circulars on the above subject, read together direct as under :-

- (a) CVO should identify list of sensitive posts;
- (b) List of the sensitive posts, so prepared should be sent to CVC;
- (c) Officials posted on the sensitive posts should be rotated every two/three years to avoid developing vested interests;
- (d) CVO/Secretary to ensure rotational transfer;
- (e) Violation, if any, to be intimated to CVC; &
- (f) CVOs to certify annually that rotational transfers are being implemented in letter and spirit.

3. The list of gazetted sensitive posts (department-wise), operating in the Zonal Railways/Production Units etc. as also in the Railway Board is enclosed. The non-gazetted posts, department-wise, identified as sensitive are contained in Board's letter No. E(NG)/I/87/TR/34/NFIR/JCM/DC dated 27.09.1989 (RBE No.244/89) and its subsequent modifications/amplifications issued from time to time.

4. It is desired that the officials manning the sensitive posts as contained in (3) above, should be rotated every 2 or 3 years to avoid developing vested interests and any violation in this regard may be intimated to the Adviser (Vigilance) and CVO of the Ministry of Railways for remedial action by SDGM/CVO of the Railway through the MCDOs.

**(Sanjay Goel)**  
**Director Vigilance (Mech.)**  
**Railway Board**

No.2008/V-1/CVC/1/4

New Delhi, Dated, August 11, 2008

**Copy to:** The Secretary/CVC (Kind Attention: Shri Rajiv Verma, Under Secretary), Satarkata Bhawan, Block 'A', GPO Complex, INA, New Delhi – 110 023, along with list of the sensitive posts w.r.t. their Circular No.17/4/08 dated 01.05.2008.

**(Sanjay Goel)**  
**Director Vigilance (Mech.)**  
**Railway Board**

**Copy to:** The Secretary/Railway Board – for information and necessary action.

## **List of Sensitive posts in Gazetted Cadre**

### **1. Engineering Department**

#### **Zonal Railway Headquarters**

- (i) PCE, CAO, CTE, CBE, CETP, CETM, CE (Const.), Dy. CE (Const.), Dy. CE (Works), Dy. CE(TM), Dy. CM(TP), Dy. CE (Bridges)
- (ii) Senior Scale / Junior Scale Officers dealing with Tenders, Quotations and Bills.

#### **Division Level**

- (i) Sr. DEN (Co-ord.), Sr. DEN (Line), Dy. CE(TM), Dy. CE (Const.)
- (ii) Senior Scale / Junior Scale Officers dealing with Tenders, Quotations and Bills including in Construction Field Units.

#### **Sub Division Level**

- (i) Senior Scale / Junior Scale Officers in charge of sub-divisions.

#### **Engineering Workshops**

- (i) CWM, Dy. CE (Bridge Workshop)
- (ii) Senior Scale / Junior Scale officers dealing with Tenders, Quotations and Bills.

#### **RDSO**

- (i) ED(QA) Civil, Dir (QA) Civil, Director (Civil)
- (ii) Senior Scale/Junior Scale officers of QA Directorate.

**Note: In some of the Railways, some of the SAG/JAG officers who are holding the post of CE (Planning), CGE or Dy. CE (Planning) or Dy. CE (Works) might also be dealing with the tenders, then they will also come under the category of sensitive posts.**

## **2. Electrical Department**

### **I. At Headquarter level**

- (i) CEE
- (ii) CEE/RS or CEE/Loco
- (iii) Dy. CEE/RS
- (iv) CEGE & CESE
- (v) Sr.Scale and Jr. Scale Officers dealing with Tenders, Quotations and Bills including in Construction Units.

### **II. At Divisional level**

- (i) Sr. DEE/ Loco shed
- (ii) Sr. DEE/G
- (iii) Sr.Scale and Jr.Scale Officers dealing with Tenders, Quotations and Bills including in Loco Sheds.

### **III. In Construction**

- (i) CEE/ Construction
- (ii) All Dy. CEE/ Construction but for posts in HQrs Construction.
- (iii) AEE(Cons.) & XEE (Cons.) in field units of Construction Organization

### **IV. CLW**

- (i) CEE dealing with tenders.
- (ii) Sr.Scale & Jr.Scale Officers dealing with Tenders, Quotations and Bills.

### **V. COFMOW**

- (i) CEE
- (ii) Sr.Scale & Jr.Scale Officers dealing with Tenders, Quotations and Bills.

### **VI. In RDSO**

- (i) Sr.Scale and Jr. Scale Officers dealing with Inspections, including the Units outside Lucknow also.

### **3. Mechanical Department**

#### **I. In the Zonal Railway**

- (i) CME, CWE, CRSE (Coaching), CRSE (Freight), CMPE (Diesel), CME (Planning), Dy. CME (Diesel), Dy. CME (Coaching), Dy. CME (Freight), Dy. CME (Workshop)
- (ii) SME(Coaching), SME(Freight), SME(Diesel), SME(Workshop) AME(Coaching), AME(Freight), AME(Diesel), AME(Workshop)

#### **II. In the Division**

- (i) Sr. DME (Diesel), Sr. DME (Power), Sr. DME (Coaching)
- (ii) DME(Diesel), DME(Power), DME(Coaching), DME(C&W), CDO AME(Diesel), AME(Power), AME(Coaching), AME(C&W), ACDO

#### **III. In the Workshops**

- (i) CWM, Dy. CME
- (ii) WM & AWM

#### **IV. In the Production Units**

- (i) CME, CME (Production), CME (Design), Dy. CME
- (ii) Sr.Scale and Junior Scale Officers of Inspection, Material Control and Laboratory Organisation.

#### **V. In RDSO**

- (i) EDS/MP, EDS/ Carriage, EDS/ Wagon, EDS/ QA, EDS/ Testing, Director/ Coaching, Director/ Wagon, Director/ Motive Power, Director/ I & L (Delhi, Mumbai, Kolkata and Lucknow)
- (ii) Senior Scale and Junior Scale Officers in QA (Mech.), Wagon, Carriage, Motive Power, I&L and M&C Directorates.

#### **VI. In COFMOW**

- (i) CME, Dy. CME

**Note: At some of the places, some of the SAG/ JAG officer may not be dealing with any tender/ contracts. In such cases, the posts may be excluded from the list of sensitive posts.**

#### **4. S & T Department**

##### **I. At Headquarters**

- (i) CSTE, CSTE/ Construction, CSTE/ Projects, CCE, Dy. CSTE/ Micro-Wave/ Maintenance, Dy.CSTE/ Management Information System.
- (ii) Sr.Scale & Jr.Scale Officers dealing with Tenders, Quotations and Bills including in Construction Organization.

##### **II. At Field level**

- (i) Sr. DSTE, DSTE, Dy.CSTE/Construction, DSTE/Construction, Dy. CSTE/ Projects, Dy.CSTE/Tele/Projects, DSTE/Projects.
- (ii) Sr.Scale & Jr.Scale Officers dealing with Tenders, Quotations and Bills in divisions.
- (iii) DSTE/Construction, DSTE/Project
- (iv) AXSTE/Construction, AXSTE/Project

##### **IV. In RDSO**

- (i) ED/QA/S&T, Director/S&T/ Inspection at Bangalore, Mumbai, Kolkata & Delhi, Director/ I&L at Delhi, Kolkata & Mumbai
- (ii) Sr.Scale & Jr.Scale Officers dealing with Inspections including the Units outside Lucknow also.

#### **5. Traffic & Commercial Department**

##### **I. Zonal Railway Head Quarters.**

COM, CCM, CFTM, CCO, Dy. CCM (Claims), Dy. HOD/ HOD allotting Catering and leasing contracts, SCM(Reservation)

##### **II. Divisional Level**

Sr. DOM, Sr. DCM, CTM/ Dy.CTM/ Area Superintendent, DOM & DCM working as independent Branch Officer, Area Officer and ACM incharge of Reservation.

##### **III. Training Centers**

Principal, ZTC

**Note: Sensitive posts involve dealing with customers, contractors and selections.**

## **6. Accounts Department**

### **I. Zonal Railway Headquarters**

- (i) All FA&CAOs i.e. FA&CAO, FA&CAO (Const.), FA&CAO(WST), FA&CAO(F&B)
- (ii) Dy.FA&CAO(Stores), Dy.FA&CAO(Workshop), Dy.FA&CAO(Traffic Accounts), Dy.FA&CAO(F&B), Dy.FA&CAO(Const.), Dy.CAO(G), Chief Cashier.
- (iii) All Jr.Scale/Sr.Scale posts of Accounts Deptt. are sensitive posts.

### **II. Divisional level**

- (i) Sr. DFM
- (ii) All Jr.Scale/Sr.Scale posts of Accounts Deptt. are sensitive posts.

### **III. In RDSO**

- (i) ED/ Finance
- (ii) Dir/ Finance
- (iii) Jt. Dir/ Finance
- (iv) All Jr.Scale/Sr.Scale posts of Accounts Deptt. are sensitive posts.

**Note: All Finance & Accounts Officers at Zonal and Divisional levels are on sensitive posts.**

## **7. Stores Department**

All posts are sensitive except the following posts:

- (i) Posts manned by Stores Officers in EDP Centre
- (ii) Dy.CMM/ Inventory Control in Headquarter, wherever he is not dealing with purchase work also
- (iii) All the Junior and the Senior Scale posts are sensitive except the following:-
  - 1. Posts manned by Stores Officers in EDP Centre.
  - 2. AMM/SMM not dealing with purchase work in Headquarter office.
  - 3. AMM/SMM not dealing with receipt/inspection and local purchases in Stores Depots.

## **8. Security Organisation**

(i) Zonal Headquarters : CSC/Addl. CSC, Staff Officer to CSC

(ii) Division : Sr. DSC, DSC, ASC

## **9. Medical Department**

(i) Posts on which Doctors are nominated for conducting PME and medical examination for new recruits

(ii) Posts on which Doctors are made in charge of Hospital Medical Stores and Local Purchases

## **10. Personnel Department**

**(i) Zonal Headquarters :**

a) CPO

b) CPO (A)

c) Dy.CPO (Gaz.)

d) Dy.CPO (HQ) or (NG)

e) Dy.CPO (Rectt.)

f) Dy.CPO(Const.)

g) All posts of SPOs and APOs other than those dealing with Industrial Relations

**(ii) Divisions:**

(a) All posts in Divisions like Sr. DPO/DPO are sensitive.

(b) In divisions, all Senior Scale Officers holding independent charge as DPOs;  
all APOs who are dealing with the cadres of various departments; APO(Bills)

**(iii) Workshops and Production Units:**

All Senior Scale and Junior Scale posts

## **11. Railway Board**

(i) Adv/Loco, Adv/LM, Adv/Finance,

(ii) ED/LM, EDF/C, EDF/S, ED FX I, ED FX II, EDE(GC), EDE(RRB), ED/Health, EDTk(P), EDTk(M), EDTk(MC), EDME/Coaching, EDME/Freight, ED/Traction, ED/RE, EDEE(G), ED(TD), ED(Signal), JS

- (iii) Director/LM, DF/Stores, DF/Comml., DE(GC), Director/Health, DME/ Coaching, DME/Traction, DME/Freight, DME/PU, Director/Tele, DIG/Admn, DIG(RS), DS(G), DS(D), DS (Confdl), Director/Sports, Director (I&P), All Directors in Security Directorate
- (iv) DD/JD E(GP), DD/SO (Sports), SO/Stationary, SO/DD (Development Cell), SO/DD (Track Branch), SO/DD/JD Training, DD/Public Relations, DDF(LM), DD/Sports, DD/Finance (Stores), US/Protocol, US (Admn), DD/Finance (Stores), PAO, SO/Transport Cell, All Dy. Directors in Security Directorate, ASC/Intelligence
- (v) OSD/Sr.PPS/PPS/PS to CRB, Board Members, AMs, DGs, Secretary, Railway Board
- vi) All Posts in Stores Directorate except DRS(IC), DDS(G), SO/RS(IC), SO/RS(G)
- (vii) All Posts in Traffic Directorate
- (viii) All gazetted and non gazetted posts in Vigilance Directorate

## **12. Vigilance Department**

All Gazetted and non-gazetted Posts in Vigilance Department of Railways/Production Units

## **13. Railway Recruitment Boards**

Chairman, Member Secretary/RRB.

## **14. General Management**

- (i) GM
- (ii) AGM
- (iii) DRM
- (iv) ADRM.

## **15. Others (Senior Scale and above)**

- (i) Secretary to GM,
- (ii) Secretary to DG/RDSO
- (iii) Secretary to CAO(R)/DMW/PTA,
- (iv) Secretary to AGM,
- (v) Secretary to PHODs/CHODs,
- (vi) CPRO
- (vii) DGM/G

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## **LIST OF SENSITIVE POSTS IN NON-GAZETTED CADRE**

### **A. ACCOUNTS DEPARTMENT**

- (i) Staff passing contractors/firms bills.
- (ii) Staff dealing with claims/refund and wharfage/demurrage for general public.
- (iii) Cheque writers.
- (iv) Cashiers.
- (v) Staff dealing with pension/PF claims.
- (vi) Staff dealing with passes/release of unpaid wages.
- (vii) Staff dealing with post audit of paid vouchers and issue of acquittance.
- (viii) TIA/ISAs

### **B. CIVIL ENGINEERING**

- (i) IOWs/PWIs incharge of Stores.
- (ii) Bills Clerks.
- (iii) Material checking Clerk/Store Clerk.
- (iv) Time Keepers.
- (v) Works Accountants.
- (vi) Asstt. Superintendents/Superintendents incharge of Stores Accountal.
- (vii) Staff dealing with transfers/promotions/loans and advances and issue of passes/PTOs/Leave accounts/Local purchases.
- (viii) Draftsmen/Estimators in Divisional Drawing office checking Contractors bills.

### **C. COMMERCIAL DEPARTMENT**

- (i) Goods/Parcel/Luggage Clerks.
- (ii) Reservation/Booking Clerks.
- (iii) Ticket Collector/TTEs/Conductors.
- (iv) Reservation/Goods Supervisors.
- (v) Staff dealing with wharfage/demurrage cases.
- (vi) Staff dealing with all types of Commercial contracts/licenses.
- (vii) Staff dealing with city booking/outages/RTSA (Railway Ticket Service Agents).
- (viii) Staff dealing with claims.
- (ix) Sectional CMIs and Sectional Claims Inspectors.
- (x) Staff dealing with revenue earning and commercial publicity.
- (xi) Review of the performance of Supervisors directly concerned with safety of train operation after a stay of 5 years in the same place of posting is to be carried out and a decision taken based on their past performance, as to whether their continuance in the same place is desirable or not, on merit of each case.

#### **D. ELECTRICAL DEPARTMENT**

- (i) Stores Clerk.
- (ii) Establishment Clerk/Time Keeper.
- (iii) Asstt. Superintendent/Superintendent Stores in Divisional Office.
- (iv) Asstt. Superintendent/Superintendent Works in Divisional Office.
- (v) Air-conditioned coach incharge/coach attendant.
- (vi) Foremen Incharge of Shop.
- (vii) Mileage Clerk/Shed Notice Clerk.
- (viii) Staf dealing with tenders/contracts and purchasing Stores.

