

## Performance during September' 09

- Commission disposed 472 cases referred to it for advice.
- Recoveries to the tune of Rs. 32.10 Crore were effected after Commission conducted technical examination of some departments.

2. Action to be taken by the administrative authorities on the Commission's recommendations are given below:-

(i) **Launching of prosecution against 6 officers from:-**

a	ONGC Ltd.	:	2
b	Corporation Bank	:	1
c	Deptt. of Defence Production	:	1
d	LIC	:	1
e	Central Board of Excise and Customs	:	1

(ii) **Commission advised initiation of major penalty proceedings against 111 officers:**

a	M/o Railways	:	24
b	Govt. of NCT of Delhi	:	19
c	MCD	:	15
d	Public Sector Banks	:	14
e	Deptt. of Education	:	4
f	Deptt. of Defence Production	:	4
g	M/o Urban Development	:	4
h	EPFO	:	4
i	Central Coalfields Ltd.	:	3
j	NDMC	:	3
k	LIC	:	3
l	M/o External Affairs	:	3
m	M/o Personnel, P.G & Pensions	:	2
n	CPWD	:	1
o	Central Board of Direct Taxes	:	1
p	M/o Defence	:	1
q	M/o Commerce	:	1
r	Deptt. of Mines	:	1
s	Sports Authority of India	:	1
t	Bureau of Indian Standard	:	1
u	Bharat Sanchar Nigam Ltd.	:	1
v	Deptt. of Agriculture & Coop.	:	1

(iii) **The Commission advised imposition of major penalty against 70 officers:-**

a	Public Sector Banks	:	11
b	Central Board of Excise and Customs	:	08
c	MCD	:	07
d	D/o Telecommunications	:	06
e	United India Insurance Co. Ltd.	:	05
f	M/o Defence	:	05
g	Kendriya Vidyalaya Sangathan	:	04
h	M/o Railway	:	04
i	Central Board of Direct Taxes	:	03
j	National Insurance Co. Ltd.	:	02
k	Central Coalfields Ltd.	:	02
l	CPWD	:	02
m	DDA	:	02
n	Chandigarh Administration	:	01
o	CRPF	:	01
p	BSF	:	01
q	DTL/IPGCL	:	01
r	Deptt. of Health	:	01
s	Gas Authority of India Ltd.	:	01
t	LIC	:	01
u	M/o Information Technology	:	01
v	M/o Urban Development	:	01

(iv) **Disposal of complaints in September ' 09**

a	Sent for investigation and report	:	144
b	Sent for necessary action	:	987

Complaints under PIDPI

a	Sent for investigation and report	:	04
b	Sent for necessary action	:	04

(v) **The CTE Organization submitted intensive examination reports in 06 cases during September' 09** of which 02 were in Civil works, 03 in Electrical & 01 in Stores/Purchase. The intensive examination of the CTE Organization resulted in **recoveries of Rs. 32.10 Crore during the month.**

3. Action taken by the administrative authorities on the Commission's recommendations are given below:-

(i) The competent administrative authorities issued **sanctions for prosecution against 26** officers coming under CVC jurisdiction:

a	CBEC	:	18
b	M/o Personnel, P.G & Pensions	:	03
c	CBDT	:	02
d	M/o Home Affairs	:	01
e	BSNL	:	01
f	M/o Railways	:	01

(ii) **Major penalty was imposed on 47 officers:**

a	Public Sector Banks	:	16
b	M/o Railway	:	14
c	MCD	:	07
d	DDA	:	03
e	CPWD	:	01
f	D/o Telecommunications	:	01
g	Calcutta Port Trust	:	01
h	Central Coalfields Ltd.	:	01
i	Northern Coalfields Ltd.	:	01
j	Bureau of Indian Standards	:	01
k	CBDT	:	01

( List of cases where major penalties were imposed is at Annexure-'A')

