

No.98/VGL/15
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block 'A',
GPO Complex, I.N.A.,
New Delhi-110 023
Dated the 6th April 2004

Office Order No. 19/4/04

To

CMDs of all public sector banks
Chief Vigilance Officers of all public sector banks
Banking Division (Shri Vinod Rai, Additional Secretary), New Delhi
Department of Personnel & Training (Ms. Manjulika Gautam, Additional Secretary), New Delhi

Subject: Powers and functions of the Central Vigilance Commission in relation to public sector banks.

Please refer to the Commission's Office Memorandum No. 4K/DSP/17 dated 04.08.1986, on the above subject, requiring that vigilance cases of officers in Scale-III and above in the public sector banks might be referred to the Commission for advice.

2. Keeping in view the large increase in the number of cases being referred to the Commission for advice, particularly as a result of changing scenario in the banking industry, the Commission has decided that, henceforth, only such vigilance cases in which an officer of the level of Scale-V and above is involved may be referred to the Commission for advice. It is, however, clarified that the Commission's advice would be necessary in respect of all officers of the bank, irrespective of their level, if they are involved in the same matter in which an officer of the level of Scale-V or above is involved. The Commission's advice would also be necessary in cases of difference of opinion between the disciplinary authority and the CVO with regard to the action to be taken against officers who are not within the jurisdiction of the Commission if these differences cannot be resolved with the intervention of the CMD of the Bank.

3. While delegating the powers to the concerned banks to handle vigilance cases involving officers of Scale-IV and below, the Commission expects that (i) appropriate expertise would be available to the CVOs; (ii) the CVO would be in a position to exercise proper check and supervision over such cases and would ensure that the cases are disposed off expeditiously within the time norms stipulated by the Commission; and (iii) the punishment awarded to the concerned employee would commensurate with the gravity of the misconduct established on his/her part. In order to ensure that the Commission's expectations are fully met, the Commission

may depute its officers to conduct vigilance audit through onsite visits and also through the monthly information system (monthly reports etc.). If the Commission comes across any matter, which in its opinion has not been handled properly, it may recommend its review by the appropriate authority or may give such directions as it considers appropriate.

4. In respect of cases involving officers of the level of Scale-IV and below, in which the Commission has tendered its first stage advice before issue of these instructions, the matter need not be referred to the Commission for second stage advice if the disciplinary authority, on conclusion of the disciplinary proceedings, proposes to impose a penalty which coincides with the Commission's first stage advice, provided that none of the officers involved in that matter is an officer of Scale-V and above. The case, however, may be referred to the Commission for its advice if the disciplinary authority proposes to take action, which does not coincides with the Commission's first stage advice, or it differs with the recommendation of the CVO with regard to the quantum of punishment to be imposed.

Sd/-
(Anjana Dube)
Deputy Secretary