

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

UNSTARRED QUESTION NO:99
ANSWERED ON:08.08.2012
ADVICE OF CVC
Alagiri Shri S. ;Choudhary Shri Harish

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

- (a) whether acceptance or otherwise of the advice of the CVC lies with the concerned Disciplinary Authority;
- (b) if so, the number of advice of the CVC forwarded to the concerned disciplinary authority, Department/ Ministry-wise during each of the last three years and the current year; and
- (c) the number of advice not accepted by the concerned disciplinary authority, Department/Ministry-wise during the above period along with the reasons therefor?

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): The recommendations of Central Vigilance Commission (CVC) are advisory in nature, and as per relevant disciplinary rules, the Disciplinary Authority is the final authority to take a decision in disciplinary cases.

(b): As per extant practice CVC is consulted at two stages, viz., for the first stage advice as to whether evidence collected during the preliminary inquiry merits either a major or a minor penalty in Disciplinary proceedings. After conclusion of the Inquiry, the case records are again referred to the CVC for the second stage advice on the basis of charges held to be partly or fully proved or not proved, except in those cases where consultation with UPSC is required.

During the year 2009, 2010 and 2011, the Commission has tendered its first stage advice for action 1280, 1342 and 1317 cases respectively.

During the year 2009, 2010 and 2011 the Commission has tendered its second stage advice for action in 1435, 1180 and 1027 cases respectively.

(c): Such centralized data is not maintained in this Ministry/Department.