#### **E. MECHANICAL DEPARTMENT**

- (i) Store Clerk.
- (ii) Bill Clerk/Establishment Clerk.
- (iii) Time Keeper.
- (iv) Fuel Inspector/Fuel Issuer/Fuel Clerk in sheds.
- (v) Mileage Clerk/Shed Notice Clerk in sheds.
- (vi) Staff dealing with tenders/contracts, purchases of stores.
- (vii) Section Engineer/Senior Section Engineer dealing with disposal of scrap

#### **F. MEDICAL DEPARTMENT**

- (i) Pharmacists looking after the drug stores.
- (ii) Staff Incharge of kitchen stores.
- (iii) Staff writing out sick/fit certificates.
- (iv) Clerks/Pharmacists dealing with Periodical Medical Examination.
- (v) Staff dealing with passing of bills of firms supplying materials to Railways.
- (vi) Staff dealing with passing of medical re-imbursement bills to non-Railway hospitals.

#### **G. PERSONNEL DEPARTMENT**

- (i) Bill Clerk.
- (ii) Staff dealing with settlement cases/advances.
- (iii) Cadre section staff or staff dealing with recruitment/promotion/transfer.

#### **H. STORES DEPARTMENT**

- (i) Tender Clerk/Disposal Clerk/Purchase Section  
Incharge/Head Clerk/AS/Demand Clerk (dealing with operation of rate contract).
- (ii) Asstt. Confidential Tender Clerk/Tender opening Clerk/Sample Clerk/Superintendent/CTC.
- (iii) Section Incharge (Head Clerk/AS)/ Registration Clerk in Purchase General Registration.
- (iv) Receipt /Inspection Supervisor Incharge (Ward Keeper ASKP/DSKP) and Group 'C' staff working under them, Local Purchase Staff.
- (v) Sales Section Incharge (ASKP/DSKP) and staff working under them.

- (vi) Scrap Yard/Returned Store Section Incharge (ASKP/DSKP), Ward Keeper and Group'C' staff working under them.
- (vii) Staff in Purchase Section of EA/DRM or DCOS of Division.

## **I. OPERATING DEPARTMENT**

- (i) Station Superintendents.
- (ii) Station Masters/Assistant Station Masters except those working/posted as Cabin Station Master and at Way Side/Crossing Stations, involved only in train passing duties and not doing any commercial duties.
- (iii) Station Clerk.
- (iv) Train Clerk dealing with package work.
- (v) Stock Controller/Coaching Controller in Control Rooms.
- (vi) The Desks dealing with mileage bills/operating restrictions, distribution of uniforms, traffic stores and chargesheets/Wagon allotment, section dealing assistants in the office of DOSs/DSCs.
- (vii) Desks dealing with commodity section and stores section in the COPS's office.

## **J. S&T DEPARTMENT**

- (i) JEs/SEs (Signal) and JEs/SEs (Telecom) independent incharge of Stores Depots, handling Tender and Contracts and preparation of bills.
- (ii) Bill Clerk/Time Keeper/Establishment Clerk.
- (iii) Store Clerk/Store Issuer.
- (iv) Office Clerks/Superintendents dealing with tenders and contracts, verification of bills and indents for purchase of Stores.

## **K. SECURITY (RPF/RPSF) DEPARTMENT**

- (i) Inspection/RPF – Open line post Incharge
- (ii) Sub-Inspectors/ASIs – Open line out post Incharge
- (iii) Inspectors/Crime Intelligence Branch – Zone/Division
- (iv) Inspectors/Special Intelligence Branch – Zone/Division
- (v) IVG (Internal Vigilance Group) Cell – All ranks
- (vi) CA/Director/RPF

**No. 2008/V-1/DAR/1/3**

**Dated: 29.7.08**

**The SDGMs,  
All Zonal Railways & CORE**

**The CVOs,  
All PUs, PSUs, Metro & RDSO**

**Sub: Seeking of CVC's 1<sup>st</sup> stage advice in cases of Group 'B' officers in Jr. Scale promoted to Sr. Scale before issue of charge-sheet**

In terms of Para 207.1 of the Vigilance Manual, cases of Group 'B' officers in Jr. Scale are not required to be referred to CVC for its 1<sup>st</sup> stage advice. These are decided with the approval of the CVO of the Ministry of Railways i.e. Adviser (Vig.). However, situations are arising where at the time of giving the 1<sup>st</sup> stage advice by Adviser (Vig.), the Suspected Public Servant (SPS) was a Group 'B' officer but by the time it got conveyed to the Zonal Vigilance, the officer got promoted to Senior Scale or started officiating in Senior Scale on adhoc basis. A similar situation would arise when at the time of sending investigation report, the SPS was a Group 'B' officer but by the time it was processed and put up to Adviser (Vig.), the SPS got promoted to Senior Scale or started officiating in Senior Scale on adhoc basis.

It is reiterated that, in case, a Group 'B' officer in Jr. Scale gets promoted to Sr. Scale, the case shall be referred to the CVC for seeking its 1<sup>st</sup> stage advice as also envisaged in Para 209(h) of the Vigilance Manual.

**(Sanjay Goel)  
Director Vigilance (Mech.)  
Railway Board**

**Copy to-  
All Officers and Branches of the Vigilance Directorate - for information and necessary action.**

**RBV No. 08/2008**

**Government of India  
Ministry of Railways  
Railway Board**

**No.2008/V-1/CBI/1/3  
2008**

**New Delhi, dated July 22,**

**The General Managers,  
All Zonal Railways, PUs, CORE & Metro**

**The General Managers (Vigilance)  
All Zonal Railways**

**DGs/RDSO & RSC, The CVOs,  
All PUs & PSUs**

**The Managing Directors/All PSUs**

**The CAO/DMW,**

**Sub: Referring of cases by Zonal Railways to CBI for  
investigations.**

Para 303.5 of the Indian Railways Vigilance Manual-2006 provides for referring of certain types of cases to the CBI for investigation. However, no specific procedure in this regard has been laid down. Based on the discussion in the last SDGM/CVOs' conference, it has now been decided that the following procedure may be adopted for referring of cases by the Zonal Railways/ Production Units/Other Units to CBI for investigation:-

- i) For officials/officers upto the level of Selection Grade, the case shall be referred to CBI with the prior approval of the General Manager/Managing Director. However, if there is difference of opinion between the SDGM/CVO and the General Manager/Managing Director, the case shall be referred to the Adviser (Vigilance) for taking a final view in the matter; and
- ii) For officers in SA Grade and above, the case shall be referred to CBI after taking approval of Adviser(Vigilance), Railway Board. Cases should be referred by the Zonal Vigilance/Production Units/Other Units through their General Managers/Managing Directors to the Adviser (Vigilance) for his approval. Case of disagreement shall also be referred to Adviser(Vigilance), Railway Board for his final view in the matter.

This has the approval of Adviser (Vigilance), Railway Board.

**(A. K. Madhok)  
Deputy Director Vigilance-1  
Railway Board**

Copy to :- All Officers and the Branches of Vigilance Directorate- for information.

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2008/V-1/CVC/1/3**

**New Delhi, dated May 16, 2008.**

**The General Managers,**  
All Zonal Railways, PUs, CORE & Metro

**The CAO/DLMW, DGs/RDSO & RSC,**

**The Managing Directors/All PSUs**

**The SDGMs/CVOs,**  
All Zonal Railways/PUs & PSUs

**Sub: Reference to the Central Vigilance Commission  
for reconsideration of its advice.**

The Central Vigilance Commission have expressed serious concern about receiving repeated requests for the reconsideration of its advice that give the impression of being routine in nature. The extant instructions provide that where the department proposes to take a lenient view or stricter view than the one recommended by the Commission, consultation with the CVC is necessary. The departments, therefore, are required to approach the Commission for advice in such cases before a final decision is taken. It has further been stated that the reference for reconsideration of the Commission's advice should be made only once along with justification warranting such reconsideration.

2. The Commission has further pointed out that their advice is based on the inputs received from the organization and where the CVC has taken a view different from the one proposed by the organization, it is on account of the Commission's perception of the seriousness of the lapses or otherwise. In such cases, there shall be no scope for reconsideration.

3. Moreover, It has been reiterated by the Commission that the proposal for reconsideration, should be sent to the Commission within a period of two months from the date of receipt of the Commission's advice. Furthermore, Commission has decided that no proposal for reconsideration of their advice would be entertained unless new additional facts have come to light which would have the effect of altering the seriousness of the allegations/charges leveled against an

officer. Such new facts should be substantiated by adequate evidence and should also be explained as to why the evidence was not considered earlier, while approaching the Commission for its advice.

4. Therefore, the proposals for reconsideration of the advice, tendered by the CVC, if warranted, should be submitted to Railway Board Vigilance Directorate at the earliest but within four weeks of receipt of the Commission's advice by Zonal Railways/Units. The proposals should be submitted by the Disciplinary Authority or it should clearly indicate that the proposal has the approval of the Disciplinary Authority.

5. The above instructions may be noted by all concerned for strict compliance.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- All officers and branches of Vigilance Directorate.

**Government of India  
Ministry of Railways  
Railway Board**

**No.2008/V-1/CBI/1/1**

**New Delhi, dated May 07, 2008**

**The General Managers,  
All Zonal Railways, PUs, CORE & Metro**

**The CAO/DLMW, DGs/RDSO & RSC,  
The Managing Directors/All PSUs**

**The SDGMs/CVOs,  
All Zonal Railways/PUs & PSUs**

**Sub: Constitution of Committee of Experts for scrutiny of a  
proposal for reconsideration of prosecution sanctions.**

Attention is invited to the Board's letter No.2006/V-1/CBI/2/1 dated 12.06.2006 (RBV No.24/2006), laying down time limits for processing cases, proposed for Sanction of Prosecution.

2. In this connection, the CVC has decided to constitute a panel of experts of six eminent persons, for scrutiny of reconsideration proposals where the Commission and the CBI have advised sanction for prosecution against the suspected public servants. Depending upon the nature of the case, a committee consisting of three members, including the Chairperson, shall examine the CBI recommendation and the tentative view of the Ministry/Department concerned in greater detail. The committee shall consist of two members drawn from the panel of six experts and one of the Vigilance Commissioners would chair the meeting. Based on the recommendations of the experts committee, the CVC would render appropriate advice to the competent authority within 15 days of the meeting of the committee.

3. It is, therefore, emphasised that the CBI's proposal for Sanction of Prosecution of the suspected public servants should be scrutinized thoroughly, before arriving at a decision to disagree with CBI and Commission's recommendation to prosecute the suspected Railway servant.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**No.2008/V-1/CBI/1/1**

**New Delhi, dated May 07, 2008**

Copy to:- The Secretary (Attention : Shri Vineet Mathur, Deputy Secretary),  
Central Vigilance Commission, Satarkata Bhawan, Block-A, GPO Complex,  
INA, New Delhi-110023 - for information w.r.t. their Circular No. 11/3/08,  
circulated vide their letter No.007/VGL/010 dated 24<sup>th</sup> March, 2008.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- (i) All Officers & Branches of Vigilance Directorate.  
(ii) JS(E&P) & (iii) EO(I)

**RBV No. 05/2008**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2008/V-1/VP/1/3**

**New Delhi, dated May 06, 2008.**

**(I) General Managers (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR & WCR.

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
CORE, METRO, RDSO, IRCON, RITES, IRFC,  
CONCOR, KRCL, IRCTC, RAILTEL, MRVC & RVNL.

**Sub: Check-lists for 1<sup>st</sup> stage advice and 2<sup>nd</sup> stage advice cases.**

It has been observed that in many cases, while forwarding vigilance cases to the Vigilance Directorate, for onward submission to the CVC for their 1<sup>st</sup> stage advice or 2<sup>nd</sup> stage advice, all the required documents/details are not submitted, necessitating a back reference to the Zonal Railways/PUs/PSUs, resulting in avoidable delay in processing the cases.

2. In this connection, two check-lists one each for 1<sup>st</sup> stage advice and the 2<sup>nd</sup> stage advice are enclosed. It is desired that while forwarding any case to the Vigilance Directorate, the relevant check-list, duly filled in, may also be sent to ensure that all the requisite documents/details are enclosed.

3. In case, any deficiency in this regard is detected, no action will be taken by the Vigilance Directorate and the case will be returned to the concerned Zonal Railways/PUs/PSUs for doing the needful before re-submitting it to the Vigilance Directorate.

DA/As above.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

Copy to:- All Officers & Branches of Vigilance Directorate – for information and necessary action.

### CHECK LIST FOR FIRST STAGE ADVICE CASES

S.NO.	Description of check to be done	Yes/No
1	Original Complaint attached, if forwarded by Railway Board.	
2	Documents related with Genuineness Verification are attached.	
3	Legible copies of all the documents, referred and relied upon in the Investigation Report, are attached.	
4	For cases related to execution of contractual works, copies of full Contract Agreement/Supplementary Agreements are attached.	
5	For cases related to tender finalisation, copies of NIT including corrigendum, if any, complete set of tender documents, Comparative Statement/Briefing note and finance observations thereon, all Tender Committee Minutes and documents referred in T.C. Minutes are attached.	
6	In case of complaint, all sub-parts of allegations are covered in Investigation Report.	
7	Investigation Report is signed with date on each page, duly indicating the name and designation.	
8	Comments of CHOD/PHOD, SDGM and GM (as applicable) are attached.	
9	Current Biodata of all Suspect Officials are attached (even if, closure is recommended)	
10	Draft Charge Memo/Counselling Memo are attached, for all officials against whom action has been recommended.	
11	All the papers are page numbered and an index is attached on top.	
12	Brief Summary of the case is attached.	
13	Soft copy, in CD is attached for following:	
	(a) All reports.	
	(b) All comments etc.	
	(c) Draft Charge Memos / Counselling Memos.	

(Name & Signature of Dy.CVO)

RGV 05/2008

CHECK LIST FOR SECOND STAGE ADVICE CASES

S.NO.	Description of check to be done	Yes/No
1	Three Copies of IO's Report attached.	
2	Charge Sheet copy is attached.	
3	All prosecution Documents are attached.	
4	All Defence Documents are attached.	
5	Complete Folder of Inquiry proceedings, including statements of defence/prosecution witnesses and general examination of CO are attached.	
6	Correspondence Folder of IO is attached.	
7	PO's Brief is attached.	
8	CO's Brief is attached.	
9	Zonal Vigilance Comments on IO's findings (Article of Charge wise), having approval of SDGM, are attached.	
10	Provisional views of DA are attached.	
11	Draft Disagreement Memo, if applicable, is attached.	

(Name & Signature of Dy.CVO)

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2008/V-1/VC/1/3**

**New Delhi, dated March 14, 2008.**

**The General Managers (P)**

All Indian Railways, PUs, CORE & METRO.

