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केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



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सं./No. 016/VGL/006 - 385000

दिनांक / Dated 02.07.2018

To

Chief Secretaries of all State Governments

Subject: Disciplinary action against officials of State Government for misconducts committed while they were on deputation to the Central Government/organisations

Sir/Madam,

The matter regarding initiation of disciplinary action against officials of State Government for misconducts committed while they were on deputation to the Central Government or to the organizations owned or controlled by the Central Government, has been under consideration of the Commission.

2. It has been observed that whenever matters of discipline arise, the Central Government / Statutory Organizations / CPSUs, as the borrowing organization, are empowered to initiate disciplinary proceedings against the concerned officials of the State Government/Departments especially PWDs and such other set-ups and undertakings, etc., while they are on deputation. However, as per extant rules and procedures, such disciplinary proceedings are required to be concluded by the concerned administrative authorities of the State Government. Further, many a time, when disciplinary action is contemplated against such officials of the State Governments, they stand repatriated after deputation to their parent department i.e. the State Government (lending organization). In matters where no disciplinary proceedings were initiated against such officials of the State Government while they were on deputation to the Central Government / Organization and those officials stood repatriated after completion of their tenure, etc. the Central Government / Organization cannot ensure implementation of the disciplinary action by the Administrative Authorities of the respective State Governments.

3. The Commission has further observed that in several cases/ instances disciplinary proceedings have been found to be long pending against the officials of State Governments for misconducts committed by them while they were on deputation to the Central Government /Statutory Organisations like NHAI, AAI, etc./CPSUs, etc. It may also be pointed out that in most of these cases, there is no response from the lending organization of the State Governments. Effectively therefore, it is not possible for the Commission as well as the Central Government /Organization concerned to ensure implementation of disciplinary action in respect of officials of the State Government once they are repatriated to their parent department.

4. Therefore, the Commission is of the view that all such disciplinary actions initiated and matters where the Administrative Authorities of respective State Governments are required to initiate action as requested by the borrowing organisations of the Central Government, for commission of misconduct while on deputation, needs to be brought to a logical conclusion by the State Governments. The Commission would therefore suggest that the Chief Secretaries of the States concerned may review all such disciplinary cases/matters pending against officials of the State Government and its organisations in respect of officials who were on deputation to the Central Government/ or its Organisations and had repatriated.

5. All Chief Secretaries are therefore requested to review such disciplinary cases/ matters pending against the officials of State Government under their jurisdiction and update the action taken status to the concerned borrowing departments of the Central Government as well as to the Central Vigilance Commission in individual cases, as the case may be.



(Archana Varma)
Additional Secretary