

CSIR

Serial Circulars

2000

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Serial Circular No.1

Copy of CSIR letter No.102(16)/99-R&I dated 3.1.2000

Sub: Introduction of system of Serial Number on circulars regarding policy decisions being issued by CSIR from time to time.

It has been observed that various Divisions/Sections have been issuing circulars/OMs/Letters conveying policy decisions taken by CSIR from time to time on various subjects. But there is no system of keeping a master copy of all such circulars on a particular topic.

With a view to ensure availability of all such circulars/Letters/OMs at one place and subsequent computerisation, the Joint Secretary (Admin) has been pleased to approve introduction of a system of giving serial number on all such letters/circulars/OMs conveying policy decision the nodal point for giving a serial number on Circulars/Letters/OMs (other than classified) containing policy decision will be Shri Amar Singh, Dy. Secretary, R&I, III Floor, Golden Jubilee Block who shall also maintain a Register indicating letter/Circular No. date and subject etc. He will also retain a master copy of such circulars and computerise them.

Accordingly all the Divisional /Sectional Heads are, requested to get the serial number endorsed on all letters/circulars/OMs conveying policy decision from the nodal officer before issue.

These orders shall come into force with immediate effect.

Serial Circular No. 2

CSIR Letter No. 1(11)/1999-2000/Pen/346 Dated : 20.1.2000 to all Heads of National Labs./Instts.

Sub:-Recommendations of 5th Central Pay Commission-Payment of Dearness relief to re- employed Pensioners and employed family pensioners-Decision reg.

I am directed to refer to this office circular letter No.1(11)/99-2000/Pen/340 dated 19.8.99 forwarding therewith a copy of GOI OM. No.45/73/97/P&PW(G) dated 2.7.1999 regarding the payment of Dearness Relief applicable from time to time to all the re-employed pensioners and employed family pensioners. It has been mentioned in the above OM that a certificate may still be necessary to determine the dependency. However, it was not clear that what type of certificate has been referred in the orders. CSIR have already made a reference to Dept. Of Pension & Pensioners Welfare in this regard but the reply is still awaited.

Meanwhile Laboratories are approaching CSIR for an early decision in the matter. It has, therefore, been decided that the payment of Dearness Relief may be made to all the re-employed pensioners and employed family pensioners subject to fulfillment of other conditions, after obtaining undertaking from each individual to the effect that on receipt of clarification from the Dept. Of Pension & Pensioners Welfare, if it is found that the pensioner/family pensioner is not eligible for the Dearness Relief, the entire amount of Dearness Relief received by him /her will be refunded by him/her or recovered from their salary.

Serial Circular No.3

Copy of letter No. 6(83)/98-O&M dated 21st January 2000 to all the Directors of national Labs./Instts.

Sub:-Disposal of anonymous/pseudonymous complaints/petitions.

I am to state that in terms of Central Vigilance Commission instructions No. 3(V)/99/2 dated 29.6.1999 on the subject entitled "Improving Vigilance Administration – no action to be

taken on anonymous/ pseudonymous complaints.” The Commission have further clarified that anonymous/pseudonymous complaints/petitions, which were received from any source prior to Commission’s instructions of 29.6.1999, have to be acted upon to reach their logical conclusion. Anonymous/pseudonymous complaints forwarded by the PMO have to be treated like any other anonymous/pseudonymous complaint and should be filed in terms of the instructions of 29.6.1999.

As regards the anonymous/pseudonymous complaints forwarded by the Hon’ble MP(s), MLS(s)/MLC(s), they have to be treated as a complaint from the MP(s)/MLA(s)/MLC(s). If necessary a practice may be started of writing to the MP(s), MLA(s)/MLC(s) to verify if he has genuinely forwarded the application, if he wants action to be initiated and whether he has any additional information. As long as the MP(s)/MLA(s)/MLC(s) is associated with the complaint, it will be in keeping with the spirit of the order of 29.6.1999.

These instructions of CVC are for your information, guidance and necessary action.

Serial Circular No. 4

Copy of letter No. 33(81)/96-E.I dated 28th¹ January 2000 to all the Directors of national Labs./Instts.

Sub:-Grant of minimum increase in the basic pay in the case of promotion from the Under Secretary level to the Deputy Secretary level.

Ref: CSIR letter No. 33(81)/96-E.I dated 12.7.1996.