**Chief Administrative Officers**

DLMW, COFMOW

**Director General**

RDSO and RSC

**The General Managers (Vigilance)**

All Indian Railways, PUs & CORE

**Chief Vigilance Officers**

RDSO & METRO

**Sub: Guidelines for obtaining Vigilance clearance before  
posting an Officer as Dy. CPO (Recruitment).**

It has come to notice of the Board that no Vigilance clearance is being taken before appointing an officer of Junior Administrative Grade/Selection Grade as Deputy Chief Personnel Officer (Recruitment) for recruitment of Group 'D' staff in terms of Board's letter No. E(NG)II/96/RR-1/62 dated 18.07.2007 (RBE No.121/2005).

2. Considering the sensitive nature of Group 'D' recruitments and the necessity that the incumbent to the post of Deputy Chief Personnel Officer (Recruitment) should be a person of impeccable credentials, it has been decided with the approval of the Board (MS) that posting to these posts shall be done only after obtaining prior vigilance clearance of the Board's Vigilance Directorate. The Vigilance clearance of Board's Vigilance Directorate shall be obtained through respective SDGM/CVO, who while making a reference to Board's Vigilance Directorate shall also give full vigilance history of the officer concerned as per details available with zonal Vigilance organization. Further, if the concerned officer had come on transfer during last one year, then vigilance history shall also

be obtained from the zonal Railway/Unit where the officer was working previously, before making a reference to Board's Vigilance Directorate by SDGM/CVO.

It may be ensured that the above instructions are followed rigorously.

DA/Nil.

**(Sanjay Goel)**  
**Director Vigilance (Mech.)**  
**Railway Board**

Copy for information to :- EDE(N), JS(G), EO(III), EN(G)II Branches.

**RBV No. 03/2008**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2005/V-1/DAR/1/12**

**New Delhi, dated February 29, 2008**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Reconsideration of Vigilance cases by CVC in which  
CVC have advised 'Administrative Action'.**

The Board's letters of even number dated 17.01.2006 (RBV No.02/2006) and dated 18.10.2006, on the above subject, are hereby withdrawn with immediate effect.

Henceforth, such cases in which CVC has advised Administrative action in its 1<sup>st</sup> stage advice and if after consideration of the points raised by the Charged Officer, the DA proposes to deviate and take an action at variance with CVC's advice, DA shall first record his provisional views. The case shall then have to be referred to the Commission through Board Vigilance for reconsideration of its advice as is being followed in other cases of deviation.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**No. 2005/V-1/DAR/1/12**

**New Delhi, dated February 29, 2008.**

Copy to:- The Secretary, Central Vigilance Commission, Satarkata Bhawan, GPO  
Complex, INA, New Delhi – for information please. Director/CVC's Office  
Memorandum No.0044/RLY/16/4023 dated 19.02.2008 refers.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

Copy to:- All Officers and the Branches of Vigilance Directorate.

Copy to:- JS(G) & JS(E&P) – for information

**RBV No.02/2008**

**Government of India  
Ministry of Railways  
Railway Board**

**No. 2007/V-1/VP/1/9**

**New Delhi, dated February 20, 2008.**

**(I) The General Manager (Vigilance)**

CR, ER, ECR, ECoR,  
NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR,  
WR, WCR and CORE,

**(II) The Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF,  
METRO, RDSO, IRCON, RITES, IRFC,  
CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Advance Correction Slip No. 3**

Ministry of Railways (Railway Board) have decided to add Para 108 to the Indian Railways Vigilance Manual (2006 Edition), as per the enclosed Advance Correction Slip No. 3.

DA/As above.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to :-** All Officers and the Branches of Vigilance Directorate.

### **ADVANCE CORRECTION SLIP NO. 3**

#### **Addition/Modification in Chapter-I of Indian Railways Vigilance Manual** **(2006 Edition)**

Para 108, specifying duties and responsibilities of Vigilance officials, may be added to the Indian Railways Vigilance Manual (2006 Edition) as under :-

I - Existing Para 108 shall be replaced as follows:-

#### **Para 108. Duties & responsibilities of Vigilance Officials**

(i) The Vigilance officials are authorized to enter any of the premises of Indian Railways, including its PSUs, inspect any records and take possession of such documents, materials or stores under the control of Railway as are necessary in connection with the investigation of a case as per procedure.

(ii) The Vigilance officials are authorised to check the Ticket/Travel Authority/ Pass of passengers under section 54 of Indian Railways Act, 1989.

(iii) The Vigilance officials are authorized to check the cash of any railway official, who is required to declare his private cash and take the statement(s) of any official(s)/passenger(s)/user(s)/ contractor(s).

While conducting checks on officials dealing with cash, Vigilance officials are empowered to check places where possibility of keeping cash exists. This will also extend to recovery of Government currency notes from suspect officials in case of Departmental Decoy Checks and Traps.

(iv) Vigilance officials are authorized to tender requisition to non-gazetted officials of Railways to witness or to assist or to associate with the checks. The tendered officials, in such cases, need not seek any prior permission from their higher authorities for assisting vigilance officials. For assistance of a Gazetted officer, the request should be from a Vigilance officer only.

(v) Officers and staff of all Departments shall render every assistance to Vigilance officials in the discharge of their official duties.

II Existing Para 108 shall become Para 109.

III Existing Para 109 shall become Para 110.

**RBV No.01/2008**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2008/V-1/CVC/1/1**

**New Delhi, dated January 28, 2008**

**The Managing Directors,  
IRCON, RITES, IRFC, CONCOR, KRCL,  
IRCTC, RAILTEL, MRVC, RVNL and CRIS.**

**Sub:- Amendment to CDA Rules of PSUs to enable imposition  
of penalty on their employees after their retirement.**

A copy of the CVC's Circular No.44/12/07 dated 28<sup>th</sup> December, 2007, on the above subject, is sent herewith for necessary action.

2. It is desired that immediate action may be initiated to amend the CDA Rules to provide for continuation of departmental proceedings, to enable the respective Disciplinary authority to impose suitable penalty on the Public Sector employees even after their retirement.

3. The receipt of this letter may be acknowledged and the action taken to amend the CDA Rules, along with a copy of the amended rules, may be sent to the Central Vigilance Commission at the earliest under intimation to this office.

DA/Nil

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**No. 2008/V-1/CVC/1/1**

**New Delhi, dated January 28, 2008**

Copy to :- The Secretary, Central Vigilance Commission, Satarkata Bhawan,  
GPO Complex, Block 'A', INA, New Delhi-21 – for information w.r.t. their  
Circular No. 44/12/07 dated 28.12.2007.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2007/V-1/DAR/1/14**

**New Delhi, dated December 31, 2007**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR,  
NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR,  
SWR, WR, WCR & CORE,

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF,  
RWF, METRO & RDSO,

**Sub: Identical 'Relied Upon Documents' to IO, PO and CO.**

Attention is invited to Board's letter No. 97/V-1/DAR/1/4 dated 24.12.1997 laying down that only authenticated photocopies of the Relied Upon Documents (RUDs) should be supplied with the chargesheet given to the Charged Official, keeping the original RUDs in the custody of the Vigilance organization, which shall be produced by the Presenting Officer during the Departmental Inquiry as and when required.

2. It has come to notice of the Vigilance Directorate that identical sets of RUDs are not being supplied to the IO, PO and CO, resulting in avoidable delay in the conduct of Departmental Inquiries. Moreover, when a sheet is written/printed back to back, it is sometimes being counted as one page and sometimes as two pages

3. In view of above, it has been decided that in case, a sheet is written/printed on both sides, it should be counted as two pages and accordingly, total number of pages in RUDs indicated. Further, it may also be ensured that identical set of RUDs are supplied to the IO, PO and CO, duly indicating total number of pages.

4. It may be ensured that these instructions are strictly followed by all concerned.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No.2007/V-1/DAR/1/14

New Delhi, dated December 31, 2007

Copy to :- The General Manager (P), All Indian Railways/PUs,  
CORE, METRO & RDSO.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to :-All Officers and the branches of Vigilance Directorate

**RBV No. 10/2007**

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

**No.2007/V-1/INSP/1/1**

**New Delhi, dated 11.12.2007**

**The General Managers (Vigilance),**  
All Zonal Railways,  
Production Units,  
CORE and Metro/Kolkata.

**The Chief Vigilance Officer,**  
RDSO/Lucknow.

**Sub: Selection of Vigilance Inspectors on zonal railways/units and  
Investigating Inspectors (Vig.) in Railway Board.**

In terms of Board's letter No. 79/Vig.1/INSP/1/4 dated 5.8.1980 laying down the detailed criteria for selection of Vigilance Inspectors on zonal railways/units, one of the eligibility criteria for filling up post of Vigilance Inspectors in various grades is that persons working in one or two grades below the grade for which selection is to be made may be considered.

In partial modification of the above quoted letter, it has been decided that henceforth for selection of Vigilance Inspectors on zonal railways/units and Investigating Inspectors(Vig.) in Railway Board, the eligibility may be confined to staff working, on a regular basis, in the same grade or in the immediate lower grade to the grade for which selection is being conducted. However, in case sufficient eligible candidates are not available, the staff working, on a regular basis, up to two grades below the grade for which selection is being conducted may be considered with the personal approval of SDGM/CVO. However, selections for which notification has already been issued as per earlier instructions issued vide Board's letter dated 5.8.1980 mentioned above, may be continued and finalized.

**(Sanjay Goel)**  
**Director Vigilance(M)**  
**Railway Board**

**Copy to:-** (i) All Officers and Branches of Vigilance Directorate.  
(ii) The General Manager (P), East Coast Railway, Bhubaneswar –  
This disposes of ECoR's letter No. ECoR/Pers/Eligibility/NG/Excadre  
dated 02.08.07 addressed to Director Establishment(NG), Railway Board.

Government of India  
Ministry of Railways  
(Railway Board)

No.2006/V-1/VP/1/4

New Delhi, dated 12th November, 2007

(I) General Manager (Vigilance)

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR  
SR, SCR, SER, SECR, SWR, WR AND WCR.

(ii) Chief Vigilance Officer (CVO)

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL.

**Sub: Expeditious disposal of cases involving Railway  
servants on the verge of retirement.**

Attention is invited to Board's letter of even number dated 07.04.2006 (RBV No.07/2006) vide which detailed instructions were issued, laying down the documents including bio-data of the Suspect Public Servant(SPS)/Charged Official(CO) concerned, to be furnished to CVC, while seeking their advice.

1. The ready availability of date of superannuation of the SPS/CO is meant to serve as a guide to the CVO /DA to handle the case at a pace that should complete the action well in time. It has, however, come to repeated notice of the Commission that the CVOs/DAs often tend to lose sight of the date of superannuation, thereby resulting in situations which serve to the advantage of the SPS/COs. Sometimes, the entire effort is rendered infructuous to the extent that the SPS/CO escapes action.

2. CVC has, therefore, desired that the Vigilance / Administrative functionaries must invariably keep in mind the date of superannuation of the SPS / CO while handling Vigilance / Disciplinary cases. Further, anyone found to have consciously ignored the fact about superannuation date of SPS/CO would be held accountable for such delays that may lead to the eventual dropping of the disciplinary proceedings.

4. All concerned may please note for strict compliance.

DA/Nil.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**Copy to:- All Officers and the Branches of Vigilance Directorate.**

No. 2007/V-1/CVC/1/2

New Delhi, dated: 16.8.07

The SDGMs,  
All Zonal Railways & CORE

The CVOs,  
All PUs, PSUs, RDSO & Metro

**Sub: Consultation with CVC at the Appeal/Revision Stage, where the Appellate/Revising Authority, subordinate to the President, proposes to modify/set aside the penalty imposed by the Disciplinary Authority**

Presently, in cases where UPSC is not required to be consulted, consultation with the CVC is being done where the Appellate/Revising Authority, subordinate to the President, proposes to set aside or modify a penalty, imposed by the Disciplinary Authority, on the advice of the CVC i.e. AA/RA, subordinate to the President, proposes to deviate from the advice tendered earlier by the CVC.

2. However, in a recent case, referred to CVC, where Appellate Authority, subordinate to the President, had proposed to deviate from the second stage advice tendered earlier by the CVC, it was informed vide CVC's ID No. 0011/RLY/31 dated 8.2.06 that the Commission does not tender advice at appeal stage quoting CVC's letter No. 000/DSP/1 dated 10.2.03, which states as under:

"Sometimes, after imposition of the punishment by the Disciplinary Authority, the Charged Official makes an appeal. The Appellate Authority is expected to keep the advice tendered by the Commission and decide on the appeal accordingly. In case, the Appellate Authority decides to deviate from the advice given by the Commission on appeal, the CVO of the Ministry will report this to the Commission, which will take an appropriate view whether the deviation is serious enough to be included in its Annual Report".

Thus, with reference to CVC's letter dated 10.2.03 read along with its ID dated 8.2.06 ibid, it has been decided that in cases where Appellate/Revising Authority, subordinate to the President, decides to deviate from the advice tendered earlier by the CVC, the case is, now, not required to be referred to the Commission and instead CVO of Ministry i.e. Adviser (Vig.) will only report this deviation to the CVC for its consideration for inclusion of the deviation in its Annual Report or otherwise.

All SDGMs/CVOs should, however, send details along with all relevant case details, copy of AA's/RA's speaking orders and copy of NIP of such cases to Railway Board for information of Adviser (Vigilance).

All concerned may please note for taking action accordingly.

**(Sanjay Goel)**  
**Director Vigilance(Mech.)**  
**Railway Board**

**Copy to –**

- 1. JS(E&P), Railway Board**
- 2. All Officers in Vigilance Directorate, Railway Board**
- 3. All Vigilance Branches in Railway Board**

**RBV No.07/2007**

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

**No.2007/V-1/DAR/1/10**

**New Delhi, dated July 16, 2007**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Consultation with CVC for 2<sup>nd</sup> stage advice – furnishing  
tentative views of DA.**

In a case, DA after going through the Inquiry Report indicated his agreement with the findings of the Inquiry Officer, but did not furnish his provisional views as regards the nature of penalty proposed to be imposed on the Charged Official, while forwarding the case for obtaining CVC's second stage advice.

2. The CVC, while tendering its second stage advice in the instant case, have taken note of above infirmity. It is advised that DAs must propose the nature of penalty or otherwise, as the case may be, while forwarding the case to Railway Board Vigilance for onward transmission to CVC for its second stage advice.

3. It is desired that the above instructions may be implemented scrupulously.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**No.2007/V-1/DAR/1/10**

**New Delhi, dated July 16, 2007**

Copy to :-

- (i) The Secretary, CVC, Satarkata Bhawan, GPO Complex, INA, New Delhi - 110 021 – for information w.r.t. their I.D. No.0051/RLY/5 – 56282 dated 14.05.2007.
- (ii) The GMs/All Indian Railways/PUs & MDs/PSUs – for information.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to :-

- (i) All Officers & the Branches of Vigilance Directorate.
- (ii) File No.2004/V3/C/21.