(iii) On the basis of advice tendered by the Commission, stiff major penalty has been imposed on the following officers:-

a	Andhra Bank	:	2
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(iv) On the basis of advice tendered by the Commission, the following senior officer ( of the rank of Jt. Secretary/equivalent and above) were punished during the month:-

a	DoPT	:	3
b	M/o Home Affairs	:	1
c	Bureau of Indian Standards	:	1

### Performance upto September, 09

S. No.	Nature of Advice	No. of cases
1.	Prosecution advised	130
2.	Prosecution sanctioned	167
3.	Major penalty proceedings advised	995
4.	Major penalty advised after inquiry	524
5.	Major penalty imposed	509
6.	Initiation of minor penalty proceedings	650
7.	Imposition of minor penalty advised	160
8.	Minor penalty imposed	564
9.	Exoneration/Closure	1654
10.	Vigilance Clearance granted	271
11.	No. of Intensive examination by CTE organ	77
12.	Recoveries on account of CTE's investigations	61.25 cr.

4. The **CBI filed charge-sheets in 94 cases** after receipt of sanction of prosecution. CBI also **received sanction for prosecution in 42 cases** from various Departments. This matter is being closely monitored by the Commission to secure sanction from the organizations concerned in a reasonable period of time, as directed by the Hon'ble Supreme Court. However, sanctions for prosecution are still delayed.

5. During the month, the Commission observed that in two cases penalty imposed by Departments/Organizations were in **deviation** from the Commission's advice. These were M/o Railways (1) & Andhra Bank (1).

6. The Commission has been deeply concerned over continuing delays in filling the post of CVOs in several key organizations like Delhi Transport Corporation, Kochi Shipyard Ltd., BCCL, IREDA, FCI, EPFO, KIOCL and IRCON. The Government is being regularly reminded.

7. (a) **Brief details about 1<sup>st</sup> stage advices tendered in r/o Sr. Officers:-**

- (i) The Commission has advised initiation of major penalty proceedings against an IAS officer for not taking action for removal of unauthorized construction of 'Forest Hill Resort'.
- (ii) The Commission has advised initiation of major penalty proceedings against an IPS officer for committed irregularities in appointments of Headmasters in BSF Primary School.

- (iii) The Commission has advised initiation of major penalty proceedings against a Chief Engineer(Retd.) for approving the supply order for voltage stabilizers without Administrative Approval (AA) and Estimated Sanction (E/S) and there was deviation in Technical Sanction estimate in items available in the A/A for the works of Flood lighting along Indo-Pak Boarder in Gujrat and Jaisalmer Sector.
- (iv) The Commission had advised initiation of major penalty proceedings against a Chief Engineer (Retd.) for committed gross financial irregularities in the work of Flood lighting along Indo-Pak Boarder in Gujrat Sector.
- (v) The Commission had advised initiation of major penalty proceedings against a Director(F), Hindustan Copper Ltd. under M/o of Mines for committed irregularities in recruitment process, approving an unreasonable age relaxation of seven years.
- (vi) The Commission had advised initiation of minor penalty proceedings against the then GM, RVNL for failing to maintain the quality and correctness of measurements as per RVNL procedure order No.3 in Delhi Rewari Project-grider fabrication.

(b) **Brief details about IInd stage advices tendered in r/o Sr. Officers:-**

- i) The Commission had advised imposition of a suitable cut in pension against an ADG(Retd) for unnecessarily delay in the removal of encroachment and allowing sufficient time to shopkeepers to obtain stay order.
- ii) The Commission had advised imposition of a suitable major penalty against the then JCIT, Rohtak and the then CIT (Retd.) for purchasing furniture and computers at exorbitant rates in violation of Rule 102 of GFR and manipulation of records by bringing 'pooled' quotations.

