

**GOVERNMENT OF INDIA  
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
LOK SABHA**

STARRED QUESTION NO:191

ANSWERED ON:09.03.2011

APPOINTMENT OF VIGILANCE COMMISSIONERS

Danve Shri Raosaheb Patil;Singh Shri Radha Mohan

**Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:**

- (a) whether the Central Vigilance Commission (CVC) Act, 2003 mandates the constitution of CVC to inquire into the offences alleged to have been committed under the Prevention of Corruption Act by Government servants;
- (b) if so, the details thereof;
- (c) whether any norms/guidelines have been framed for the appointment to the post of Vigilance Commissioners/Central Vigilance Commissioner;
- (d) if so, the details thereof;
- (e) whether instances of violation of such norms/guidelines have been reported recently;and
- (f) if so, the reaction of the Government thereto and the corrective action taken thereon?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; MINISTER OF THE STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE AND PENSIONS AND MINISTER OF THE STATE IN THE MINISTRY OF PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY)

(a) to (f): The Statement has been laid on the Table of House.

STATEMENT REFERRED TO IN REPLY TO IN REPLY TO PARTS (a) to (f) of LOK SABHA STARRED QUESTION NO. 191 FOR 09.03.2011

(a) & (b): Yes Sir. The Preamble as well as Section 8(1) of the Central Vigilance Commission Act, 2003 mandates the Central Vigilance Commission to inquire or cause an inquiry or investigation to be made on a reference made by the Central Government or on a complaint received by it wherein it is alleged that a public servant being an employee of the Central Government or a corporation established by or under any Central Act, Government company, society and any local authority owned or controlled by that Government, has committed an offence under the Prevention of Corruption Act, 1988.

(c)&(d): Section 3(3) and Section 4 of the CVC Act, 2003 lay down the eligibility criteria and method for appointment of Central Vigilance Commissioner and Vigilance Commissioner.

(e)&(f): Recently, the Supreme Court in its judgment dated 3rd March, 2011 in WP 348/2010 and 355/2010 have found non-compliance of some of the provisions of Section 3(3) of the Central Vigilance Commission Act, 2003 in the appointment of Shri P.J. Thomas as Central Vigilance Commissioner and have issued direction/guidelines for laying down norms/criteria for preparation of panel for selection of Central Vigilance Commissioner and Vigilance Commissioner. The Supreme Court being the apex Court of the country, its directions have the force of law.