**RBV No. 06/2007**

**No. 2005/V-1/ALSL/1**

**Dated: 29.5.2007**

**The SDGMs,  
All Indian Railways and CORE**

**The Chief Vigilance Officers,  
PUs, Metro & RDSO**

**Sub: List of sensitive posts**

**Ref: RBV No. 01/2007 dated 23.2.07**

The list of sensitive posts is contained in Annexure-III/1 of the Indian Railways Vigilance Manual – 2006. This was subsequently amended vide RBV No. 01/2007 dated 23.02.07 and posts of Secretary (Senior Scale and above) to PHODs/CHODs were also categorized as sensitive posts along with some other posts. Thus item No. 7(1) of Annexure –III/1 of IRVM-2006 may be deleted and item nos. 7(2) and 7(3) may be renumbered as item nos. 7(1) and 7(2) respectively. The amended item No. 7 of Annexure-III/1 of IRVM-2006 may be read as under:

**7. Stores Department (JAG & above)**

All posts are sensitive except the following posts:

1. Posts manned by Stores officer in EDP centre
1. Dy.CMM/IC in Headquarters, wherever he is not dealing with purchase work also.

**(Sanjay Goel)  
Director Vigilance (Mech.)  
Railway Board**

**RBV No.5/2007**

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

**No.2007/V-1/DAR/1/3**

**New Delhi, dated April, 2007**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO, IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL, MRVC and RVNL

**Sub: Training of officials connected with conducting Departmental Inquiry - in the interest of effective and speedy completion of Departmental Inquiry.**

Attention is invited to Board's letter No.99/V-1/TRG/2/7 dated 13.09.1999, emphasizing the need for organizing Training programme for Vigilance Inspectors, (duly enclosing a detailed training schedule), who are generally appointed as Presenting Officers in the interest of proper and effective departmental inquiries.

2. Attention is also invited to the Board's letter No.99/V-1/CVC/1/9 dated 13.07.1999 advising that the Government is not precluded from taking disciplinary action for violation of conduct rules even with regard to exercise of quasi-judicial powers by various officials associated with the conduct of Departmental Inquiries.

3. Recently, in a vigilance case, the Central Vigilance Commission have expressed their displeasure on the performance of the Presenting Officer as well as the Inquiry Officer in terms of both the quality of effectiveness of Presentation, quality of report and the speed of completion of inquiry.

4. It is reiterated that annual training courses for Presenting Officers, on the lines suggested vide Board's letter dated 13.09.1999 *ibid*, may be invariably conducted. Annual training courses, on similar lines, may also be imparted to the RIOs empanelled at the Zonal Vigilance level as is being done by Board Vigilance for their empanelled RIOs. This will ensure effective and quality working of Presenting officer and Inquiry Officer during the conduct of Departmental Inquiry. Suggested training schedule for the two types of training are also enclosed in Annexure for guidance.

These shall be conducted as per modalities given in Annexure 2 by pooling of resources by the participating Railway.

5. Action taken in the matter and compliance report may be advised to the undersigned latest by 31.05.2007.

(Sanjay Goel)  
**Director Vigilance (M)**  
**Railway Board**

No.2007/V-1/DAR/1/3

New Delhi, dated April, 2007

**Copy to:-** The Secretary, Central Vigilance Commission (**Kind Attention : Shri Y. P. Rai, Director**), Satarkata Bhawan, GPO Complex, Block 'A' INA, New Delhi – for information w.r.t. their Office Memorandum No.0046/RLY/22-51000 dated 14.03.2007

(Sanjay Goel)  
**Director Vigilance (M)**  
**Railway Board**

Copy to :-  
1. All Officers and the Branches of Vigilance Directorate.  
2. File No.2004/V-3/NE/7-CAiii Pt.II

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

**No.2007/V-1/PC/1/1**

**New Delhi, dated 25<sup>th</sup> April, 2007**

**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 & NF (Constn.)

**The Directors,**

IRICEN, IRISSET & IRITM, IRIEEN, IRIMEE

**Chief Administrative Officers**

DLMW, COFMOW

**Director General**

RDSO and RSC

**Sub: Cooperation with Vigilance team in discharge of  
its duty during conduct of preventive check.**

During a Preventive Check, on one of the zonal Railways, conducted by a team from the Vigilance Directorate of Railway Board, full cooperation was not extended by the officials of the concerned zonal Railway, contacted by the team, for eliciting requisite information and collecting relevant documents, thereby, hampering smooth and effective working by the Vigilance officials.

2. It may be mentioned that Investigating Inspectors of the Vigilance Directorate of Railway Board are authorized to enter any of the Railway offices, record statements of the officials concerned, who are expected to render them all possible assistance in the proper discharge of their official duties. They are also empowered to seize all relevant documents against issue of proper 'Seizure Memo'.

3. It may be brought to the notice of all concerned officers working under your control that non-cooperation/half hearted cooperation with the Vigilance team shall be treated as a serious misconduct. It can also be deemed as good and sufficient reason for issue of charge-sheet to the delinquent officials for taking them up under the Railway Servants (Discipline & Appeal) Rules, 1968.

4. This may be given wide publicity and compliance ensured by all concerned.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to :- The General Managers (Vigilance)/All Indian Railways/PUs.

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

**No.2007/V-1/DAR/1/4**

**New Delhi, dated 25<sup>th</sup> April, 2007**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL.

**Sub: Proper framing of Charge-sheet.**

In a vigilance case against a gazetted Railway Officer, referred to Central Vigilance Commission for their first stage advice, the Commission have pointed out an infirmity stating that even though some irregularities had been noticed during the investigations, yet these were not included in the charge-sheet issued to the officer, but while imposing penalty these irregularities excluded from the charge-sheet were also taken into consideration by the Disciplinary Authority.

2. It is desired that in future all irregularities noticed during investigations should invariably be included in the charge-sheet, so that the charged officials are afforded an opportunity for their defence, in accordance with the principles of natural justice.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to :-** 1. All Officers and the Branches of Vigilance Directorate.  
2. File No.2006/V(C)/RB/21

**RBV No. 02/2007**

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

**No. 2007/V-1/CVC/1/1**

**New Delhi, dated , March 12 ,2007**

**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 &NF (Constn.)

**The General Managers(Vigilance)**

All Zonal Railways

**Managing Directors**

UTES, IRCON, KRC Ltd.,CONCOR, IRFC, MRVC, IRCTC,RAILTEL, CRIS, RVNL and  
IRWO.

**Director General**

RDSO/LKO and RSCBRC

**The Directors,**

IRICEN, IRISSET & IRITM.IRIEEN, IRIMEECCRS/LKO

**The Chief Vigilance Officers**

PU/PSUs, RDSO, METRO, CORE

**Sub:- Mandatory consultation with CVC for its  
second stage advice.**

Attention is invited to Para 513 of the Indian Railways Vigilance Manual-2006, laying down that CVC's second stage advice is mandatory in all cases (including composite cases) where its first stage advice has been sought. This was reiterated earlier also vide Board's letter No. 2006/V- 1/CVC/1/8 dated 24-07-2006.

2. The CVC has expressed its concern, during the meeting held with it on 06-03-2007, pointing out that in a number of cases the respective Disciplinary Authorities(DAs) have passed final speaking orders, and issued notices imposing penalty (NIP) without referring the case back to the CVC with their provisional decision for CVC's second stage advice, in utter disregard of the prescribed procedure.

3. In case DAs differ with the second stage advice of CVC, after considering the defence of CO on the Inquiry Report and disagreement memo, if any, they are required to send the case back to vigilance along with a detailed note giving reasons for their decision (which will be treated as a provisional decision) for sending it further to CVC for its reconsideration. When the difference of opinion persists despite reconsideration, DA will finally take a decision duly recording reasons for disagreement with the CVC's advice. However, such cases of disagreement may be included by CVC in its Annual Report, which is placed on the floor of both Houses of Parliament, and can be discussed by Hon'ble MPs.

4. These instructions should be brought to the notice of all concerned with the directions that the same are scrupulously followed to avoid adverse comments from the CVC. Cases of non-adherence of these instructions shall be viewed seriously.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- All Officers and the Branches of Vigilance Directorate.

**RBV No.01/2007**

**Government of India  
Ministry of Railways  
(Railway Board)**

No.2005/V-1/ALSL/1

New Delhi, dated February 23, 2007

The SDGMs,  
All Indian Railways & CORE

The Chief Vigilance Officers,  
PUs, METRO & RDSO.

**Sub: Addition to the 'List of Sensitive Posts'.**

The list of sensitive posts is contained in Annexure-III/1 of the Indian Railway Vigilance Manual – 2006. The following posts are added to this list of sensitive posts and may accordingly be inserted at S.No.15 of Annexure- III/1 as follows:

15. Others (Senior Scale and above)  
Secretary to GM, Secretary to DG/RDSO  
Secretary to CAO(R)/DMW/PTA, Secretary to AGM  
Secretary to PHODs/CHODs  
CPRO, DGM/G

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**RBV NO.25/2006**

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

**No.2006/V-1/CVC/1/11**

**New Delhi, dated, December 13, 2006**

**The General Managers**

Zonal Railways/PUs/CORE/ALD,NF(CONST)/METRO/KOLKATA,

**The General Managers (Vigilance)**

Zonal Railways.

**Managing Directors**

PSUs,

**Director Generals**

RDSO/LKO & RSC/BRC

**Chief Vigilance Officers**

PSUs/PUs/RDSO/METRO/CORE/RSC

**Directors**

IRICEN, IRIEEN, IRIMEE, IRISSET,IRITM

**Sub:- Improving vigilance administration by leveraging technology:  
Increasing transparency through effective use of websites in  
discharge of regulatory, enforcement and other functions of Govt.  
Organizations.**

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A copy of Central Vigilance Commission's Circular No.40/11/06 circulated vide their No.006/VGL/117 dated 22-11-2006 on the subject mentioned above is enclosed as Annexure 'A' for information and necessary action.

2.0 CVC has emphasized that they continue to receive a large number of complaints about inordinate delays and arbitrariness in processing applications on various matters. The majority of these complaints pertain to delays and nonadherence to the 'first-come

first-served' principle. Thus to ensure transparency and curb malpractices, CVC has directed that the following may be implemented in the first stage as per time frame given in para 5.0 below:

2.1 Appropriate measures should be taken to ensure that complete information is provided on the website regarding the laws, rules and procedures in respect of items contained in list enclosed as Annexure 'B'. All application forms/proformas relating to these items should be available on organisation's website in downloadable form. If there is some charge for the application form downloaded from the computer, then the concerned party may be asked to pay for the amount through Bank draft/Railway money receipt etc. at the time of submission of application form. All documents to be enclosed or information to be provided by the applicant should be clearly explained on the website and should also form part of the application form.

2.2 As far as possible, the arrangement should be put in place so that application form, immediately after the receipt, is scrutinized and the applicant is informed about the deficiencies, if any, in the documents/information furnished. Repeated queries in a piecemeal manner should be avoided as the same shall be viewed as a misconduct having vigilance angle.

3.0 In the second stage, the status of the individual application/matter should be made available on the Organisation's website and should be updated on weekly basis or more frequently as feasible so that the applicants remain duly informed about the status of their application.

4.0 In addition to manual receipt of application, feasibility of on line receipt of applications should also be examined and wherever feasible, a time frame for introducing the facility should be worked out.

5.0 Instructions contained in Para 2.0 above relating to first stage shall take effect from 1<sup>st</sup> January, 2007 and instructions relating to second stage contained in Para 3.0 above shall become effective from 1<sup>st</sup> April, 2007.

6.0 The General Managers/ MDs /Heads of Zonal Railways/ PUs/ PSUs/ other Units are advised to ensure that effective mechanism should be put in place for proper implementation of above mentioned preventive vigilance measures and the required information is placed on website in a user friendly manner before expiry of above mentioned deadlines. Further, regular updation of information should also be ensured. Proper log and records of updation carried out should be preserved for a minimum period of one year for scrutiny, if required.

7.0 Adequate publicity for these facilities in newspapers giving website addresses may also be given.

8.0 Copy of these instructions is also available at  
[www.indianrailways.gov.in/vigilance/Home.htm](http://www.indianrailways.gov.in/vigilance/Home.htm)

Encl : As above.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to :-

1. PPS/CRB and all Board Members.
2. DG/RHS, DG/RPF.
3. All AMs/Advisors, ADG/RPF, Executive Directors & IG/RPSF in Railway Board for information and appropriate action in respect of items dealt by Directorates under their charge.
4. All Officers and Branches of Vigilance Directorate in Railway Board.

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## **Annexure 'B'**

### **Items for which Application forms/Proformas and laws, rules and procedures governing them should be posted on the website.**

1. Registration of contractors/ suppliers/ vendors for expenditure contracts for which registered/approved list is maintained.
2. Registration of contractors for earning contracts for which registered/ approval list is maintained.
3. Registration of firms Trade group wise and category wise in respect of procurement to be done by Stores Department.
4. Registration of firms/Hospitals for medical supplies/Health care.
5. Renewal of registration/re-registration in respect of items 1, 2, 3 & 4 above.
6. Approval of vendors by RDSO (both as Part I or Part II source) along with Directorate Operating Procedure (DOP) and Schedule of Technical Requirement (STR). Similar action should be taken by CORE, DLW, CLW, ICF, RCF for approving sources for the items allotted to them.
7. Renewal of approval of vendors by RDSO (both Part I & Part II sources) by RDSO, CORE, DLW, CLW, ICF & RCF.
8. Upgradation of a vendor from Part II list to Part I list.
9. Licenses of RTSAs & CBAs.
10. PCO booth licenses.
11. Commercial plots.
12. Stacking permission.
13. Leasing for Food Plazas.
14. 'Pay and use' toilet licenses.

15. Parcel handling & transshipment licenses.
16. Registration of indents and allotment of rakes.
17. Tourist car, coach and train booking.
18. Application forms for claims compensation.
19. Application forms for Refund of freight & fare.
20. Waival of Demurrage and wharfage.
21. Appointments as consultant Doctors on contract & its renewal.
22. Appointments against Cultural quota, Sports quota, Handicap quota and Scouts & Guides quota. Vacancies/examination dates for these should also be on the websites.
23. Cases requiring appointments on compassionate grounds.
24. Status of all bill payments to contractors/ suppliers etc.
25. Recruitment by Railway Recruitment Boards and RPF/RPSF.
  - (i) Employment notices indicating vacancy position, category, state (in case of RPF/RPSF only), communitywise, eligibility, criteria etc.
  - (ii) Clear position of receipt of applications with necessary information.
  - (iii) Details of rejection of applications.
  - (iv) Details of issue of call letters.
  - (v) Date, time and venues of examinations.
  - (vi) Publication of results and panels.
  - (vii) Information regarding withholding of result or cancellation of examination.

