

No. 118/1/2005-AVD.III  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Personnel & Training

New Delhi, the 8<sup>th</sup> April, 2005

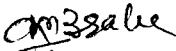
OFFICE MEMORANDUM

Subject: Consultation with the Central Vigilance Commission in cases where action taken under Rule 19 (i) of the CCS(CCA) Rules, 1965.

The undersigned is directed to invite a reference to the instructions contained in this Department's O.M. No. 118/4/89-AVD.I dated the 30<sup>th</sup> May, 1991 on the above mentioned subject requiring, *inter alia*, the Disciplinary Authorities to take a final decision in consultation with the Central Vigilance Commission (CVC) in the cases falling under Rule 19(i) of the CCS (CCA) Rules, 1965, where a penalty is proposed to be imposed on a Government servant on account of his conviction on a criminal charge. The CVC has considered the matter and is of the view that consultation with the Commission is not necessary in the cases falling under Rule 19(i) of the CCS (CCA) Rules as the Government servant already stands convicted by the Court of Law.

2. The advice/view of the CVC has been considered in this Department. The suggestion made by the CVC will help cut in avoidable delays in concluding the disciplinary proceedings. In view of the proviso to Rule 19 of the CCS (CCA) Rules, 1965, consultation with the CVC in the disciplinary cases under Rule 19 (i) of the CCS (CCA) Rules, 1965 can be dispensed with. Therefore, it has been decided that consultation with the CVC is not necessary/required in such cases where Government servants are convicted by Courts of Law on a criminal charge.

3. The Ministries/Departments are requested that the above modification may please be brought to the notice of all Disciplinary Authorities for their guidance.

  
( K.M. Brahme )

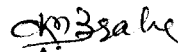
Under Secretary to the Government of India  
2309 3846

1. Chief Vigilance Officers of all Ministries/Departments of Government of India
2. Secretary, Central Vigilance Commission w.r.t. their letter No. 004/VGL/23 dated 3<sup>rd</sup> June, 2004
3. Secretary, Union Public Service Commission, New Delhi.
4. Director, Central Bureau of Investigation.
5. Chief Secretaries of all Union Territories of Administration.
6. All attached and Subordinate Offices of Department of Personnel & Training
7. Comptroller & Auditor General of India, New Delhi.
8. Commission for Linguistic Minority, Hyderabad.
9. Lok Sabha/Rajya Sabha.

Copy to:

(1) All Desks/Sections of the Department of Personnel & Training.

(2) NIC with the request to post the OM on the Department's website.

  
( K.M. Brahme )

Under Secretary to the Government of India