

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

UNSTARRED QUESTION NO:389
ANSWERED ON:14.03.2012
INITIATING PENALTY FOR OFFICIALS
Naik Dr. Sanjeev Ganesh;Patil Shri Sanjay Dina

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

- (a) whether the Central Vigilance Commission has sought permission to initiate major penalty proceedings against Government officials involved in corruption cases during the last three years and the current year;
- (b) if so, the details of the persons involved therein;
- (c) whether permission has been granted in every case; and
- (d) if not, the reasons therefor?

Answer

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

(a) & (b): The Central Vigilance Commission does not seek permission to initiate major penalty proceedings but it advises on (a) initiation of criminal and/ or regular departmental action (major or minor) against the public servant(s) concerned; (b) administrative action against public servants concerned; or (c) closure of the case, on the basis of the enquiry/ investigation reports furnished by the Chief Vigilance Officer (CVO) or the Central Bureau of Investigation (CBI). Further, after completion of proceedings, the Commission tenders advice on the nature of penalties or otherwise on references received from the organization. During the last three years i.e. 2009, 2010 and 2011 the Commission had advised initiation of major penalty proceedings in 517, 556 and 544 cases respectively.

(c) & (d): As per relevant disciplinary rules, the concerned disciplinary authority is required to take an independent view in each case after taking into account all relevant facts and circumstances of the case including the advice of the CVC. Acceptance or otherwise of the advice of the CVC lies with the concerned Disciplinary Authority. The Central Vigilance Commission maintains data of non-acceptance of its advice and reports such non-acceptance in its Annual Report.