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RBV No.24/2006

**Government of India  
Ministry of Railways  
Railway Board**

**No.2006/V-1/CBI/2/1**

**New Delhi, dated December 12, 2006**

**The General Managers,**  
All Zonal Railways, PUs, CORE & Metro

**The CAO/DLMW, DGs/RDSO & RSC,**  
The Managing Directors/All PSUs

**The SDGMs/CVOs,**  
All Zonal Railways/PUs & PSUs

**Sub: Adherence to time limit for grant of sanction for prosecution.**

Please find enclosed herewith a copy of DoP&T's O.M.No.399/33/2006- AVD.III dated 06.11.2006 on the above subject vide which guidelines have been issued for checking delays in grant of sanction for prosecution for your information and necessary action.

Keeping in view the guidelines contained in DoP&T's O.M. dated 06.11.2006, it has been decided by the competent authority i.e. Chief Vigilance Officer of the Ministry of Railways that from now onwards, in respect of cases involving gazetted officers (GOs) only or composite cases involving both GOs and NGOs (non-gazetted officials) which require processing at Board's level and thereafter in CVC before a final decision is taken by the competent authority, whether received by Zonal Railway/PU/PSU directly from respective CBI unit or referred to them by the Railway Board, **maximum time of one week** shall be taken by the Zonal Railway/PU/PSU for furnishing their comments.

Similarly, in respect of cases relating to sanction for prosecution of NGOs only, where processing is limited to Zonal Railway/PU/PSU, requisite orders should be issued **within 4 weeks** of receipt of request from respective CBI unit.

All pending cases for sanction of prosecution should be reviewed by SDGM/CVO concerned, every week or more frequently as required to ensure that cases for sanction of prosecution are not delayed. It shall be the personal responsibility of the SDGM/CVO concerned to ensure that time limits as mentioned above are strictly adhered to. If above mentioned time frame is not observed, in any case, then SDGM/CVO concerned shall mandatorily forward written explanation duly seen by

the General Manager to AM(Vigilance) in the Railway Board for appropriate examination and further necessary action.

DA: As above.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2005/V-1/DAR/1/12**

**New Delhi, dated ....., 2006**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Procedure for dealing with Vigilance cases in  
which CVC have advised 'Administrative action'.**

Please refer to Board's letter of even No. dated 17-01-2006 (**RBV No. 02/2006**), on the above subject, advising that in cases where the CVC recommends 'Administrative action' but after consideration of the points raised by the Charged Officer, the Disciplinary Authority comes to a conclusion to deviate from such advice of the CVC, it will be at liberty to do so, without making a back reference to the CVC for reconsideration of its advice.

2. It is, however, noticed that such cases of 'Administrative action' where Disciplinary Authority deviates from the advice of CVC are still being referred to the Vigilance Directorate of the Railway Board. It is, therefore, clarified that having come to a reasonable conclusion to deviate from the advice of CVC for Administrative action, the Disciplinary Authority is at liberty to do so and such cases need not be referred by Zonal Vigilance to the Railway Board. However, the final action taken by the DA may be advised to the Board.

3. These instructions may be complied in letter and spirit in the interest of expeditious disposal of DAR cases, arisen as a result of Vigilance investigations.

DA / Nil.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

Copy to:- (i) All Officers and Branches of Vigilance Directorate.  
(ii) JS(G) & JS(E&P) – for kind information

**RBV No.22/2006**

**GOVERNMENT OF INDIA  
MINISTR OF RAILWAYS  
RAILWAY BOARD**

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

**New Delhi, dated September 15, 2006**

1. General Managers,  
All Zonal Railways/PUs/CORE

2. Managing Directors,  
All PSUs.

3. General Managers (Vig.),  
All Zonal Railways

4. Chief Vigilance Officers,  
All PUs and PSUs

5. DG/RDSO

**Sub:- Individual cases of Tenders/Procurement.**

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It has come to notice that on one of the Zonal Railways, Vigilance Officers are being informally given tender/procurement cases for their scrutiny/views before they are accepted by Tender Accepting Authority. This is not in order and should be stopped forthwith. In this connection, Para-ii(b) of RBV Circular No.19/2006 circulated vide Board's letter No.2006/V-I/VP/1/11 dated 11<sup>th</sup> Sept., 2006 is reproduced below:

**“While CVOs may be consulted by the management in formulating a policy, to provide for necessary checks and balances as a preventive vigilance measure, they should not get involved in decisions in individual cases like works/procurement, etc. having financial implications.”**

SDGMs/CVOs may, therefore, ensure that no Vigilance Officer should involve himself, formally or informally, in decision making, in individual cases, relating to works/procurements etc. having financial implications.

These instructions should be noted by all Vigilance Officers for compliance. Any violation of the instructions may be promptly reported to this office by SDGMs/CVOs.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to :-** All Officers and the Branches of Vigilance Directorate.

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

**No.2006/V-1/VC/1**

**New Delhi, dated September 14, 2006**

**(i) Managing Directors**

IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL, MRVC and RVNL.

**(ii) Chief Vigilance Officers**

IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL, MRVC and RVNL.

**Sub: Internal Vigilance Clearance in PSUs for extension of  
tenure of Railway officials on deputation with them.**

It has come to notice of the Vigilance Directorate that PSU management is not taking vigilance clearance from their own Vigilance department at the time of forwarding proposals to Railway Board for seeking extension of tenure of Railway officials etc. on deputation with them.

2. It is, therefore, desired that **PSUs may invariably take vigilance clearance from their Vigilance department while sending proposals for extension of tenure of Railway officials on deputation with them.**

This must also be clearly indicated in their proposals to avoid back reference and delay in processing of cases.

DA/Nil.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to : -** (i) All Officers and the Branches of Vigilance Directorate.  
(ii) Adviser (Confidential) - for information.  
(iii) Deputy Secretary (Deputation) - for information & necessary action.

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

No.2006/V-1/Comp/1/2

New Delhi, dated September 13, 2006

**(I) General Managers (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officers (CVOs)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO, IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL, MRVC and RVNL

**Sub: Maintenance of proper records of the complaints received through Central Vigilance Commission.**

A number of complaints, alleging corruption in Railways, are being received in the CVC. Some of these complaints are filed in the CVC or are forwarded to the CBI or the CVO of Ministry of Railways (AM/Vigilance, Railway Board) for investigation and report. In regard to remaining complaints, which are forwarded by the CVC to AM/Vigilance for necessary action, the CVC does not expect a report on the action taken by the Railways.

2. Now, under the Right to Information Act, 2005, many complainants are seeking information from the CVC, on the complaints sent by them in the past. Obviously, CVC cannot furnish information on the complaints forwarded by it to AM/Vigilance for necessary action. As per Right to Information Act, 2005, the CPIO, to whom the application is addressed, has either to supply the information or to transfer the said application under Section 6(3) of the Act to the concerned authority.

3. CVC has, therefore, decided that, henceforth, for the complaints forwarded by it to AM/Vigilance, besides informing the applicant, seeking information from it under RTI Act, about transfer of complaint to AM/Vigilance, CVC would also transfer the application to AM/Vigilance under Section 6(3) of the RTI Act for further action. All SDGMs/CVOs are, therefore, again advised to maintain proper record of all CVC referred and other complaints sent to them by Railway Board, so as to remain prepared for the aforesaid eventualities.

DA/Nil.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to :-** All Officers and the Branches of Vigilance Directorate.

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

**No.2006/V-1/VP/1/11**

**New Delhi, dated September , 2006**

**(I) General Managers ,**  
All Zonal Railways/PUs/CORE

**(II) Managing Directors**  
All PSUs.

**(III) General Managers (Vigilance),**  
All Zonal Railways

**IV) Chief Vigilance Officers**  
All PUs and PSUs.

**(V) DG/RDSO**

**Sub: Vigilance Administration - Role of CVO- regarding.**

The CVC has issued a number of instructions on different aspects of vigilance administration and the CVO's role in the same. During the Annual Zonal Meetings and interactive sessions of the CVC with the CVOs, a number of issues have been raised on a number of subjects, on which, though instructions already exist, the CVC has felt the need to reiterate/clarify, and at the same time focus on some of the select issues raised in these meetings. Accordingly based on CVC's circular No.25/7/06 dated 06.07.06, the following guidelines are laid down:-

**i) Complaints.**

(a) Meaningful and prompt investigation of complaints with desired follow up action is an important aspect of effective vigilance administration. Inordinate delay in investigation of the complaint sent by the CVC for investigation and report, reflects poorly on the performance of the CVO. Therefore, complaints need to be attended to promptly. **Any anonymous complaint sent by the CVC for investigation, needs to be treated as source information and duly investigated, and report sent to the CVC following the laid down procedure**

(b) It is also seen that in many a case, the complainant is not able to clearly articulate his allegations. In such cases, the CVO should contact the complainant for such additional information/clarification that the complainant could provide so that investigation, if need be, could be undertaken on serious allegations, in a focused manner. Further, wherever the complainant is addressed either for verification or for additional information, in order to avoid delay, the CVO should simultaneously call for the records of the case, scrutinize the same in the light of the allegations made, and take necessary action.

(c) Prior approval of the CVC is necessary to take up any anonymous/ pseudonymous complaint for investigation. Even though such complaints apparently contain verifiable information, **the CVO is expected to conduct a preliminary enquiry and if it is considered that a detailed investigation is called for, then the CVC should be approached for seeking its approval following the laid down procedure .**

(d) While complaints against Board level officials in the PSUs are within the purview of the administrative Ministry's CVO, if it is referred to the CVO of the organisation under the Ministry, he should gather all factual information and submit the same to the CVO of the Ministry. He is not required to make analysis or draw conclusions. A copy of his report, whenever called by the CVO of the Ministry should also be sent to the CVC for information. **It is also reiterated that no vigilance complaint against any official under the CVC's jurisdiction should be closed without the prior approval of the CVC.**

(e) **On receipt of any complaint containing allegations against any tender in process, the tender process need not be stopped.** However, the allegations should be brought to the notice of the competent authority, including the purchase committee, tender committee, negotiation committee, etc. and the complaint should be taken up for investigation independently.

(f) It should be borne in mind that if a CVO fails to notice a serious irregularity or to take necessary follow up action, and **if such an irregularity is unearthed on investigation of a complaint received by the CVC, it would reflect poorly on the performance of the CVO, and he would need to explain in this regard.**

## ii) Consultation with CVOs.

(a) The CVO has an important role in effective vigilance administration and functions as an extension of the CVC. While the CVC's jurisdiction is confined to Group 'A' officers and other officials of and above the level notified, and the CVC's advice is only to the Disciplinary Authority, there is no such restriction on the CVOs. They are required to be consulted by the Disciplinary Authority/Appellate Authority, irrespective of the level of officers involved. Wherever the Appellate Authority has disagreed with advice of the CVC, which was accepted by the Disciplinary Authority, the CVOs should scrutinise the matter carefully to take up the matter with the reviewing authority and also report such cases to the CVC. In respect of officials not under the jurisdiction of the CVC, where the Disciplinary Authority has disagreed with the CVO's advice, such cases should be specifically brought to the notice of the Board in case of PSUs and GMs in case of zonal Railways/PUs along with AM(Vigilance), Railway Board.

(b) While CVOs may be consulted by the management in formulating a policy, to provide for necessary checks and balances as a preventive vigilance measure, **they should not get involved in decisions in individual cases like works/procurement, etc. having financial implications .**

(c) CVC has directed that the CVO's should not be given any operational duties. If any such duty with financial implication is assigned to him, the CVO should promptly bring it to the notice of CVC for its intervention following the laid down procedure.

### iii) Review of Vigilance work by Board

The CVC's instructions require that in the PSUs, the Board of Directors shall review the Vigilance work in the organization and the CVO should send a copy of such review to the CVC. It has been observed that in a number of PSUs, the CVOs are not invited to the Board Meeting. In the absence of the CVO, the review of the vigilance work by the Board would not be meaningful. **The CVC has, therefore, decided that the CMDs/CEOs should ensure that the CVO of the organisation is invited and remains present at the time of the review of vigilance work by the Board.**

### iv) Monthly/Quarterly/Annual Report of the CVOs

(a) The CVOs should take utmost care in sending the monthly report, which enables the CVC to assess their performance. They can attach additional sheets if they want to bring any special vigilance related issue to the notice of the CVC. A statement should also be enclosed along with the monthly report giving details of complaints/vigilance cases relating to officials falling under the CVC's jurisdiction, which are pending for more than a year, giving reasons for delay.

(b) The QPR shall contain details of all projects and progress relating thereto and the CVO will be responsible for its accuracy. As the annual reports of CVOs form the basis for certain incorporations in the Annual Report of the CVC, **it should be ensured that Annual Reports are sent positively by 31<sup>st</sup> January of the year following the completed calendar year. In respect of zonal Railway, PUs and certain select PSUs other than RITES, IRCON, CONCOR and IRCTC, the consolidated report will be sent by Railway Board. Such units shall ensure that their Annual Reports reach Board's office latest by 20<sup>th</sup> January so that it can be compiled and sent to CVC by 31<sup>st</sup> January.**

### v) Reference to the CVC

The CVC has issued detailed instructions regarding the manner of seeking the advice of the CVC. The CVOs should invariably ensure that the reference to the CVC for seeking first stage/second stage advice is made along with the views of the Disciplinary Authority, etc. However, in respect of such officials where the President is the Disciplinary Authority, the case could be referred to the CVC for seeking first stage advice with the views of the Secretary of the concerned administrative department (Board Member concerned, in the case of the Ministry of Railways).

### vi) Disciplinary Cases

The CVOs should ensure that charge-sheets are carefully drafted covering all lapses. It is seen that in some CBI cases, there is delay in obtaining the documents. It should be ensured that the listed-documents are obtained from the CBI before issuing the charge-sheet and where parallel proceedings, are to be initiated, a set of listed documents duly certified, is obtained from the CBI.

**vii) Irregularities in Recruitment**

The CVC has been seriously concerned with certain instances of irregularities in recruitment. Every organisation is expected to have a recruitment policy and proper recruitment rules in keeping with the guidelines of the Government of India. **The CVOs should monitor and take up for necessary action, any case of recruitment in violation of the laid down rules and procedures, and wherever necessary, report the matter to the CVC,** following the laid down procedure.

DA/Nil

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**No.2006/V-1/VP/1/11**

**New Delhi, dated September , 2006**

Copy to – The Secretary, Central Vigilance Commission (Attention : Shri V.Kannan, Director) Satarkata Bhawan, GPO Complex, Block – A, INA, New Delhi - for information w.r.t. their letter No.006/VGL/065 dated 06/07/2006 (Circular No.25/7/06).

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- All officers and the Branches of Vigilance Directorate.