8. During the month, the Commission, while monitoring the vigilance administration in various organizations, found certain shortcomings and advised for Procedural/Systemic improvements in the organizations as per details given below:

- The Commission had advised Central Board of Excise and Customs to take specific initiatives against ambiguities noted in CBEC while verifying duty drawback claims and advised to issue standing instructions and checklists specifying the documents mandatorily required for sanctioning of drawback claims.

9. **Circulars/Instructions issued in September, 2009 (Annex-B)**

- The Commission vide its circular no. 29/09/09 dated 17/09/09 had clarified that while ensuring fair play, transparency and open tendering procedure for e-tendering solutions, the organization must take due care to see the effective security provisions are made in the system to prevent any misuse. The circular provide certain guidelines on security related issues in e-tendering system to be followed by Organizations concerned to enable them to save from threat of data loss, leakage and manipulation.

- The Commission vide its circular no. 30/09/2009 dated 17/09/2009 reiterated its instruction to all CVO's and officers working in vigilance set-up in various Organizations/Departments that prior approval of the Commission is to be obtained before going on visits abroad, on trainings. Further, all CVOs need to furnish relevant details of visits abroad to the Commission along with monthly report.
- The Commission vide its circular no. 28/9/09 dated 17/09/2009 had issued instruction in the matter of purchase of share by CVOs and other officials in vigilance set up of Central Public Sector Enterprises (CPSEs) to comply with DPE's O.M. No. 15(7)2002-DPE(GM)-GL -96 dated 11.08.2009 which prescribed that "CVOs and other officials in vigilance set up of CPSEs, who are not employees in the concerned CPSEs shall not be eligible for allotment of CPSEs. Such extraordinary benefits compromise on independence and objectivity of CVOs in overseeing the vigilance administration in CPSEs".

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Annexure-A

List of cases where major penalty has been imposed by the competent authority during September' 09

S.No.	Name	Designation	Organization	Final order received in the Commission	Penalty Imposed
1	MK BEURA	DY CSTE	MINISTRY OF RAILWAYS	01/09/2009	REDUCTION TO LOWER STAGE IN THE TIME SCALE OF PAY FOR ONE YEAR WITH CUMULATIVE EFFECT
2	HANSRAJ SHARMA	SR DEN	MINISTRY OF RAILWAYS	01/09/2009	RED TO A LOWER STAGE IN THE TIME SCALE OF PAY BY TWO STAGES FOR ONE YEAR WITHOUT CUMULATIVE EFFECT
3	BOKEPHODE MU	ACM-I	MINISTRY OF RAILWAYS	02/09/2009	REDUCTION OF PAY TO THE LOWEST STAGE OF HIS PRESENT SCALE TILL HIS RETIREMENT WITH CUMULATIVE EFFECT
4	PARMAR KM	JE	MINISTRY OF RAILWAYS	03/09/2009	RED. TO LOWER PAY SCALE WITH BASIC PAY FIXED AT RS 5500 IN THE TIME SCALE FOR A PERIOD OF TWO YEARS WITHOUT FUTURE EFFECT
5	D K SINGH	SR SE	MINISTRY OF RAILWAYS	09/09/2009	SALARY REDUCTION BY TWO STAGES LOWER IN THE SAME SCALE FOR FOUR YEARS
6	SINGH R	AEN	MINISTRY OF RAILWAYS	09/09/2009	RED IN PAY IN THE EXISTING GRADE PER MONTHS BY THREE STAGES FOR A PERIOD OF ONE YEAR
7	BEER BAHADUR RAM	SSO	MINISTRY OF RAILWAYS	09/09/2009	RED TO THE NEXT LOWER STAGE IN THE TIME SCALE OF PAY FOR A PERIOD OF 37 MONTHS THIS REDUCTION TO LOWER STAGE
8	VERMA KK	DY CEE	MINISTRY OF RAILWAYS	15/09/2009	REDUCTION OF PAY BY ONE STAGE FOR SIX MONTH
9	ML KHATRI	THE THEN PPS	MINISTRY OF RAILWAYS	15/09/2009	REDUCTION OF PAY BY ONE STAGE FOR ONE MONTH
10	T PERIAYASAMY	DY CE	MINISTRY OF RAILWAYS	16/09/2009	20% CUT IN PENSION FOR A PERIOD OF 3 YEARS
11	BK SINGH	SR INSPR STORES	MINISTRY OF RAILWAYS	16/09/2009	REDUCTION OF PAY BY ONE STAGE FOR A PERIOD OF ONE YEAR
12	SINGH N	HD GC	MINISTRY OF RAILWAYS	16/09/2009	20% CUT IN PENSION FOR A PERIOD OF 5 YEARS
13	RAJENDRA SINGH	SSE	MINISTRY OF RAILWAYS	16/09/2009	PENALTY OF REDUCTION BY 2

