



परिपत्र अनुक्रमांक सं./Circular Serial No. 312

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वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्

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COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

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संख्या
No.

प्रेषक 15-6(83)/98-O&M-III

From

मुख्य सतर्कता अधिकारी
Chief Vigilance Officer

स्पीड पोस्ट/दस्ती

Speed post/By Hand

18th सितम्बर, 2006

To

सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के निदेशक/प्रधान
The Directors/Heads of all National Labs/Instts.

Sub: Adherence to time limit in processing of disciplinary cases - reg.

महोदय/Sir,

मैं आपकी सूचना, मार्गदर्शन एवं आवश्यक कार्यवाही हेतु उपरोक्त विषय पर केन्द्रीय सतर्कता आयोग द्वारा दिनांक 21.07.2006 को भेजे परिपत्र सं.006/VGL/025 (आदेश सं. 28/7/06) को अग्रेषित कर रहा हूँ। कृपया इसकी प्रति सभी सम्बन्धित अधिकारियों को प्रदान की जाये।

I am to forward herewith a copy of Central Vigilance Commission circular No. 006/VGL/025 (Office Order No.28/7/06) dated 21.07.2006 on the subject cited above for your information, guidance and necessary action with a request that copies of the circular may be provided to all concerned.

भवदीय,

(आर.एस. अंतिल)

मुख्य सतर्कता अधिकारी

संलग्न: यथोपरि

प्रतिलिपि:

- 1 सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के प्रशा. नियंत्रक/ प्रशा.अधिकारी/सतर्कता अधिकारी
- 2 सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के वित्त एवं लेखा नियंत्रक/वित्त एवं लेखा अधिकारी
- 3 मुख्य अभियन्ता, ईएसडी, सीएसआईआर कोम्प्लेक्स
- ✓ 4 श्री ए. वाहिद, वैज्ञानिक, सूचना प्रौ. प्रभाग, सीएसआईआर वेबसाइट पर प्रसारित करने हेतु
- 5 उप सचिव (के. का.)
- 6 कार्यालय प्रति
7. डप साचिन (CSIR complex)

No.006/VGL/025
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block-A,
GPO Complex, INA,
New Delhi-110023.
Dated the 21st July, 2006

Circular No. 28/7/06

Subject:- Adherence to time limit in processing of disciplinary cases.

Attention is invited to the Commission's Office Order No. 50/05/04 issued vide No. 000/VGL/18 dated 9/8/04 on the above mentioned subject.

2. The Commission has noted with concern that the observance of time schedule in conducting investigations and departmental inquiries, as laid down in its letter no. 000/VGL/18 dated 23/5/2000, 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 Commission has also noticed that sometimes the disciplinary authorities misinterpret the Supreme Court judgment in the case of K.V. Jankiraman etc. vs Union of India, regarding adopting sealed cover procedure on the recommendations of departmental promotion committee for certain categories of officials. In this regard, DOPT has already issued instructions/clarifications vide letter no. 22011/4/91-Estt(A) dated 14/9/92 clearly stating that in accordance with the Supreme Court ruling in the K.V. Jankiraman 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. The above instructions also provide 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. All administrative authorities may be suitably advised to take note of, and strictly adhere to the prescribed time schedule in dealing with the disciplinary cases. Further, it is also necessary to correctly interpret/apply the Supreme Court judgment in Jankiraman case on 'sealed cover' in the light of instructions issued by the DOPT.

6. Undue delays on part of administrative authorities, in dealing with disciplinary cases, will be viewed seriously by the Commission and it would be constrained to advise penal action against those found responsible.

श्री. एम. आर्. आर.
आयुक्त एवं प्रमुख / सचिव, सचिवालय
आयुक्त एवं प्रमुख / सचिव, सचिवालय
दि. 21/7/06

(V. Kannan)
Director

All Secretaries to Govt. of India
All CEOs/Head of Organisations
All Chief Vigilance Officers