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

**No.2006/V-1/DAR/1/9**

**New Delhi, dated September 6, 2006**

**The General Managers (V),  
All Indian Railways/PUs &  
The CVOs/PSUs.  
The General Managers (P),  
All Indian Railways/PUs  
& PSUs.**

**Sub : Adherence to time limit in processing of disciplinary cases.**

Attention is invited to the Board's letter No.2004/V-1/DAR/1/5 dated 03.09.2004 (RBV No.20/2004), on the above subject regarding adherence of time limit in conducting investigations and the departmental inquiries and accountability for delay in decision making by various administrative authorities while dealing with the vigilance cases.

2. The CVC have again pointed out with concern that the observance of time schedule in conducting investigations and the departmental inquiries is often lax and there are similar delays noticed on part of the decision making authorities, leading to the disciplinary proceedings getting indefinitely prolonged.

3. The CVC have also noticed that sometimes the disciplinary authorities misinterpret the Supreme Court judgment in the case of K. V. Janakiraman etc. vs Union of India, regarding adopting sealed cover procedure on the recommendations of Departmental Promotion Committee for certain categories of officials. It is reiterated that in accordance with the Supreme Court ruling in the K.V.Janakiraman etc. vs Union of India case, the findings of the Departmental Promotion Committee in respect of the following categories of officials would be kept in a sealed cover :-

- (i) Government servants under suspension;
- (ii) Government servants in respect of whom a charge-sheet has been issued and disciplinary proceedings are pending; and
- (iii) Government servants in respect of whom prosecution for a criminal charge is pending.

4. It may also be clarified that a Government servant who is recommended for promotion by the DPC but in whose case any of the above circumstances arise after the date of receipt of recommendation of the DPC, but before he is actually promoted, would be considered as if

his case had been placed in a sealed cover by the DPC. He shall not be promoted until he is completely exonerated of the charges against him.

5. Undue delays on part of administrative authorities, in dealing with disciplinary cases, will be viewed seriously by the CVC, which would be constrained to advise penal action against those found responsible.

6 It is desired that these instructions may be strictly adhered to while dealing with the disciplinary cases, arisen as a result of vigilance investigations. Further, it is also necessary to correctly interpret/apply the Supreme Court judgment in Janakiraman case on sealed cover in the light of instructions issued by the DOPT, already forwarded to you vide board's letter No. E(D&A)92RG6-149B dated 21.01.1993 (RBE No.14/1993).

(Sanjay Goel)  
Director Vigilance (M)  
Railway Board

No.2006/V-1/DAR/1/9

New Delhi, dated September , 2006

**Copy to -** The Central Vigilance Commission, (**Attention : Shri V. Kannan, Director**) Block A, Satarkata Bhawan, GPO Complex, INA, New Delhi – 110 023  
w.r.t. their letter No. 006/VGL/025 dated 21.07.2006 – for information.

(Sanjay Goel)  
Director Vigilance (M)  
Railway Board

Copy to:- All officers and the Branches of Vigilance Directorate.

Government of India  
Ministry of Railways  
Railway Board

**No.2006/V-1/CVC/1/9**

**New Delhi, dated August 18, 2006**

**(I) General Managers (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officers**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Transparency in Works/Purchase/Consultancy contracts  
awarded on nomination basis.**

In continuation of its OM No. 06-03-02-CTE-34 dated 20.10.2003 addressed to CVOs of Ministries/Departments/PSUs etc. on the above subject (copy enclosed), the Central Vigilance Commission has observed that in a number of cases, Works/Purchase/Consultancy contracts are awarded on nomination basis and has felt the need to bring greater transparency and accountability in award of such contracts. While open tendering is the most preferred mode of tendering, even in the case of limited tendering, CVC has been insisting upon transparency in the preparation of panel.

2. In the circumstances, if sometimes award of contract on nomination basis by the PSUs become inevitable, following points should be strictly observed:-

- (i) All works awarded on nomination basis should be brought to the notice of the Board of the respective PSUs for scrutiny and vetting post facto;
- (ii) The reports relating to such awards should be submitted to the Board every quarter; and
- (iii) The audit committee may be required to check at least 10% of such cases.

3. Above may be noted for strict compliance. Also the action taken on CVC's OM dated 20.10.2003 may be intimated for information of AM(Vigilance).

DA : As above.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**No.2006/V-1/CVC/1/9**

**New Delhi, dated August 18, 2006.**

Copy to:— The Central Vigilance Commission, (**Attention : Shri V. Kannan, Director**) Block A, Satarkata Bhawan, GPO Complex, INA, New Delhi – 110 023  
w.r.t. their letter No. 005/CRD/19 dated 09.05.2006 – for information.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy along with enclosure to:—

- \1. Addl. Member/CE, Railway Board, New Delhi.
2. All Officers and the Branches of Vigilance Directorate.

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

No. 2006/V-1/CVC/1/10

New Delhi, dated 14<sup>th</sup> August, 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, NF (Const.)

**Managing Directors**

ITES, IRCON, KRCL,CONCOR, IRFC, MRVC,IRCTC, RAILTEL, CRIS, RVNL  
and IRWO.

**Chief Administrative Officers**

DLMW & COFMOW

**The Directors,**

IRICEN, IRISSET, IRIEEN,IRIMEE & IRITM.

**Director General**

RDSO and RSC

**Others**

CCRS/LKO

**Sub:- Difference of opinion between State Anti Corruption  
Bureaus and Central Government authorities regarding  
Sanction of prosecution of Central Government officials.**

The Central Vigilance Commission have noted certain instances where the competent authority in the concerned Central Government organization has declined the request of the State ACB for sanction of prosecution against certain central government officials, in cases investigated by the concerned State ACB. The CVC has felt that there is a need to establish a mechanism to resolve such differences of opinion between the State ACBs and the Central Government Authorities.

2. In this connection, it may be mentioned that such a mechanism has been provided for in para 11.2 of Chapter VII of Vigilance Manual (Volume-I), of the Central

Vigilance Commission in respect of cases investigated by the Central Bureau of Investigation. The relevant provisions are extracted below:-

- (a) In the case of government servants, the competent authority may refer the case to its Administrative Ministry/Department which may after considering the matter, either direct that prosecution should be sanctioned by the competent authority or by an authority higher to the competent authority, or in support of the view of the competent authority, forward the case to the Central Vigilance Commission along with its own comments and all relevant material for resolving the difference of opinion between the competent authority and the CBI. If the Commission advises grant of sanction for prosecution but the Ministry/Department concerned proposes not to accept such advice, the case should be referred to DOP&T for a final decision.
- (b) In the case of public servants, other than government servants (i.e. employees of local bodies, autonomous bodies, public sector organizations, nationalized banks, insurance companies etc.) the competent authority may communicate its views to the Chief Executive of the Organisation, who may either direct that sanction for prosecution should be given or in support of the views of the competent authority, have the case forwarded to the Central Vigilance Commission for resolving the difference of opinion between the competent authority and the CBI.

3. The CVC has decided that the same procedure be followed in respect of difference of opinion on action to be taken on the recommendations of the State Anti Corruption Bureaus also, in respect of cases investigated by them. Such cases should be dealt with as provided above, and if the difference of opinion persists, the case should be referred to the CVC, irrespective of the level of the official involved, whether he is under the normal advisory jurisdiction of the CVC or not.

4. The above instructions may be noted for strict compliance in letter and spirit.

DA/Nil

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No. 2006/V-1/CVC/1/10

New Delhi, dated 14<sup>th</sup> August, 2006

Copy to:- The Secretary, Central Vigilance Commission, (Attention: Sh. V. Kannan, Director), Satarkata Bhawan, Block-A, GPO Complex, INA, New

Delhi- for information w.r.t. their Office Order No. 23/6/06 contained in their letter No. 006/DSP/002 dated 23-06-2006.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

No. 2006/V-1/CVC/1/10

New Delhi, dated 14<sup>th</sup> August, 2006

Copy to:- The General Manager (Vigilance), All Indian Railway/Production Units for information and necessary action.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- E(O)I, ERB-I and ERB(D) – for information

Copy to:- All Officers and the Branches of Vigilance Directorate.

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2006/V-1/CVC/1/7**

**New Delhi, dated August 11, 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 & NF/Const.,

**The Directors,**

IRIEEN, IRIMEE, IRICEN,IRISET & IRITM

**Chief Administrative Officers,**

DLMW & COFMOW

**Director General,**

RDSO & RSC

**The Managing Directors,**

rites, IRCON, KRCL, CONCOR,IRFC, MRVC, IRCTC, RAILTEL,  
CRIS, RVNL & IRWO.

**Others**

CCRS/LKO

**Sub: Consultation with CVC – Routing of the case through the  
competent Disciplinary Authority at the time of seeking  
2<sup>nd</sup> stage advice of CVC.**

In a case, arising out of Vigilance investigations, a Junior Scale Group 'A' officer was involved. The GM concerned, who was the Disciplinary Authority of the delinquent, but was not competent to impose upon him a major penalty, while furnishing his provisional views at the time of seeking 2<sup>nd</sup> stage advice of CVC, recommended imposition of a major penalty.

2. In agreement with the recommendations of the Disciplinary Authority (General Manager), the CVC recommended imposition of major penalty. Since the DA (General Manager), in this case, was not competent to impose any of the major penalties, the case was remitted to the competent Disciplinary Authority viz. the Railway Board, for imposition of the major penalty.

3. The competent Disciplinary Authority (Concerned Board Member) opined that ends of justice would be met by imposition of a stiff minor penalty and referred the case to CVC for reconsideration of its 2<sup>nd</sup> stage advice.

4. The CVC agreed with the views of the competent Disciplinary Authority (Concerned Board Member) for imposition of a stiff minor penalty and advised that in cases, where GM is the Disciplinary Authority, but the penalty proposed at the time of seeking its 2<sup>nd</sup> stage advice is within the competence of Railway Board, the case should be routed through the competent Disciplinary Authority i.e. Railway Board, before sending to CVC, to avoid recurrence of such instances.

5. It is desired that these instructions should be followed scrupulously at the time of seeking 2<sup>nd</sup> stage advice of CVC.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**No. 2006/V-1/CVC/1/7**

**New Delhi, dated August 11, 2006**

**Copy to:-** The Central Vigilance Commission, (Attention : Shri Y.P.Rai, Director), Block-A, Satarkata Bhawan, GPO Complex, New Delhi-110 023  
– for information w.r.t. CVC's ID No.0034/RLY/9 dated 31/05/2006

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**Copy to:-** All Board Members, All Additional Members, All Director Generals, All Advisors, All Executive Directors, All Joint Secretaries/Inspector Generals, All Constituents of PREM Group, The Secretary, RBSS (Group-A) Officer's Association, The Secretary, RBSS (Group-B) Officers' Association, The Secretary Railway Board Ministerial Staff Association and the Secretary Railway Board (Group-D) Employees' Association.

All Officers and the Branches of Vigilance Directorate.

**Copy to:- File No.2003/V-3/S/7-CBI.**

## **Annexure-I**

Check list for examination of Procurement (**Works/Purchases/Services**) Contracts by CVOs.

### **I. Pre-Award Stage**

- (i) Financial and Technical sanction of competent authority is available.
- (ii) Adequate and wide publicity is given. Advertisement is posted on website and tender documents are available for downloading.
- (iii) Convenient tender receiving/opening time and address of the tender receiving officials/tender box are properly notified.
- (iv) In the case of limited tender, panel is prepared in a transparent manner clearly publishing the eligibility criteria. The panel is updated regularly.
- (v) Pre-qualification criteria are properly defined/notified.
- (vi) Short listed firms/consultants are fulfilling the eligibility criteria. There is no deviation from notified criteria during evaluation.
- (vii) Experience certificates submitted have been duly verified.
- (viii) Tenders/bids are opened in the presence of bidders.
- (ix) Corrections/omissions/additions etc., in price bid are properly numbered and attested and accounted page-wise. Tender summary note/Tender opening register is scrupulously maintained.
- (x) Conditions having financial implications are not altered after opening of the price bids.
- (xi) In case of consultancy contracts (a) upper ceiling limit is fixed for consultancy fee and (b) Separate rates for repetitive works are fixed.

### **II. Post-Award Stage**

#### **(a) General**

- (i) Agreement is complete with all relevant papers such as pre-bid conference minutes, etc.,
- (ii) Agreement is page-numbered, signed and sealed properly.
- (iii) Bank Guarantee is verified from issuing bank.
- (iv) Insurance policies, labour licence, performance guarantee are taken as per contract.
- (v) Technical personnel are deployed as per contract.
- (vi) Plant and equipment are deployed as per contract.
- (vii) Action for levy of liquidated damages is taken in case of delay/default.

#### **(b) Payments to Contractors**

- (i) Price escalation is paid only as per contract.

- (ii) Retention Money/Security Deposit is deducted as per contract.
- (iii) Recovery of Mobilisation & Equipment advance is made as per the provisions in the contract.
- (iv) Recovery of Income Tax and Works Contract Tax is made as per provisions in the contract.
- (v) Glaring deviations are supported with adequate justification and are not advantageous to the contractor.

**(c) Site Records**

- (i) Proper system of recording and compliance of the instructions issued to the contractors is maintained.
- (ii) Proper record of hindrances is maintained for the purpose of timely removal of the hindrance and action for levy of liquidated damages.
- (iii) Mandatory tests are carried out as per the frequency prescribed in the Agreement.

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Government of India  
Ministry of Railways  
Railway Board

**No.2006/V-1/CVC/4/1**

**New Delhi, dated August 10, 2006**

**(I) General Managers (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officers**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Examination of Public Procurement (Works/  
Purchases/Services) Contracts by CVOs.**

Attention is invited to Board's letter No.2002/V-1/CVC/4/2 dated 13.10.2003 laying down emphasis on intensive examination of works by the CVOs with the assistance of technical staff under their jurisdiction, in line with the CTE's inspection.

2. CVC has been emphasizing the need for close scrutiny of the Public Procurement (Works/Purchases/Services) Contracts by the CVO concerned to ensure that the laid down systems and procedures are followed, that there is total transparency in the award of contracts and that there is no misuse of power in decision making.

3 A number of booklets have been issued by the Chief Technical Examiner Organisation of CVC, bringing out the common irregularities/lapses noticed in different contracts. A Manual for intensive Examination of Works/Purchase Contracts and guidelines on tendering has also been issued. These are available on the CVC's website at [www.cvc.nic.in](http://www.cvc.nic.in).

4 The need for CTE type of examination by the CVO has also been emphasized by the CVC in the various zonal meetings. The CVOs are required to reflect such CTE type examinations in their monthly reports. CVC has reiterated the importance of such examinations by the CVOs, as an effective preventivevigilance measure.

5 For this purpose, the CVOs are required to be well conversant with their organisation's works/purchase manual. Wherever works/purchase manuals are non-existent they should be got prepared, particularly, in those organizations, which have substantial procurement activities. The CVOs should also ensure that the manuals are updated from time to time. They should check and ensure that the field staff is well conversant with the extant provisions of the manuals, and the guidelines issued by the CVC/CVOs from time to time.

CVOs should have a full and active participation during the CTE inspections to know about the problem areas in the organisation's procurement process.