					STAGES FOR 2 YEARS (RLY RECON LIST)
14	SHUKLA SR	SE	MINISTRY OF RAILWAYS	16/09/2009	PENALTY OF REDUCTION BY 2 STAGES FOR 2 YEARS (RLY RECON LIST)
15	GUPTA KR	THEN SDOT	DEPTT. OF TELECOMMUNICATIONS	02/09/2009	10% CUT IN THE MONTHLY PENSION FOR A PERIOD OF ONE YEAR. [UPSC]
16	MALAY BANDOPADHYAY	DLM	CALCUTTA PORT TRUST	30/09/2009	REDUCED BY TWO STAGES IN THE TIME SCALE OF PAY FOR PERIOD OF 2 YRS
17	DURGA PRASAD DAS	SMGS-V	STATE BANK OF INDIA	01/09/2009	RED.BY 1 STAGE FOR 2 YRS WITH NO INC AND POSTPONING OF FUTURE INC.
18	NAGENDRA HV	SR. MANAGER	CANARA BANK	01/09/2009	RED. TO A LOWER GRADE IE FROM MMG III TO MMG II
19	SMT. I VIJAYASRI	MMGS-III	ANDHRA BANK	02/09/2009	COMPULSORY RETIREMENT
20	SMT. GEETIKA SHARMA	SR. MGR.	CANARA BANK	02/09/2009	RED.BY 1 STAGE FOR 1 YR WITH NO INCREMENT AND WITH POSTPONING EFFECT.
21	R. KALYANARAMAN	MMGS-II	ANDHRA BANK	02/09/2009	COMPULSORY RETIREMENT FROM BANK SERVICE
22	BANERJEE GC	AGM	STATE BANK OF INDIA	03/09/2009	RED.BY 3 STAGES FOR 2 YRS WITH NO INC. AND POSTPONING OF FUTURE INC.
23	S NARASIMHAN	SMGS-V	STATE BANK OF INDIA	04/09/2009	RED.TO MINIMUM OF SCALE IN SMGS V
24	CHUDHARY AB	MMGS-II	STATE BANK OF INDIA	07/09/2009	RED.BY2 STAGES FOR 2 YRS WITH NO INC. AND POSTPONING OF FUTURE INC.
25	SARANGARAJAN S	SMGS-V	STATE BANK OF INDIA	07/09/2009	REC OF RS.50,000/- & RED.BY 1 STAGE TILL RETIREMENT
26	R.K. MITHAL	CM	PUNJAB NATIONAL BANK	09/09/2009	REDUCTION OF TWO LOWER STATES IN THE TIME SCALE OF PAY FOR A PERIOD OF ONE YEAR
27	K PALANISWAMI	MGR.	CANARA BANK	18/09/2009	RED.BY 2 STAGES FOR 2 YRS, NO INCREMENT AND WITH POSTPONING FUTURE INC.
28	N KANNAN	SR MGR.	CANARA BANK	18/09/2009	RED.BY 1 STAGE FOR 1 YR WITH NO INCREMENT AND WITH POSTPONING EFFECT.
29	S S BHAT	AGM	CANARA BANK	18/09/2009	RED.BY 1 STAGE FOR 1 YR WITH NO INCREMENT AND WITH POSTPONING EFFECT.
30	M JAYASHEELLEN	C.M.	CANARA BANK	18/09/2009	RED. BY 2 STAGES FOR 1 YR WITH NO INC. AND POSTPONING EFFECT OF FUTURE INC.
31	MANGE RAM	MANAGER	CANARA BANK	18/09/2009	RED. BY 2 STAGES FOR 2 YR WITH NO INC. AND

