

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

UNSTARRED QUESTION NO:2713  
ANSWERED ON:17.08.2011  
POWERS AND FUNCTIONS OF CVC  
Ganpatrao Shri Jadhav Prataprao;Mahendrasinh Shri Chauhan

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

- (a) whether the powers and functions of the Central Vigilance Commission (CVC) are limited only to advisory nature in corruption related cases;
- (b) if so, the details of the provisions made in CVC Act in this regard;
- (c) whether due to these provisions, no action could be taken even after the inquiry against higher officials in the Ministries and Undertakings;
- (d) if so, the details thereof; and
- (e) the corrective measures taken by the Government to make CVC more effective?

**Answer**

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office (SHRI V. NARAYANASAMY)

(a) & (b): The powers and functions of the Central Vigilance Commission (CVC) are provided under Section 8 of the CVC Act, 2003 (45 of 2003). The CVC Act empowers the Commission to enquire or cause inquiries or investigations to be conducted into offences alleged to have been committed under the Prevention of Corruption Act, 1988 by certain categories of public servants in the Central Government, corporations established by or under any Central Act, Government companies, societies and local authorities owned or controlled by the Central Government. As per Section 8(1) (g) of the CVC Act, the Commission tenders advice to the Central Government, corporations established by or under a Central Act, Government companies, societies and local authorities owned or controlled by the Central Government on such matters as may be referred to it by that Government, said Government companies, societies and local authorities owned or controlled by the Central Government or otherwise.

(c) & (d): No Madam. In pursuance of the Commission's advice, the competent authorities in various organizations, issued sanction for prosecution against 262 public servants, imposed major penalties on 994 public servants and minor penalties on 1269 public servants during 2010.

(e): In majority of cases, the authorities concerned accept the Commission's advice and act accordingly. However, in cases where the authorities concerned do not accept the Commission's advice, the Commission reports such cases in its Annual Report which is laid in the Parliament.

Further, under existing instructions of the Government, all cases relating to Gazetted officers for whom the appointing authority is the President of India, wherein the Ministries/Departments intend to differ from/not accept any recommendation of the Central Vigilance Commission, are required to be referred to the Department of Personnel & Training for a final decision.