6 CVOs must also familiarize themselves with the earlier CTE examination reports and ensure that the lapses previously noticed are not repeated. If lessons are not learnt from the past, there would be need to take a serious view of the repetition of lapses and initiate disciplinary proceedings against the officials found responsible for repetition of the lapses.

7 On the basis of the lapses noticed by the CTE's organization over the years, a checklist has been prepared which could be used by the CVO while examining procurements contracts. The checklist is enclosed as Annexure-I. If, CVO feels that certain procurement contracts require an intensive examination by the CTEO, details of the same may be sent to Railway Board's Vigilance Directorate with adequate justification..

8 This may please be noted for strict compliance.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**No.2006/V-1/CVC/4/1**

**New Delhi, dated August 2006**

Copy to:- The Central Vigilance Commission, (**Attention : Shri V. Kannan, Director**) Block A, Satarkata Bhawan, GPO Complex, INA, New Delhi – 110 023  
w.r.t. their letter No. 006/VGL/29 dated 01.05.2006 – for information.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to - All Officers and the Branches of Vigilance Directorate – for information and necessary action.

**RBV No 13/2006**

**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(Constn.)

**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:-

## **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

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 computerize 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**

Government of India  
Ministry of Railways  
Railway Board

**No.2006/V-1/VP/1/9**

**New Delhi, dated July 13, 2006**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officers**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO, IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL, MRVC and RVNL

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**Sub: Jurisdiction of Railway Vigilance over RCT.**

The issue regarding jurisdiction of Railway Vigilance over the Chairman, the other Members of the Tribunal, the Officers and the Staff has been under consideration of the Board for sometime now. It is clarified that the Railway Vigilance has no jurisdiction over the Chairman and the other Members of the Tribunal. Any complaint against them is to be dealt under the Railway Claims Tribunal (Procedure for Investigation of misbehavior or Incapacity of the Chairman, Vice-Chairman and Members) Rules, 1991 which provide that whenever the Central Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any imputation of misbehaviour or incapacity of a Member of the RCT (which term also includes Chairman and the Vice-Chairman), it may, after consulting the Chief Justice of India, by notification in the official gazette, appoint a judge for the purpose of conducting such inquiry. Accordingly, complaints received, if any, against the Chairman or any Member of the Tribunal should be sent to EDPG/Railway Board for further processing.

2. As regards the other Officers and the staff of the RCT, the complaints alleging corruption, pertaining to working of these persons in the RCT, are to be sent to the Registrar of the RCT for necessary action, under the powers of the Chairman.

3. However, if the complaint pertains to acts of commission/ omission on the part of such Officers/Staff, when they were working in Railways, the complaint shall be investigated by the Railway Vigilance and the investigation report sent to the RCT for action at their end. The Chairman/RCT would be free to take action against such persons or to repatriate them to the Railway, depending on severity of the offence, as laid down in the Railway Servants (Discipline & Appeal) Rules, 1968, relating to the powers of the lending and the borrowing authority.

**(A. K. Madhok)**  
**Dy. Director/Vigilance**  
**Railway Board**

**Government of India  
Ministry of Railways  
Railway Board**

**No.2006/V-1/CVC/1/1**

**New Delhi, dated June 22, 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 &  
NF/Const.,

**The Managing Directors,**  
RITES, IRCON, KRCL, CONCOR,  
IRFC, MRVC, IRCTC, RAILTEL,  
CRIS, RVNL & IRWO.

**Chief Administrative Officers,**  
DLMW & COFMOW

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

**Director General,**  
RDSO & RSC

**Others**  
CCRS/LKO

**Sub: Use of website in tendering process with facility of downloading  
of tender forms.**

Attention is invited to Board's letter No.98/V-1/CVC/1/9 dated 24/04/2003 (RBV No.06/2003), followed by letter No.2004/V-1/CVC/1/18 dated 13/04/2005 (RBV No.06/2005) and dated 23/08/2005 (RBV No.17/2005) laying down use of website for tendering process with a view to minimizing corruption.

2. In one such case, it has come to the notice of the CVC that the tender forms were not available for the tenderers from the notified date. Being a serious lapse, the CVC have

directed to fix responsibility on the erring official and have directed that tenders are duly publicized through the website, **including facility of downloading of tender forms.**

3. Further, CVC has advised use of common tender site of NIC for this purpose. However, as Railways is having their own well developed websites, to start with, Zonal Railways, PUs and other Railway units shall link tender page of their individual websites to tender page of Railway Board's website [www.indianrailways.gov.in](http://www.indianrailways.gov.in), so that tenderers can get tender information/ download tender documents of all the Railways Units by approaching common (Railway Board) website.

4. The above instructions of the CVC may be implemented in letter and spirit

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**Government of India  
Ministry of Railways  
Railway Board**

**No.2006/V-1/DAR/5/1**

**New Delhi, dated June 13, 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 &  
NF/Const.

**The Managing Directors,**  
RITES, IRCON, KRCL, CONCOR,  
IRFC, MRVC, IRCTC, RAILTEL,  
CRIS, RVNL & IRWO.

**Chief Administrative Officers,**  
DLMW & COFMOW

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

**Director General,**  
RDSO & RSC

**Others**  
CCRS/LKO

**Sub: Amplification of certain points concerning instructions regarding rates of honorarium etc., for Railway Inquiry Officers and other officials assisting the RIO.**

Attention is invited to the Board's letter of even number dated 24.04.2006 (RBV No.08/2006), vide which the rates of honorarium for Railway Inquiry Officers, and their assisting officials, conducting departmental inquiries, arising out of vigilance investigations, against gazetted Railway Officers and/or nongazetted Railway Officials (Composite cases) have been revised.

2. Certain doubts, detailed below, have been raised, in this connection, from various quarters, which are clarified as under:-

S.No.	Points raised	Amplification/Clarification
I	What will be the rate of local transport charges?	The rate of local transport charges will be the same as applicable to the serving

		Railway Officers of equivalent rank.
II	What will be the headquarters of the Inquiry Officers for the purpose of TA/DA?	The notified residential address of the Inquiry Officer will be the deemed headquarter of the Inquiry Officer.
III	The Board's orders No.2005/V-1/DAR/5/1 dated 24.04.2006 (RBV No.8/2006) enhancing the rate of honorarium are stated to be effective w.e.f. 24.04.2006. Does it mean that the enhanced rate of honorarium will be applicable to all those Inquiry Reports, which are submitted on or after 24.04.2006.	The enhanced rates of honorarium contained in Board's orders No.2005/V-1/DAR/5/1 dated 24.04.2006 (RBV No.8/2006) will be applicable to only those departmental inquiries, which are entrusted to RIOs on or after 24.04.2006. For enquiries entrusted before, for which inquiry reports are submitted on or after 24.04.2006, old rates of honorarium shall continue to apply.
IV	Rates for DAR cases arising out of CBI investigations have not been notified.	This shall be the same as for other DAR inquiries arising out of Vigilance investigations.

3. This issues with the concurrence of the finance Directorate of the Ministry of Railways

DA/Nil

(Sanjay Goel)  
Director Vigilance (M)  
Railway Board

**RBV No.09/2006**

**Government of India  
Ministry of Railways  
Railway Board**

**No.2005/V-1/CVC/1/8**

**New Delhi, dated May 12, 2006**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Protection against victimization of  
Vigilance officials.**

Please refer to Board's letter of even number dated 24/06/2005 (RBV No.12/2005), laying down parameters for protection of the Vigilance officials/ ex-Vigilance officials.

2. The Commission has viewed seriously certain instances of harassment and attempts of victimization of vigilance officials of certain organizations. The need to allow the vigilance officials to work independently and freely without any fear, which is the foundation for effective vigilance administration in any organization, has been recognized since long. In fact, the Committee on Prevention of Corruption (Santhanam Committee) had recommended that "those posted to the Vigilance Organisations should not have the fear of returning to their parent cadre with the possibility of facing the anger and displeasure of those against whom they made inquiries". The Committee had also recommended that "those working in vigilance Organisation should have an assurance that good and efficient work in the Vigilance Organisation will enhance their opportunities for promotion and not become a sort of disqualification".

3. The Commission has considered the problem of possible victimization of Vigilance officials after they finish their tenure in the vigilance Department and revert to their

normal duties. In the case of CVOs, already the Commission, as Accepting Authority, is in a position to moderate, if necessary, any biased reporting against the CVO in his ACR. Similarly, the Commission has always been extremely careful and cautious while taking cognizance of complaints against the CVOs and as a matter of principle always obtains the CVOs response before coming to any conclusion on the need to investigate such complaints.

4. In order that the required degree of protection is conferred on the Vigilance officials supporting the CVO and keeping in view the spirit of the Santhanam Committee which with commendable foresight had anticipated very clearly some of these issues, the Commission issues the following consolidated instructions in exercise of its powers under Section 8(1) (h) of the CVC Act:

- (i) All personnel in vigilance Units will be posted only in consultation with and the concurrence of the CVOs. Any premature reversion before the expiry of their tenure will only be with the concurrence of the CVO. The CVO shall bring to the notice of the Commission any deviation from the above.
- (ii) The ACR of personnel working in the Vigilance Department will be written by the CVO and reviewed by appropriate authority prescribed under the relevant conduct rules. The remarks in review shall be perused by the CVO and in case he has reservations about the comments made under the review, he shall take it up with the Chief Executive/HOD to resolve the issue. In case he is unable to do this, he shall report the matter to the Commission who will intercede in the matter suitably.
- (iii) Since the problem of victimization occurs, if at all, after the reversion of the personnel to their normal line departments, the Commission would reiterate the following:
  - (a) On such reversion the vigilance personnel shall not be posted to work under an officer against whom, while working in the vigilance department, he had undertaken verification of complaints or detailed investigation thereafter. Needless to say his ACR shall not be written by such officer(s).
  - (b) All such Vigilance personnel will be deemed to be under the Commission's purview for purposes of consultation in disciplinary matters. This is irrespective of their grade. This cover will be extended to a period of not less than five years from the date of reversion from the vigilance department.
  - (c) All Vigilance personnel on reversion shall be entitled to

represent through the CVO and chief executive of the organization to the Commission if they perceive any victimization as a consequence of their working in the Vigilance department. This would include transfers, denial of promotion or any administrative action not considered routine or normal. This protection will be extended for a period not less than five years after the reversion of such personnel from the Vigilance department.

5. The above instructions may be noted for strict compliance. The CVO should report promptly to the Commission, the details of any real or perceived victimization of any official who is working in the vigilance unit. Similarly, he should also report such instances pertaining to the former officials of the Vigilance Units, up to a period of five years after they had completed their tenure in the Vigilance Unit. He should also report where such deserving officials are ignored/superseded in matters of promotion.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2005/V-1/DAR/5/1**

**New Delhi, dated April 2006**

The General Managers (P),  
All Indian Railways &  
Production Units.

**Sub: Enhancement of the rates of honorarium for Inquiry Officer and other assisting officials in the conduct of Departmental Inquiries, arising out of Vigilance investigations against Railway Servants.**

The question of revision of rates of honoraria for Inquiry Officers (Retired and the serving Railway Officers) and their assisting officials, in the conduct of Departmental Inquiry against Railway Servants, arising out of Vigilance Investigations, had been under consideration of the Board for sometime and it has now been decided that in Supersession of all previous instructions on the subject, the revised rates of honoraria will be as under:-

**(a) Where Departmental Inquiry is conducted against gazetted officer(s) or against a combination of gazetted and the non-gazetted officials (composite case) by a retired senior Railway officer not below the rank of Selection Grade.**

**(i) The rate of honoraria for Inquiry Officer.**

The Inquiry Officer, in such departmental inquiries, will be entitled to a fixed Honorarium of Rs.12000/- (Rs. Twelve thousand, only), **exclusive of local transport charges**, per inquiry report.

**(ii) Rate of TA/DA for Inquiry Officer.**

Where the duties and responsibilities entrusted to the RIO involves travelling, the rate of TA/DA, in such cases will be the same as applicable to the serving Railway Officers of equivalent rank.

**(iii) The rate of honorarium for Presenting Officer.**

The Presenting Officer will be entitled to a fixed honorarium of Rs.1500/- (Rs. One Thousand Five Hundred only), per Inquiry Report in a case.

**(iv) The rate of honorarium for Stenographer/Typist.**

In addition to the fixed amount of Rs.12000/- (Rs. Twelve Thousand only), the Inquiry Officer will be entitled for an additional amount of Rs.2100/- (Rs. Two Thousand & One Hundred only), per Inquiry Report, provided the Stenographic/Typing assistance is arranged by the Inquiry Officer himself.

Where the services of a serving Stenographer/Typist are placed at the disposal of the Retired RIO, on his request, the serving stenographer/Typist will be eligible for honorarium @ Rs.1500/- (Rs. One Thousand & Five Hundred only), per Inquiry Report.

**(b) Where Departmental Inquiry is conducted against a gazetted officer by a serving gazetted Railway officer, not below the rank of Selection Grade.**

**(i) The rate of honoraria for Inquiry Officer.**

The Inquiry Officer will be entitled to an Honorarium of Rs.6750/- (Rs. Six Thousand Seven Hundred & Fifty only) for the Inquiry, relating to the first charged official and Rs.1500/- (Rs. One Thousand & Five Hundred only) for each additional charged official, in the same case.

**(ii) Rate of TA/DA for Inquiry Officer.**

Where the duties and responsibilities entrusted to the RIO involves travelling, the rate of TA/DA, in such cases will be the same as applicable to the serving Railway Officers of equivalent rank.

**(iii) The rate of honorarium for Presenting Officer.**

The Presenting Officer will be entitled to an Honorarium of Rs.1500/- (Rs. One Thousand & Five Hundred only) for the Inquiry, relating to the first charged official and Rs.450/- (Rs. Four Hundred & Fifty only) for each additional charged official, in the same case.

**(iv) The rate of honorarium for Stenographer/Typist.**

The Stenographer/Typist assisting the Inquiry Officer, in the conduct of a Departmental Inquiry, will be entitled to an Honorarium of Rs. 1500/- (Rs. One Thousand & Five hundred only) for Inquiry relating to the first charged official and Rs.450/- (Rs. Four Hundred & Fifty only) for each additional charged official, in the same case.

**(c) Where Departmental Inquiry is conducted against a non-gazetted official by a retired Railway servant of JA grade and below upto the rank of group 'B' gazetted.**

**(i) The rate of honoraria for Inquiry Officer.**

The Inquiry Officer will be entitled to an Honorarium of Rs.3000/- (Rs. Three Thousand only) for the Inquiry Report, relating to the first charged official and Rs.750/- (Rs. Seven Hundred & Fifty only) for each additional Inquiry Report in the same case, besides local conveyance allowance amounting to Rs.750/- (Rs. Seven Hundred & Fifty only) per Inquiry Report for A, A-1 and B-1 cities. The local conveyance charges for other cities shall be Rs.450/- (Rs. Four Hundred & Fifty only) per Inquiry Report.