I am directed to refer to GOI, DOPT OM No. 1/5/97-Estt.(Pay) I dated 4.8.1999 (copy enclosed) and to state that the DG, CSIR has been pleased to accord approval to the adoption of the same for implementation in CSIR.

The pay fixation in respect of the officers entitled to get the benefit under the DoPT OM referred to above shall, however, be subject to such other restrictions/clarifications etc. as may be issued by the GOI from time to time.

The above decision may kindly be brought to the notice of all concerned in your lab./instt. for their information, guidance and necessary action.

Serial Circular No.5

Copy of letter No. 8(1)/88-SV dated 3.2.2000

Sub: Proforma for making a reference to the High Power Committee (Committee on Disputes) set up in pursuance of the orders of the Hon’ble Supreme Court dated 11.10.1991 – matter regarding.

I am enclosing herewith the Office Memorandum No. 1/126/6-M/1999-LC dated 4.1.2000 received from Govt. of India (Bharat Sarkar) Cabinet Secretariat, Rashtrapati Bhavan, New Delhi conveying instructions regarding making a reference to the High Power Committee (Committee of Disputes) on the prescribed proforma. It is requested that same may be brought to the notice of the concerned functionaries of your Laboratory/Institute for information, guidance and compliance.

Enclosure

No. 1/126-6m/1999-LC dated 4.1.2000 from Cabinet Secretariat (Rashtrapati Bhavan) to all Secretaries & Additional Secretaries to the Govt. of India.

Sub:- Proforma for making a reference to the High Power Committee (Committee on Disputes) set up in pursuance of the orders of the Hon’ble Supreme Court dated 11.10.1991 – matter regarding.

The undersigned is directed to refer to this office Secretariat OM No. 53/3/10/94-Cab (LC) dated 24.1.2000 and 21st March 1995 indicating *inter-alia*, the procedure for making

reference to the Committee on Disputes and to say that henceforth, the reference to the Committee may please may made in the revised Proforma as annexed. A reference not conforming to the prescribed proforma is liable to be returned for necessary modification/correction. Further, the reference to the Committee should have the approval of the Secretary, if the appellant is Ministry/Department of Govt. of India and of Chief Executive Officer, if the appellant is Public Sector Undertaking of the Central Govt.

Annexure

Proforma for making reference to the High Power Committee set up in the Cabinet Secretariat in pursuance of the orders of the Hon. Supreme Court dated 11.10.1991 for authorising Public Sector Undertakings/Ministries to initiate/pursue Litigation in Court/Tribunal.

- (1) Parties to the dispute:
- (2)
 - (a) Name of the Court/Tribunal where the appeal is to be filed/ is pending
 - (b) Subject matter of the dispute(not exceeding 25 words)
 - (c) Amount involved.
- (3)
 - (a) (I) number and date of the order appealed/to be appealed-against.
 - (ii) Name of the quasi judicial authority which passed the order:
 - (iii) the order-appealed –against in brief (a copy of the order also to be enclosed) :
- (b) any other document referred to, in support of the claim, need not be annexed. However, it may be produced in the meeting of the Committee.
- (c) In the event of the reference being of deferred cases, it should reflect the reason for deferment, the action taken in pursuant to the direction of the Committee and justification for resubmission of the matter for the consideration of the Committee.
- (4)
 - (a) Date on which the reference is made to the Committee and the relevant documents sent to the respondent i.e. CBEC/CBDT/any other party to the dispute.
 - (b) Is the reference submitted within one month of filing appeal in the Court/Tribunal (refer to Supreme Court order dated 7.1.94).
 - (c) If No, the reasons thereof :
- (5) Background of the dispute (not exceeding one page) – it shall include the questions of fact or of law involved in the dispute with brief description of the issues involved
- (6) The reference has the approval of Secretary/CEO
- (7) Any other issue considered relevant to the case.

Serial Circular No.6

Copy of letter No. 17(68)/97-PPS dated 10.2.2000 .

Sub: ACP Scheme – Clarification regarding.

