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No.C-13011/34/2009-Vig.  
Government of India  
Ministry of Human Resource Development  
(Department of Higher Education)  
Vigilance Section

New Delhi, Shastri Bhawan, 106-C  
dated the 26<sup>th</sup> September, 2019.

OFFICE MEMORANDUM

Subject:- Mandatory Consultation with CVC for its advice for the organizations/Institutes falling under CVC's jurisdiction- regarding.

The undersigned is directed to convey that some institutes/organizations of MHRD are not seeking advice from Central Vigilance Commission in disciplinary matters i.e., first Stage advice/Second Stage advice.

2. In this regard it is stated that as per provisions of Section 8(1)(g) of the CVC Act, 2003 Central Vigilance Commission is mandated to tender advice to the Central Government, corporations, societies and local authorities owned or controlled by the Central Government on such matter as may be referred to it by that Government, said Government companies and local authorities owned or controlled by the Central Government or otherwise. Further, para 7.9.1 of Vigilance Manual 2017 provides that CVOs of the Ministries / Departments and all other organisations are required to seek the Commission's first stage advice after obtaining the tentative views of Disciplinary Authorities (DAs) on the reports of the preliminary inquiry / investigation of all complaints involving allegation(s) of corruption or improper motive; or if the alleged facts prima-facie indicate an element of vigilance angle which are registered in the Vigilance Complaint Register involving Category-A officers (i.e., All India Service Officers serving in connection with the affairs of the Union, Group-A officers of the Central Govt. and the levels and categories of officers of CPSUs, Public Sector Banks, Insurance companies, Financial Institutions, Societies and other local authorities as notified by the Government u / s 8(2) of CVC Act, 2003) before the competent authority takes a final decision in the matter

3. In view of the above and instructions issued by the CVC from time to time, it is clarified that the Institutes/ organizations/universities etc. under the administrative jurisdiction of this Ministry are required to seek the Commission's first stage advice after obtaining the tentative approval of the Disciplinary authorities on the report of the preliminary inquiry/ inquiry/ investigations of all complaints involving vigilance angle and seek second stage advice on inquiry report before a final decision is taken for imposition of penalty or otherwise, on conclusion of the disciplinary Inquiry. Copies of circulars issued by CVC on 11.12.2014, 06.8.2009 and 13.3.2006 are enclosed

4. All Bureau Heads are requested to bring the above position to the notice of all institutions/ organizations under their administrative control and impress upon them to seek advice from CVC as contemplated in CVC Act, 2003 and strictly adhere to the guidelines issued by CVC from time to time.

To,  
All Bureau Heads (as per list attached)

*Sanjay Kumar*  
(Sanjay Kumar)  
Under Secretary(Vig.)

JS(CU)

DS(CU)-*date*

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*US(CU/CO)*

*03/10/2019*  
*SO(UB)*

*Sh. B.S.*

*UB*  
*3/10/19*