**(ii) The rate of honorarium for Presenting Officer.**

The Presenting Officer will be entitled to an honorarium of Rs.1000/- (Rs. One Thousand only) for first charged official and Rs.300/- (Rs. Three Hundred only) for each additional charged official in the same case.

**(iii) The rate of honorarium for Stenographer/Typist.**

The RIO will be entitled to an additional amount of Rs.900/- (Rs. Nine Hundred only) per departmental Inquiry Report for Clerical/ Stenographer/Typing assistance arranged by him. However, where the services of a serving Stenographer/Typist are made available to the RIO, a

reduced amount of Rs.600/ per departmental Inquiry report will be paid to the serving Stenographer/Typist.

**(d) Where Departmental Inquiry is conducted against a non-gazetted official by a serving Railway official of JA Grade and below upto Senior Supervisor level.**

**(i) The rate of honoraria for Inquiry Officer.**

The Inquiry Officer will be entitled to an Honorarium of Rs.2000/- (Rs. Two Thousand only) for the Inquiry, relating to the first charged official and Rs. 450/- (Rs. Four Hundred & Fifty only) for each additional charged official, in the same case.

**(ii) The rate of honorarium for Presenting Officer.**

The Presenting Officer will be entitled to an Honorarium of Rs.1000/- (Rs. One Thousand only) for the Inquiry relating to the first charged official and Rs.300/- (Rs. Three Hundred only) for each additional charged official, in the same case.

**(iii) The rate of honorarium for Stenographer/Typist.**

The Stenographer/Typist, assisting the Inquiry Officer, in the conduct of Departmental Inquiry, will be entitled to an Honorarium of Rs.600/- (Rs. Six Hundred only) per Inquiry Report for the Inquiry relating to the first charged official and Rs.300/- (Rs. Three Hundred only) for each additional charged official, in the same case.

**(e) Contingency Expenditure**

An amount of Rs.75/- (Rs. Seventy five only) is permitted as contingency expenditure to meet the basic courtesy requirement of serving tea/biscuits etc. for each sitting of the Inquiry. This expenditure will be incurred by the Presenting Officer and will be reimbursed to him by the Railway Administration on certification of Inquiry Officer. In the absence of Presenting Officer, the Inquiry Officer shall incur the expenditure and the same will be reimbursed to him by the Railway administration along with honorarium.

2. This issues with the concurrence of Finance Directorate in the Ministry of Railways and the revised rates will be applicable w.e.f the date of issue of this letter.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**No. 2005/V-1/DAR/5/1**

**New Delhi, dated April 2006**

Copy to – (i) The Principal Director of Audit, Northern Railway, New Delhi.

(ii) Dy. Comptroller & Auditor General of India (Rlys), Room No.  
224, Rail Bhavan, New Delhi.

**for Financial Commissioner (Railways)  
Railway Board**

**No. 2005/V-1/DAR/5/1**

**New Delhi, dated April 2006**

Copy forwarded for information & necessary action to:

- (i) The General Manager (Vigilance), All Indian Railways & Production Units etc.
- (ii) FA&CAOs/All Indian Railways & Production Units etc.

**(Sanjay Goel)  
Director Vigilance (Mech.)  
Railway Board.**

Copy to – (i) All Officers and Branches of the Vigilance Directorate.  
(ii) All the Railway Inquiry Officers.  
(iii) V-1, ERB-I, ERB-III, EO-I, FE-II, EG, PAO and O&M  
(iv) File No. 2005/E(G)/HO/1-6.

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2006/V-1/VP/1/4**

**New Delhi, dated April 7, 2006**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Consultation with Central Vigilance Commission – Documents including the draft charge sheet to be enclosed for seeking first stage advice and the documents to be enclosed for seeking second stage advice – regarding.**

The need for sending complete information to the CVC along with the relevant documents while seeking its advice has been repeatedly emphasized and it is noticed that the extant instructions on the subject are not being strictly complied with, resulting in back references, leading to delay in processing the Vigilance cases.

2. In Supersession of all the earlier instructions, on the subject, the following material should be furnished to the CVC while seeking its advice:-

(a) A self contained note clearly bringing out the facts and the specific point(s) on which Commission's advice is sought. The self contained note is meant to supplement and not to substitute the sending of files and records.

(b) The bio-data of the officer concerned in the enclosed format (Annexure-I).

(c) Other documents required to be sent for first stage advice:

- (i) A copy of the complaint/source information received and investigated by the CVOs;
- (ii) A copy of the investigation report containing allegations in brief, the results of investigation on each allegation;
- (iii) Version of the concerned public servant on the established allegations, the reasons why the version of the concerned public servant is not tenable/acceptable, and the conclusions of the investigating officer;
- (iv) Statements of witnesses and copies of the documents seized by the investigating officer;
- (v) Comments of the Chief Vigilance Officer and the disciplinary authority on the investigation report (including investigation done by the CBI and their recommendation);

- (vi) A copy of the draft charge sheet against the SPS along with the list of documents and witnesses through which it is intended to prove the charges.
- (d) Other documents required for second stage advice;
- (i) A copy of the charge sheet issued to the public servant;
  - (vii) A copy of the inquiry report submitted by the inquiring authority (along with a spare copy for the Commission's records);
  - (viii) The entire case records of the; inquiry, viz. copies of the depositions, daily order sheets, exhibits, written briefs of the Presenting Officer and the Charged Officer;
  - (ix) Comments of the CVO and the disciplinary authority on the assessment of evidence done by the inquiring authority and also on further course of action to be taken on the inquiry report.
- These instructions may be followed in letter and spirit.

DA /Nil.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

**No. 2006/V-1/VP/1/4 New Delhi, dated April 7, 2006**

Copy to:- The Secretary, (Kind Attention : Shri V. Kannan, Director) Central Vigilance Commission, Satarkata Bhawan, GPO Complex, INA, New Delhi – with reference to their letter No.006/PRC/1 dated 13/03/2006 - for information please.

**(Sanjay Goel)**  
**Director Vigilance (M)**  
**Railway Board**

Copy to:- All Officers and the Branches of Vigilance Directorate.

**Government of India  
Ministry of Railways  
Railway Board**

**No.2006/V-1/CVC/1/2**

**New Delhi, dated April 7, 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 & NF/Const.,

**The Managing Directors,**

ITES, IRCON, KRCL, CONCOR,  
IRFC, MRVC, IRCTC, RAILTEL,  
CRIS, RVNL & IRWO.

**Chief Administrative Officers,**

DLMW & COFMOW

**The Directors,**

IRIEEN, IRIMEE, IRICEN, IRISSET  
& IRITM

**Director General,**

RDSO & RSC

**Others**

CCRS/LKO

**Sub: Reducing delay in departmental proceedings – ensuring availability of documents – regarding.**

In continuation of Board's letter No.2003/V-1/CVC/1/12 dated 20/04/2004 (copy enclosed for ready reference) stressing the need to ensure that the Presenting Officer is given custody of all the listed documents along with his appointment order to avoid delay in disciplinary proceedings, the Central Vigilance Commission have reiterated that nonavailability

of documents relevant to the departmental inquiry proceedings continues to be a major problem contributing to the delay in the finalization of the inquiry.

It is further desired that in respect of the CBI cases, the CBI should make available to the organization, legible certified photocopies of all documents seized by them. It is, therefore, imperative to ensure that legible and certified copies of the documents taken over by CBI are made available to the Disciplinary Authority in the interest of expeditious departmental proceedings.

The above instructions may be noted for strict compliance.

DA/as above.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board.**

S.N.G.

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

No.2003/V-I/CVC/1/12

New Delhi, dated 20-04-2004

**The General Managers (Vigilance)**  
CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR and WCR.

**The Chief Vigilance Officer,**  
CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO,  
RDSO, IRCON, RITES, IRFC, CONCOR, KRC Ltd., IRCTC,  
RAILTEL and MRVC.

**Sub:- Procedure for making reference to the Commission for its first stage advice.**

Reference is invited to the Board's letter of even No. dated 14.10.2003, followed by letter of even No. dated 30.01.2004 regarding submission of Bio-data of the charged official(s), in the prescribed format, alongwith investigation report, while seeking first stage advice of the CVC.

2. It has been observed by CVC that after the Commission tenders its first stage advice, in cases of major penalty, the vigilance cases get unnecessarily delayed or result in exoneration due to non-availability of proper documents. The Commissioners for Departmental Inquiries (CDIs) have also pointed out that in many cases the Presenting Officers find problems even in the production of prosecution/management documents. This results in undue delay in finalisation of the inquiries.

3. The Commission is, therefore, of the view that the Disciplinary Authority should go through all the documents/evidences carefully, at the initial stage itself before deciding whether the case(s) against the SPS(s) warrant (s) major penalty or not. Once a decision is taken by the DA and the case is referred to the Commission for its first stage advice with the recommendation of major penalty proceedings against the SPS(s), the Disciplinary Authority should enclose a copy of draft charge sheet alongwith the list of documents and witnesses through which the department intends to prove the charges, besides the completed 'proforma for seeking advice'.

Contd...p/2

-:2:-

4. Disciplinary Authority should also ensure that the Presenting Officer(s) is/are given the custody of all the listed documents in original or certified copies thereof alongwith his appointment order so that the delay in disciplinary proceedings are reduced.

5. It is desired that these instructions may be followed in letter and spirit, for expeditious disposal of the cases.

20/4/4

(R.S.Sharma)  
Director Vigilance (Mech.)  
Railway Board

No. 2003/V-I/CVC/1/12

New Delhi, dated 20-04-2004

Copy to : The Central Vigilance Commission, Satarkta Bhavan, Block 'A' GPO Complex, INA, New Delhi. w.r.t their letter No.NZ/PRC/1 dated 26<sup>th</sup> February, 2004.

**COPY TO:**

All Officers and the Branches of Vigilance Directorate.

**RBV No.5/2006**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2006/V-1/DAR/1/4**

**New Delhi, dated March , 2006**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Investigation of Arbitration cases.**

In continuation of the Boards letter No. 99/V-1/CVC1/9 dated 13<sup>th</sup> July, 1999, regarding proceedings against delinquent officials, discharging quasi-judicial functions, it is desired to initiate investigations, based on source information, into the Arbitration Cases, involving “corrupt motive” or “giving undue favour to party” in deciding the Arbitration Award.

DA / Nil.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**No. 2006/V-1/DAR/1/4 New Delhi, dated March , 2006**

Copy to:-The Secretary, Central Vigilance Commission, Satarkata Bhawan, GPO Complex, INA, New Delhi – for information please.

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to:- All Officers and the Branches of Vigilance Directorate.**

**RBV No.4/2006**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2006/V-1/VP/1/2 Dated: 28.2.2006**

**The SDGMs/CVOs  
All Zonal Railways, PUs, PSUs**

**Sub: Departmental trap cases – Procedure and Guidelines**

In the Indian Railways Vigilance Manual –2006. Correction Slip no. 6 issued on 14.3.01 was inadvertently left out. The existing para 307.4 may be replaced as follows:-

**“307.4** In addition, the investigating officer/inspector should immediately arrange one or more officials (gazetted or non-gazetted or a combination of gazetted & non-gazetted) to act as independent witness/witnesses. It is imperative that all Railway employees should assist and witness a trap whenever they are approached by the Vigilance branch. Refusal to assist or witness a trap without sufficient reason can be construed as breach of duty, making the person liable to disciplinary action.”

**(Sanjay Goel)  
Director Vigilance (Mech.)  
Railway Board**

**Government of India  
Ministry of Railways  
(Railway Board)**

**No.2005/V-1/CVC/1/15**

**New Delhi, dated January 20, 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 & NF/Const.

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

**Chief Administrative Officers,**  
DLMW & COFMOW

**Director General,**  
RDSO & RSC

**The Managing Directors,**  
RITES, IRCON, KRCL, CONCOR, IRFC,  
MRVC, IRCTC, RAILTEL, CRIS, RVNL  
& IRWO.

**Others**  
CCRS/LKO

**Sub:** Nomination of Presenting Officer from CBI in DAR cases arisen as a result of Vigilance Investigation.

**It has been advised by CVC that in cases where it is felt that a Presenting Officer from CBI is a must, the reason/justification for the same may be furnished to the CVC, who in turn will take up the matter with the CBI for providing a Presenting Officer.**

**2. In view of the above, it has been decided that in the following types of cases, reference may be made to Railway Board for arranging a Presenting Officer from CBI:-**

- (a) Cases in which outsiders have to be produced as prosecution witnesses;**
- (b) Cases of disproportionate assets; and**
- (c) CBI trap cases.**

**DA/Nil.**

**(Sanjay Goel)  
Director Vigilance (M)  
Railway Board**

**Copy to:-**

**All Board Members, All Addl. Members, All Director Generals, All Advisors, All**

Executive Directors, All Joint Secretaries/Inspector Generals, All Constituents of PREM Group, The Secretary, RBSS (Group-A) Officers' Association, The Secretary, RBSS (Group-B) Officers' Association, The Secretary Railway Board Ministerial Staff Association and the Secretary Railway Board (Group-D) Employees' Association. All Officers and the Branches of Vigilance Directorate.

**Government of India  
Ministry of Railways  
(Railway Board)**

**No. 2005/V-1/DAR/1/12**

**New Delhi, dated January 17, 2006**

**(I) General Manager (Vigilance)**

CR, ER, ECR, ECoR, NR, NCR, NER, NFR, NWR,  
SR, SCR, SER, SECR, SWR, WR, and WCR.

**(II) Chief Vigilance Officer (CVO)**

CLW, DLMW, DLW, ICF, RCF, RWF, CORE, METRO, RDSO,  
IRCON, RITES, IRFC, CONCOR, KRCL, IRCTC, RAILTEL,  
MRVC and RVNL

**Sub: Reconsideration of Vigilance cases by CVC in which  
CVC have advised 'Administrative Action'.**

During the meeting held on 20.07.2005, between the CVC and the Adviser (Vigilance), the issue regarding making a back reference to the CVC, on the ground of difference of opinion between the CVC and the Disciplinary Authority, **in cases where the CVC have recommended "Administrative Action" came up for discussion.**

2. After deliberations it was agreed by the CVC that in such cases, if after consideration of the points raised by the Charged Officer, the Disciplinary Authority comes to a conclusion to deviate from such advice of the CVC, it will be at liberty to do so, without making a back reference to the CVC for reconsideration of its advice.

3. These instructions may be complied in letter and spirit in the interest of expeditious disposal of the DAR cases, arisen as a result of Vigilance investigations.

DA / Nil.

(Sanjay Goel)  
Director Vigilance (M)  
Railway Board

**No. 2005/V-1/DAR/1/12 New Delhi, dated January 17, 2006.**

Copy to:- The Secretary, Central Vigilance Commission, Satarkata Bhawan,  
GPO Complex, INA, New Delhi – for information please.

(Sanjay Goel)  
Director Vigilance (M)  
Railway Board

Copy to:- All Officers and the Branches of Vigilance Directorate.

Copy to:- JS(G) & JS(E&P) – for information