In continuation of this office letter of even number dated 13.9.1999 forwarding the Scheme on Assured Career Progression, I am directed to state that references have been received from various Labs./Instts. seeking clarification on different points. The matter has been considered in consultation with Finance. The points raised are clarified as under:-

S.No.	Point raised.	Clarification
1	Whether CSIR or the Labs./Instts. locally will constitute the Departmental Screening Cte. for financial up-gradation	Screening Committee for financial up-gradation upto the scale of Rs.5500-9000 may be constituted with the approval of the Director. The cases of employees in the scale of Rs.5500-9000 for financial up-gradation to the scale of Rs.6500-10500 will be considered centrally by CSIR Hqrs.
2	Manner of fixation of pay on implementation of ACP Scheme and date of financial benefit.	As explained in para 8 of O.M. dated 9.8.1999 the ACP Scheme will be operational from the date of issue of this O.M. As regards fixation of pay, on up-gradation under the ACP Scheme, pay of an employee will be fixed under the provisions of FR 22(1) a (i) subject to a minimum financial benefit of Rs.100/- as per DoPT O.M.No.1/6/99-Pay. I dated 5.7.99. The financial benefit allowed under the ACP Scheme shall be final and no pay fixation benefit shall accrue at the time of regular promotion i.e. posting against a functional post in the Higher grade.
3	Whether Ad-hoc service can be counted for the financial up-gradation under the ACP Scheme?	No.
4	Whether an employee who is promoted to a post in the laboratory seeks transfer to another laboratory on reversion to the lower post can be eligible for counting of the service rendered in the lower and higher grade under ACP?	Yes. The service rendered by the individual from the date of original appointment shall count for financial upgradation.
5	Whether the scale at S-4 (2750-4400) and S-8 (4500-7000) are operative in the administrative cadre?	No. These scales are not operation for Cadre based non technical posts.
6	Whether the benefits under the scheme shall be granted from the date completion of eligibility period or from the date of issue of the scheme ?	Para 3 of the conditions is self explanatory, according to which the financial benefits shall be granted from the date of completion of the eligibility period prescribed under the ACP or from August 9, 1999 whichever is later.
7.	Whether selection grade given to some employees under the then Selection Grade Scheme on completion of 11 years of service shall be counted as promotion or not :	In cases where the benefit of FR 22© has been allowed while fixing the pay on placement in the special grade this will be treated as a promotion for the purpose of ACP.

8.	Whether the employees who were initially appointed as Steno-typist and redesignated as Jr. Stenographer w.e.f. 1.1.1973 can be allowed the benefit of ACP	As per CSIR circular No. 16(205)/72-E.I dated 18.3.1974 the post of Steno-typist was upgraded to the post of Jr. Steno with fixation of pay under the normal rules. As such this will be treated as a promotion.
9.	Whether an employee who is given the benefit under the scheme shall continue to be shown in the seniority list of lower post and his name shall be considered for promotion in the higher grade on occurrence of vacancies;	Yes, Paras 4 & 5 of the GOI OM dated 9.8.99 are self-explanatory in this regard.
10.	Whether the designation will also be changed on financial upgradation.	No, However "ACP" may be written in bracket after the original designation as Jr. Steno (ACP), etc.
11.	Whether the ACP scheme will also be applicable to Canteen Staff or not.	As per clarification received from GOI the matter is under consideration and necessary orders as and when issued by the Govt. will be implemented for the canteen employees.

Further necessary action may now be taken as per clarification above.

Serial Circular No. 8

Copy of CSIR letter No.6(83)/98-O & M dated 29.2.2000

Sub:- Types of cases which may merit action for imposing one of the major penalty-amendment to para 11.4 Chapter X of Vigilance Manual Vol. I

I am to state that various instructions on the above mentioned subject have been provided in Chapter X of the Vigilance Manual Vol. I 5th edition,1992

Para 11.4 of the chapter *ibid* illustrates certain types of vigilance cases in which it may be desirable to start proceedings for imposing a major penalty which are reproduced blow for ready reference.

- (i) Cases in which there is a reasonable ground to believe that a penal offence has been committed by a Government servant but the evidence forthcoming is not sufficient for prosecution in court of law e.g.:
 - (a) possession of disproportionate assets;
 - (b) Obtaining or attempting to obtain illegal gratification;
 - (c) Misappropriation of Government property, money or stores;
 - (d) Obtaining or attempting to obtain any valuable thing or pecuniary advantage without consideration or for a consideration which is not adequate;
- (ii) Falsification of Government records;
- (iii) Gross irregularity or negligence in the discharge of official duties with a dishonest motive;
- (iv) Misuse of official position or power for personal gain;
- (v) Disclosure of secret or confidential information even though it does not fall strictly within the scope of Official Secret Act.;
- (vi) False claim on the Govt. like TA claims, reimbursement claims etc.;

The CVC vide circular letter No.99/VGL/62 dated 29.11.99 have intimated that it has been observed by them that with reference to sub-para (III) of Para II(4), chapter X mentioned above, some of the disciplinary authorities did not initiate departmental proceedings for imposition of a major penalty in the cases involving gross negligence/flagrant violation of systems and procedures on the consideration that there was no material to prove the element of "dishonest motive". The cases involving gross negligence/flagrant violation of systems and procedures do involve a vigilance angle and the involvement of "*malafides*" are to be inferred

or presumed from the actions of the concerned employee depending upon the facts and circumstances of the case.

