



DIRECTORATE GENERAL OF INCOME TAX (VIGILANCE)

First Floor, Dyal Singh Public Library Building,
1, Deen Dayal Upadhyay Marg,
New Delhi – 110 002

F.No. DGIT(Vig.)/ITO (HQ)/Misc Corp/CVC/2016-17 | 4629.

Dated: 13.09.2017

To

All Disciplinary Authorities
(Working under CBDT)

Sir,

Sub: Pending Disciplinary Proceedings clarification - reg.

Kindly refer to the abovementioned subject.

2. In this regard I am directed to request that the following actions may be taken in pending disciplinary proceedings cases:-
- To process the Inquiry Reports immediately where the Inquiry reports have already been submitted by the Inquiry Officers.
 - Where the Charged Officer/ Official has retired, the proceedings are deemed as proceedings under Rule 9 of CCS (Pension) Rules, 1972 and are to be continued and concluded by the authority by which they were commenced in the same manner as if the Government servant had continued in service and that authority has to submit a report recording its findings to the President. It is requested that such cases may be referred to the office of Pr. DGIT (Vig) along with the Inquiry Report and complete documents as per the enclosed checklist.
 - Wherever, the pending disciplinary cases of retired officers/ officials have been decided by any authority other than the President, it is requested that such orders may be immediately withdrawn and such cases may be referred to the office of Pr. DGIT (Vig) along with the Inquiry Report and complete documents as per the enclosed checklist.

- (d) Wherever it is proposed to take any action, which is at variance with the first stage advice of CVC, it is mandatory to refer the case to CVC for obtaining second stage advice. Accordingly, it is requested that such cases may be referred to the office of Pr. DGIT (Vig) for further necessary action.
- (e) In cases where Disciplinary proceedings have already been concluded by taking any action which is at variance with the first stage advice of CVC, it is requested that reasons for not seeking the second stage advice of CVC in the matter may be furnished to office of Pr. DGIT (Vig) for further necessary action.
- (f) Rule 14 of CCS (CCA) Rules, 1965 has been amended vide G.S.R. 548(E) dated June 2, 2017 and a time limit of Six months from the date of receipt of order of appointment as Inquiring Authority has been laid down for concluding the inquiry and submission of Inquiry Report. In all the cases where the Inquiry Officers have not concluded the inquiry and submitted the Inquiry Report within Six months from the date of receipt of order of their appointment as Inquiring Authority, they may be advised to immediately seek extension of time from the Disciplinary Authority.

Yours faithfully,



12-9-2017

(Rakesh Gupta)

Addl. Director General (Vig.)(HQ-I), CBDT
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DP CHECKLIST (Retired Officials)

List of documents/records to be forwarded by the Disciplinary Authority who institutes the Disciplinary Proceedings in cases of Officers/ Officials (other than Group 'A' Officers) who retire during the pendency of such Proceedings

1. Complaint, if any received by the authorities.
2. Report of the preliminary enquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the Charged Officer (together with depositions recorded).
3. All the prosecution documents relied upon in support of the charge sheet.
4. All the defence documents admitted by the IO during the course of inquiry.
5. Complete and up-to-date ACR dossiers of the Charged Officer.
6. Order of suspension/revocation of suspension, if any.
7. Order, if any of the competent authority for joint/common proceedings where two or more Govt. servants are involved.
8. Charge sheet together with the statement of imputations along with enclosures.
9. Records of the delivery of charge sheet to the charged officer.
10. Reply (written statement of defence) of the charged officer.
11. Order of the disciplinary authority appointing the Inquiry officer.
12. Order of the disciplinary authority appointing the Presenting officer.
13. Daily order sheet maintained by the Inquiry Officer.
14. Correspondence of the Inquiry officer, if any, with the disciplinary authority, presenting officer and the charged officer.
15. Depositions – oral statements, recorded from prosecution witnesses and defence witnesses.
16. Statement of defence of the charged officer filed by him before the Inquiry Officer.
17. General examination of the charged officer by the IO under Rule 14 (18) of the CCS (CCA) Rules.
18. Written brief, if any, submitted by the Presenting Officer before the Inquiry Officer.
19. Written brief, if any, submitted by the Charged Officer before the Inquiry Officer.
20. Service and related particulars of the Charged Officer.
21. 3 copies of the Inquiry Report duly signed by the IO on each page with stamp.