					POSTPONING EFFECT OF FUTURE INC.
32	T S UDAYKUMAR	AGM	CANARA BANK	18/09/2009	DISMISSAL WHICH IS A DISQUALIFICATION FOR FUTURE EMPLOY.
33	KELEWALA RT	INSPECTOR	CENTRAL BOARD OF DIRECT TAXES	23/09/2009	RED BY 1 STG IN THE TIME SCALE OF PAY FOR A PERIOD OF THREE YEARS, WITH OUT CUM EFFECT
34	GUPTA OM PRAKASH	SR EE	CENTRAL COALFIELDS LTD.	01/09/2009	REDUCTION BY ONE STAGE IN TIME SCALE OF PAY OF PERIOD OF ONE YEAR
35	RR JHA	DY CMM	NORTHERN COALFIELDS LTD.	23/09/2009	REDUCTION OF PAY BY TWO STAGES IN HIS PRESENT PAY SCALE TILL HIS RETIREMENT
36	DAS PS	ADDL.D.G.	BUREAU OF INDIAN STANDARDS	16/09/2009	10% CUT OF PENSION FOR A PERIOD OF SIX MONTHS
37	S.K. JAIN	JE	M.C.D.	08/09/2009	REDUCTION OF PAY BY TWO STAGES FOR 2 YEARS WITH CUMULATIVE EFFECT
38	K.K. AGGARWAL	AE	M.C.D.	08/09/2009	REDUCTION OF PAY BY TWO STAGES FOR 2 YEARS WITH CUMULATIVE EFFECT
39	R.K. JAIN	JE	M.C.D.	08/09/2009	REDUCTION OF PAY BY TWO STAGES FOR 2 YEARS WITH CUMULATIVE EFFECT
40	A.K. SEN	AE	CENTRAL PUBLIC WORKS DEPARTMENT	15/09/2009	10% OF MONTHLY PENSION OTHERWISE ADMISSIBLE TO HIM BE RELEASED, IF NOT OTHERWISE REQUIRED TO BE WITHHELD
41	R.N. VATS	THEN AE	DELHI DEVELOPMENT AUTHORITY	16/09/2009	10% CUT IN PENSION FOR ONE YEAR
42	R.S. GOEL	EE	DELHI DEVELOPMENT AUTHORITY	17/09/2009	5% CUT IN PENSION FOR ONE YEAR
43	N.P. SINGH	SE	M.C.D.	23/09/2009	20% CUT IN PENSION FOR TWO YEARS
44	JAGBIR SINGH	JE	M.C.D.	23/09/2009	REDUCTION IN PAY IN THE PRESENT TIME SCALE BY TWO STAGES FOR 2 YEARS WITH CUMULATIVE EFFECT
45	A.P. SHARMA	AE	M.C.D.	23/09/2009	REDUCTION IN PAY IN THE PRESENT TIME SCALE BY TWO STAGES FOR 2 YEARS WITH CUMULATIVE EFFECT
46	N.K. GROVER	JE	M.C.D.	23/09/2009	REDUCTION IN PAY IN THE PRESENT TIME SCALE BY TWO STAGES FOR 2 YEARS WITH CUMULATIVE EFFECT
47	M.R. SHARMA	DY. DIRECTOR (Retd.)	DELHI DEVELOPMENT AUTHORITY	25/09/2009	5% CUT IN PENSION FOR ONE YEAR