However with a view to remove ambiguity, the Commission has decided to amend Para 11.4 (III) *ibid* as under:-

“ The cases involving any lapses such as gross or willful negligence, recklessness, exercise of discretion without or in excess of powers/jurisdiction, causing undue loss to the organisation or a concomitant gain to an individual, and flagrant violation of systems and procedures”.

The above amendment to the Vigilance Manual is brought to the notice of all Disciplinary Authorities/ Vigilance Officers of the Labs./Instts. for information and compliance.

Serial Circular No.9

Copy of CSIR letter No. 6(83)98-O&M dated 10.3.2000

Sub: Follow up action on publication of the names of charged officers in the CVC website.

I am directed to forward herewith copy of DO letter No. 000/VGL/20 dated 25.2.2000 addressed to Dr. RA Mashelkar, DG, CSIR from Shri N. Vittal, the Central Vigilance Commissioner for information and compliance of all the Disciplinary Authorities of Labs./Instts.

In order to facilitate this office to compile information on pending departmental action cases both after the first and second stage advice of the Commission, it is requested that details/status of such cases may be sent to the undersigned by the first week of every month so that the same can be sent to Central Vigilance Commission to monitor the progress.

To place the matter in its proper perspective the circumstances under which the first and second stage advice of the Central Vigilance Commission is sought, has been briefly elaborated below :

- i) The first stage advice indicates the nature of action to be taken against the Council servant whose conduct has been investigated and it is found that there is prima facie case against the person having potential vigilance angle. Such an individual should also fall within the jurisdiction of the Commission in terms of his basic pay i.e. his/her pay should be RS. 2825/- basic (pre-revised) or more. The disciplinary authority of Lab./Instt. must forward the report of the preliminary investigation; brief history of the case; draft charge sheet; biodata of the individual and his/her comments clearly indicating the proposed nature of action to the undersigned for its onward transmission to the Central Vigilance Commission for their first stage advice. The Commission may advise :-
 - a) Closure of the case,
 - b) Prosecution
 - c) Major or Minor penalty action under the CCS (CCA) Rules, 1965
 - d) Administrative Action
 - e) Suggest procedural improvements or review of existing rules, regulation and administrative instructions

Once the first stage advice is received by the undersigned from the CVC the same will be conveyed to the disciplinary authority of the Lab./Instt. for the purpose of the appointment of Inquiry Officer after the issuance of charge sheet to the delinquent officer.

The second stage consultation is necessary before a final decision is taken on the report of the Inquiring Authority. At the second stage advice the Commission consider the report of the inquiry officer and advises the disciplinary authority on the nature of penalty to be imposed. This advice will accordingly be communicated by the undersigned to the disciplinary authority of the Lab./Instt. Once the final order of penalty is imposed by the disciplinary authority a copy

of the same should be endorsed to the undersigned for its onward communication to the Central Vigilance Commission.

Annexure

Copy of DO No. 000/VGL/20 dated 25.2.2000 from Sh. N. Vittal, Central Vigilance Commissioner, CVC, New Delhi to Dr. RA Mashelkar, Secretary, DSIR.

Sub:-Follow up action on publication of the names of charged officers in the CVC website.

The action of the CVC in publishing the names of the charged officers has brought the following benefits :-

- i) 93% of the people who responded to a poll of Hindustan Times welcomed the measure because it brought greater openness. It inculcates a sense of credibility that action will be taken against even high level public servants.
- ii) The action is perceived to be having a good deterrent effect. 83% of those who responded to the Economic Times poll agreed that the CVC's action in publishing the names of charged officers in the website will have a deterrent effect.
- iii) The fact that some of the charged officers have said that they have not received the charge sheet even though their names on the website has revealed an enormous loophole in our system for fighting corruption. This is the delay on the part of the disciplinary authorities in following up vigilance cases.

