



पूर्व तट रेलवे/EAST COAST RAILWAY

मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Chief Personnel Officer
रेल सदन, द्वितीय तल, भुवनेश्वर- 751 017
Rail Sadan, IInd Floor, Bhubaneswar-751 017

स्थापना क्रमांक/ Estt.Srl. No. 97/2016

पत्रे/कार्मिक/आर/ECOR/ Pers/R/RT

दिनांक/Date: 01.08.2016

सेवा मे,

सभी प्रमुख विभागाध्यक्षों/समन्वयक विभागाध्यक्षों, पू त रे/भुवनेश्वर
मं.रे.प्र/व.मं.का.अधिकारी/मं.का.अधिकारी-खोरधारोड,वालातेरू, संबलपुर,
मु:कारखाना प्रबंधक/कारखाना कार्मिक अधिकारी- मंचेश्वर, अतिरिक्त रजिस्ट्रार/रेल दावा अधिकरण,
व.का अधिकारी(नि)/भुवनेश्वर
महा सचिव/इकोर श्र. कां., महा सचिव/इकोर श्र. यू.,
महा सचिव/एआई ओ बी सी आर ई ए, महा सचिव/ ए आई एस सी एस टी आर ई ए

विषय/ Issue of Prosecution sanction under PC Act,1988.

Sub:

पत्रे के विषय क्रमांक/ECOR's Subject Serial No-VIG-2/2016

उपर्युक्त विषय पर बोर्ड पत्र सं 2012/V-1/CBI/1/2 दिनांक 30.06.2016 की प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of the Board's letter No. 2012/V-1/CBI/1/2 dated 30.06.2016 on the above quoted subject is forwarded herewith for information, guidance and necessary action.

संलग्न/Encl: यथोक्त/As above,

(M.Ganga Bhavani)

Dy. Chief Personnel Officer (IR&W.)

कृते मुख्य कार्मिक अधिकारी

For Chief Personnel Officer

प्रतिलिपि प्रेषित/Copy to : महाप्रबंधक के सचिव/पूर्व तट रेलवे, भुवनेश्वर

1) मुकाधि/मुकाधि(प्रशा.), उप म.प्र. अध्यक्ष(रेलवे भर्ती प्रकोष्ठ)

2) उप मुख्य प्रबंधक(सू.प्रौ), उप मुकाधि(औ.सं.एवं कल्याण), वकाधि(इंजी.)

वकाधि(मुख्या.), वकाधि(स्टाफ), वकाधि(राज. एवं न्याया.)मुकाधि के निजी सचिव/सहा.कार्मिक अधि.(मुख्या.-
सहा.कार्मिक अधि.(कल्याण)

1070
8/3/16

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

No. 2012/V-1/CBI/1/2

New Delhi, dated 30/06/2016

The General Manager (Personnel),
All Indian Railways

Chief Vigilance Officers,
All PUs/PSUs

Handwritten notes:
Cm. as/DA
D₃ CPO-SA 2
14-3

The General Manager (Vigilance),
Zonal Railways, CORE/ALD,
NF(CONST), METRO/Kolkata

CAO/COFMOW,
DMW/Patiala

Handwritten notes:
CPOA
CPO
5-7-16

Sub: Issue of prosecution sanction under PC Act, 1988

Please find enclosed a circular no. 06/06/16 dated 01/06/16 issued by the CVC advising all the Administrative Authorities to ensure that sanctions for prosecution are issued under the signature of competent authority of the delinquent/suspected public servant or such other authority who is competent to sign on behalf of the competent authority.

The circular of the CVC may be brought to the notice of all concerned administrative authorities

DA : As above

Signature:
(Priya Gopatakmishnan)
Deputy Director Vigilance - i
Railway Board

Copy to:

- i) Secretary/RB
- ii) All Officers in Vigilance Directorate/RB



सत्यमेव जयते

S.No. 11

Geographic Address :
SATARKTA: New Delhi

E-Mail Address
cenvigil@nic.in

Website
www.cvc.nic.in

EPABX
24600200

फैक्स/Fax : 24651186

H. Advise
all concerned.
21-06-16
Advise
EDVCE
DVL(M)
DEN-1

केन्द्रीय सतर्कता आयोग

CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लैक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi 110023
016/VGL/021

सं./No.....

दिनांक / Dated..... 01/06/2016

Circular No.06/06/16

Subject:- Issue of prosecution sanction under PC Act, 1988 – regarding.

The Commission is mandated under Section 8 (1) (f) of CVC Act, 2003 to review the progress of the applications pending for sanction for prosecution under PC Act, 1988 with the Competent Authorities. In exercise of these powers, the Commission has been emphasising the need for quick and expeditious decisions on request of sanction for prosecution received from CBI / other investigating agencies under the PC Act, 1988. The Commission has also, from time to time, advised all concerned Competent Authorities to adhere to the time limits for processing requests for prosecution sanction under Section 19 of PC Act as laid down by the Apex Court in letter and spirit.

2. CBI has brought to the notice of the Commission that a number of cases were struck down by Courts due to prosecution sanction having been issued by authorities not competent to issue the same. Such inappropriate sanction order issued by the Administrative Authorities undermine the investigations conducted by the investigating officer, etc., and results in a futile exercise. Under section 19(1) of the Prevention of Corruption Act, 1988, the authority competent to sanction prosecution will normally be a) in the case of a Central Government servant who is employed in connection with the affairs of the Union and is removable from his office by the Central Government – Central Government; b) in the case of a State Government servant who is employed in connection with the affairs of the State and is removable from his office by the State Government - State Government; c) in the case of any other public servant - authority competent to remove him from his office.

3. The Commission would therefore, advise that all Administrative Authorities may ensure that sanctions for prosecution issued are under the signature of the appropriate Competent Authority of the delinquent / suspected public servant or such other authority who is competent to sign on behalf of the competent authority and the decision has been taken by the competent authority so that any such issues questioning the validity of sanction do not arise at a later stage in matters of sanction for prosecution.

[J. Vinod Kumar]
Director

1. All Secretaries of Ministries/Departments.
2. All CMDs/Heads of CPSUs/Public Sector Banks/Organisations.
3. All CVOs of Ministries/Departments/ CPSUs/Public Sector Banks/Organisations.

22/6/16