



सत्यमेव जयते

**SUSHIL CHANDRA**

Chairman, CBDT &  
Special Secretary to the Government of India

भारत सरकार

GOVERNMENT OF INDIA

(वित्त मंत्रालय/राजस्व विभाग)

Ministry of Finance/Department of Revenue

केन्द्रीय प्रत्यक्ष कर बोर्ड

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D.O. F.No. DGIT(V)/HQ/CVC/ASR-18

Dated the 13<sup>th</sup> June, 2018

My Dear Pr Chief Commissioner,

**Sub:** Delay in disposal of complaints and finalization of disciplinary proceedings  
– Non CVC jurisdiction cases - regarding

Long delays in disposing the complaints and finalization of departmental inquiries are a cause of concern for the Department and have also been viewed adversely by CVC. I regret to note that adherence to timelines in Group 'B' and Group 'C' cases has been particularly slack. The issue has been flagged earlier also through various letters issued by Vigilance Directorate, Member (Admin), CBDT and through Video conference. The issue has also been discussed by the Zonal ADsG (Vig) in quarterly meetings with you.

2. Delay in examining and disposing of complaints delays remedial actions to protect the interest of revenue. Sometimes remedial actions get barred by limitation due to delay in examination of complaints. At times, the delay leads to a situation where the complaints have to be examined in a hurried manner due to impending retirement of the officer/ official concerned. The pending complaints must be examined expeditiously. There is an urgent need to finalize the old cases immediately so that fresh complaints can be handled on real time basis. It is seen that even several years old complaints are still pending for want of records, documents and report from field formations. The Vigilance Directorate has been directed to carry out Spot Inspections to expedite processing of complaints where the delays are due to delay in furnishing records, documents and reports by field formations.

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3. It has been brought to my notice that the number of cases in which disciplinary proceedings are initiated in Group 'B' and Group 'C' cases is much less as compared to the number of disciplinary proceedings initiated in cases of group 'A' officers and primarily relates to cases where criminal proceedings have already been initiated on account of action by CBI/ police. There have been virtually no cases in which disciplinary proceedings on account of misconduct have been initiated by the department on its own. This indicates that actions which should have been taken by the department on complaints against Group 'B' and Group 'C' officers/ officials are not being taken proactively.

4. In terms of newly inserted Sub rule (24) in Rule 14 of CCS (CCA) Rules, 1965 vide DoPT notification No G.S.R. 548 (E) dated 02.06.2017, the Inquiring Authority should conclude the inquiry and submit his report within 6 months from the date of receipt of order of his appointment. Additional time not exceeding six months for completing the inquiry can be allowed at a time on the basis of sufficient and good reasons, to be recorded in writing by Disciplinary Authority. In view of the same, it is imperative to complete the Departmental inquiries within the prescribed time as any delay in completion of departmental inquiries within the prescribed time period may be viewed adversely by Hon'ble CAT/ Courts of Law.

5. The disciplinary authorities in Group 'B' and Group 'C' cases may be advised to take immediate action in pending disciplinary proceedings. The field officers may be directed to make available records, documents and reports requested by Vigilance Directorate without any delay. It may be ensured that the departmental inquiries in non-CVC jurisdiction cases pending for more than six months are completed latest by 30.06.2018.

With best wishes,

Yours sincerely,



(Sushil Chandra)

All Pr. Chief Commissioners of Income Tax.