In our present system, after the CVC gives advice, either due to inefficiency or as a measure of giving protection to the charged officers may delay initiating action. The CVC has already issued instructions dated 18.11.98 that the inquiries must be completed within six months. It may be necessary to launch a drive to clear all the old departmental inquiries, if necessary by engaging retired honest people as the inquiry officers on paying them lump-sum fees as has been recommended by the CVC so that there is speedy disposal of vigilance cases.

Now that the names of the charged officers are on the website, there will be public pressure on both the CVC and the department for follow up action. The CVC can only give advice and also recommend action both at the first stage and at the second stage. The primary responsibility for follow up action is on the disciplinary authorities.

I shall be therefore be grateful if you can bring this to the notice of all disciplinary authorities under your control and also ensure that so far as your organisation itself is concerned an integrated and systematic approach is brought to bear on the issue of following up action on departmental inquiries so that there could be effective check on corruption.

I have also instructed the Secretary, CVC to send you every month the list of the pending departmental action cases both after the first stage and second stage advice to you so that at your level you can monitor the progress in this important area.

Sd/- (N. Vittal)

Serial Circular No. 10

Copy of CSIR letter No. 1(41)/79-O&M dated 15th March 2000.

Sub: Rule 14 of the CCS (Conduct) Rules – Acceptance of awards by Govt. servant.

In continuation of CSIR circular of even number dated 26.11.1999, I am directed to forward herewith a copy of OM No. 11013/2/99-Estt. (A) dated 17.2.2000 from the Ministry of Personnel, Public Grievances & Pension (Department of Personnel & Training) for your information and guidance.

Annexure

Copy of OM No. 11013/2/99 – Estt. (A) dated 17.2.2000 from Ministry of Personnel, Public Grievances & Pension.

Sub: Rule 14 of the CCS (Conduct) Rules – Acceptance of awards by Govt. servant

The undersigned is directed to refer to this Department's OM of even number dated 24.2.1999 on the subject mentioned above wherein detailed guidelines on the subject matter have been laid down.

2. These guidelines have further been reviewed and keeping in view the policy in the matter it has been decided that the Government servants should not be allowed to accept awards of monetary benefits instituted by private trusts/foundations etc.
3. All the Ministries/Departments are requested to bring this to the notice of all concerned for strict compliance.
4. In so far as the persons serving in the Indian Audit and Accounts Departments are concerned, these instructions issue after consultation with the Comptroller and Auditor General of India.

Serial Circular No. 11

Copy of CSIR letter No. 6(83)/98-O&M dated 15.3.2000

Sub: Reducing Delays in Departmental Inquiries.

I am directed to forward herewith copy of the English version of circular No. 8(1)(g)/99(2) dated 19.2.1999 from Central Vigilance Commission for your information and guidance. The Hindi Version of the same was circulated vide this office letter of even number dated 24.12.1999.

Enclosure

Copy of CVC letter No. 8(1)(g)/99 (2) dated 19.2.1999

Sub: Reducing Delays in Departmental Inquiries.

One of the causes for delay in departmental inquiries is appointment of Presenting Officer. To avoid such delays, the Commission, in exercise of its powers conferred on it under Section 8(1)(g) of the CVC Ordinance 1999, directs all Departments/Organisations within its jurisdiction to indicate, henceforth, the names of the Presenting Officer to be appointed while referring the cases to the Commissioner for Ist Stage advice and where the Disciplinary Authority proposes to initiate major penalty action. After the Commission endorses the proposed action, the Departments/Organisations will ensure that the Inquiry Officer and Presenting Officer are appointed simultaneously after service of charge-sheet and immediately on denial of charges by the Charged Officer. The Departments/organisations should also indicate appropriate disciplinary authority in each case while referring the case to the Commission for first stage advice. The Commission in turn will communicate its advice to the Disciplinary Authority/Secretary of the Ministries with a copy to the CVO for follow up action.

Sd/- (N. Vittal)

Serial Circular No. 12

Copy of CSIR letter No. 1(11)/99-2000/Pen/347 dated 29.3.2000

I am to enclose herewith a copy of the office Memorandum No. 45/22/97-P&PW(C) dated the 3rd February 2000* from Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Pension & Pensioners Welfare New Delhi regarding "Special benefits in cases of death and disability in service payment of disability pension/family pension-recommendations of the Fifth Central Pay Commission" for your information and necessary action.

* Please refer to Order No.102 of Swamys News for April, 2000.

Serial Circular No. 13

Copy of CSIR letter No. 1(41)/79-O&M dated 31st March 2000

Sub: Participation of Government servants in the activities of Moral Rearmament Movement – Review of instructions.

I am directed to forward herewith copy of OM No. 11013/13/98-Estt. (A) dated 24.2.1999 from the Ministry of Personnel, Public Grievances & Pension (Department of Personnel & Training) for your information and guidance.

Enclosure

Copy of letter No. 11013/13/98-Estt. (A) dated 24th February 2000 from Ministry of Personnel, Public Grievances & Pensions (Department of Personnel & Training)

Sub: Participation of Government servants in the activities of Moral Rearmament Movement – Review of instructions.

The undersigned is directed to refer to the Ministry of Home Affairs OM No. 25/10/64-Ests. (A) dated 4th July 1964 wherein some restrictions have been imposed on the Government servants associating themselves with the activities of Moral Rearmament Movement.

These instructions have been reviewed. After careful consideration, it has been decided to withdraw these instructions with immediate effect. It is, however, clarified that while associating with the activities of the Moral Rearmament Movement, the Central Government servants should ensure that they do not do anything which may be construed or easily misconstrued as participation in political activities, keeping in view the provisions of Rule 5 of the CCS (Conduct) Rules, 1964.

Sd/-
Director

Serial Circular No. 14

Copy of CSIR letter No. 14(8)/99-E.II dated 7.4.2000

Sub:-Clarification regarding Medical Facility to CSIR Pensioners.

We have been receiving references from various Labs./Instts. on the above subject. The matter has been examined in consultation with finance. The following are the Clarifications for various points raised :

Sr.No.	Points Raised	Clarifications
1.	Whether in case of the employees retired much earlier and opting for medical facility now, what will be the rate of contribution payable by them and from what date.	Amount of basic pay to be taken for calculating the amount of subscription at the notional pay in the revised scale.
2.	Whether the pensioner who are availing fixed medical allowance of Rs. 100/- per month is entitled to avail inpatient treatment in the recognized hospital without paying and annual subscription	Being clarified separately.
3.	Whether the subscription for availing medical facility in the month of May/June is allowed which was due for payment in January.	Membership has to be in continuity. A grace period of one month will be given for renewal of the card from the date of its expiry. If the dispensary care is renewed after expiry of the grace period of one month, the pensioner should not be entitled for any medical reimbursement/Dispensary benefit for the

		period which happen to fall between the actual date of renewal of the card and the date on which the card was due for renewal.
4.	Pensioner has paid the contribution for one year and again pays contribution for 3 rd and 4 th year can be permitted for reimbursement of medical expenses.	Membership has to be in continuity, any member discontinuing his membership of the Scheme will not eligible for re-admission. His case may be considered for renewal as a special case on merits of each case. The pensioner should not be allowed any medical reimbursement/Dispensary benefit for the intervening period prior to date of expiry and date of renewal of the card.
5.	The date from which the pensioner can opt for making one time payment for availing medical facility.	The subscription to be paid by the Pensioner in terms of CSIR letter dated 30.3.99 would be applicable from the prospective date only.

All the laboratories are requested to disseminate information relating to Medical Facilities to the pensioners individually. Future retirees should be informed of all the Medical benefits they are entitled to and what they should do to avail them before retirement itself, so as to avoid any problems at a later date. All communications may be addressed by Registered Post to all the pensioners at their current address by maintaining/up-dating their addresses properly so as to avoid the plea from the pensioners that they are not aware of the procedure/rule/developments.

Serial Circular No. 15

Copy of CSIR letter No. 14(45)/83-E.II/Vol. II dated 10.4.2000

Sub:-Discontinuation of CSIR Graduate Trainees Scheme.

I am directed to state that consequent upon implementation of the GOI Scheme on Apprenticeship Training under the Apprenticeship Act, 1961 by CSIR, the matter regarding continuation or otherwise of CSIR's own Scheme on the subject i.e. CSIR Graduate Trainees Scheme has been under consideration for some time.

The matter has since been considered and taking note of the fact that the purpose for which the CSIR scheme had been introduced could now very well be served by implementation of GOI Apprentices Training Scheme mentioned above, the competent authority has approved the discontinuation of the said CSIR Graduate Trainees Scheme with immediate effect.

Consequent of the above decision, no fresh trainees will be appointed henceforth under the CSIR Graduate Trainees Scheme. As regards the existing trainees already on rolls as on date, if any, their appointments shall stand automatically terminated on completion of the present tenure.

It is requested that the above decision may kindly be brought to the notice of all concerned in your Lab./Instts. for their information, guidance and necessary action.

Serial Circular No. 16.

Copy of CSIR letter No. 14(42)/95-E.II dated 6/10.4.2000

Sub: CSIR Relief Scheme, 1997.

In continuation of this office letter of even number dated 17.10.1997 enclosing therewith a copy of the CSIR Relief Scheme, 1997, I am directed to forward a copy of the proforma for applying relief under the scheme, 1997, in case of injury/death etc.

**APPLICATION FORM FOR COMPENSATION/FINANCIAL RELIEF TO CSIR EMPLOYEES
& FAMILIES ON ACCOUNT OF DEATH/INJURY BY ACCIDENT UNDER
CSIR RELIEF SCHEME 1997 EFFECTIVE FROM 17.10.1997.**

1. Name of the employees (ID No.) with Designation :
2. Full Residential Address :
3. Name of the Lab./Instt./Center:
4. Date of Appointment in CSIR :
5. Date of entry of the employees into the scheme (date of first deduction):
6. Length of service including interruption (both qualifying non-qualifying)
7. Status/Category of the employee :
(Regular/on Deputation/Foreign service/casual worker with Tem. Status)
8. If on deputation in CSIR whether similar scheme in parent office existing :
9. Date of birth (As per service book)
10. Basic pay at the time of death/accident/injury :
11. Date of accident (as certified by Medical Authorities)
12. Date of submission of information of the incident in the Lab./Instt.
13. Details of injury/accident :
14. Percentage of disability due to injury (as certified by Medical Authorities) :
15. Details of compensation if any received from other source :
16. The following documents are to be submitted in case of injury by accident
As the case may be. Please specify whether the same have been enclosed by
Appropriately ticking Yes/No :
 - (A) (i) A full statement of circumstances in which the injury was sustained together
with statement of eye witnesses if any : Yes/No
 - (ii) Police report/panchnama if required Yes/No
 - (iii) Hospital certificate duly signed by the Medical Superintendent : Yes/No
- (B) In case of death by accident of the employee –
 - (i) A full statement of circumstances under which the death took place : Yes/No
 - (ii) Death certificate from the appropriate local authority registering deaths/
Births (as defined in EOP Rules) Yes/No
 - (iii) Post Mortem report and police report if required : Yes/No
 - (iv) Medical certificate duly signed by the Medical Supdt. Yes/No.
 - (iv) Detail of Nomination :
17. Other relevant information, if any :

**Signature of the
Claimant**

(To be completed by the Head of the Lab./Instt)

1. Opinion of the Head of Office (As per form D of CCS EOP Rules)
2. Quantum of compensation admissible (including adjustment of interim
Payment of RS. 5000/- if already made)
3. Details of interim payment

Signature of Sr. F&AO/F&AO b.

Signature of COA .

Signature of the Director of the Lab.

Serial Circular No. 17

Copy of CSIR letter No. 34(2)/2000- E.I dated 10.4.2000

Sub: ACP Scheme –Clarification regarding financial upgradation to the grade of Rs. 6500-10,500.

I am directed to refer to this office letter No. 17(68)/97-PPS dated 10.2.2000 clarifying certain points on the above subject and to state that in partial modification of the clarification given vide item No. 1 of CSIR circular under reference, it has been now been decided by the competent authority that the cases of the employees in the grade of RS. 5500-9000 for their financial up-gradation to the grade of RS. 6500-10,500 may also be considered at the Lab./Instt. level without any element of interview just like in the cases of the employees in the lower grades.

The competent authority has also decided that the Screening Committee for considering the concerned employees in the grade of RS. 5500-9000 for their financial up-gradation to the grade of RS. 6500-10,500 may be constituted as per composition of the DPC prescribed under the CSIR Administrative Services (Recruitment & Promotion) Rules, for considering the cases of employees for promotion to the grade of RS. 5500-9000.

It is requested that the above decision may kindly be brought to the notice of all concerned in your Lab./Instt. for their information, guidance and necessary action.

Serial Circular No. 18

Copy of CSIR letter No. 11/22/82-Vig. Dated 25.4.2000 to the Heads of National Labs./Instts.

Sub: Re. Consultation with CVC.

I am to state that in a number of cases involving vigilance angle referred to this office from the Labs./Instt. the advice of the Central Vigilance Commission (CVC) has either not been sought at all or it was not sought at proper stage. Further, in some of the cases, the Labs./Instt. have imposed penalty on the Charged Officers after the first stage advice with the approval of Disciplinary Authority without obtaining the second stage advice of the CVC through CVO, CSIR Hqrs. In some cases CVC was approached for advice directly by the Lab./Instt. concerned without referring the matter to CVO, CSIR Hqrs. while in other cases, after CVC had tendered its advice and the same was complied with by the Lab./Instt., the compliance report has not been furnished to this office for submission of compliance to the CVC. Therefore, it is clarified that in all cases in which it is proposed to initiate regular disciplinary proceedings against an official who is in receipt of pay of RS. 2825/- (pre-revised) or above, having a potential vigilance angle, the facts and documents of the case, together with details of action proposed to be taken may be sent to this office for obtaining the first stage advice of CVC.

As a matter of act, the Central Vigilance Commission tenders advice at two stages, If upon preliminary investigation, it is found that prima facie there is some substance in the allegations, the CVC is to be consulted as to the future course of action to be taken. To this end, the entire details of the case together with supporting documents and further action proposed may be sent in a comprehensive manner to the office of the CVO, CSIR Hqrs. for further scrutiny at our end and also for obtaining the advice of CVC. No case is to be sent directly to the CVC from the Labs./Instts. themselves. After the advice is received from the CVC the same will be communicated to the Lab./Instt. for compliance.

At the second stage, the advice of CVC is again to be sought before finalisation of disciplinary proceedings after a copy of the Inquiry Report has been made available to the charged officer(s) and their representation/submissions have been obtained within the stipulated time frame as per Rule 15 of the CCS (CCA) Rules, 1965. At this stage, the details/background of the case together with all the documents of the Regular Disciplinary Action (RDA), including the representation of the Charged Officer on the Inquiry Report are to be sent to CSIR Hdqrs. Alongwith the comments of the Disciplinary Authority on the Inquiry Report and the penalty or further course of action proposed to be taken. The same shall be duly forwarded to the CVC after scrutiny at CSIR Hqrs. for obtaining their second stage advice.

In the event of conclusion of disciplinary proceedings in a case, where advice of CVC was obtained, if the Disciplinary Authority is of the opinion that a fresh inquiry may be called for in view of the facts and circumstances prevailing, the documents of such proceedings are neither to be rejected outright nor any penalty imposed or persons exonerated straightaway. The entire set of documents of the

case together with the views of the Disciplinary Authority thereon are to be forwarded to CSIR Hqrs. alongwith the detailed comments of the Disciplinary Authority regarding acceptance of the Inquiry Report or otherwise. If the need for holding a fresh inquiry is felt based on the evidence on record, the Commission is to be approached through CSIR Hqrs. alongwith a definite proposal based on detailed reasons for their second stage advice as per instructions laid down in the vigilance manual and also issued on the subject from time to time.

Regarding cases where the Central Bureau of Investigation (CBI) has investigated into the alleged misconduct of an employee and requested the Disciplinary Authority of that individual to accord approval for his prosecution, if the Disciplinary Authority is in disagreement with the CBI, the advice of the CVC is to be sought irrespective of the status of the official, prior to further communication with the CBI. In cases where the CVC has forwarded a case for further investigation and/or inquiry, irrespective of the status of the official involved, the case is to be referred back to the Commission for advice, even if it is proposed to close after preliminary enquiry.

Serial Circular No. 19

Copy of CSIR letter No. CSIR/Res.Allot/97-Estate dated 8.5.2000 to all the Heads of National Labs./Instts.

Sub: CSIR (Residence Allotment) Rules, 1977.

I am directed to invite reference to Rule 7.3 of the CSIR (Residence Allotment) Rules, 1997 according to which if an employee retains the Council Accommodation inspite of his case being covered under Sub-Rules (a), (b) and (c) of Rule 7.2, he shall be liable to pay licence fee for the allotted accommodation as per rates mentioned in Rule 7.5. Thus the provisions of HBA rules under Condition No. 2 of the CSIR circular No. 16(63)/Misc./91RS/E.II (U-3) dated 10.4.92, saying that a Council employee is liable to pay double the rate of interest on the amount of HBA or licence fee at prevalent market rate in case the employee does not vacate the Council/Govt. accommodation if the house was constructed at the station of his posting are not in consonance with the provisions of Rule 7.5 of the CSIR (Residence Allotment) Rules. The matter was placed before the Governing Body at its 147th meeting held on 9.12.99. The Governing Body has approved incorporation of a new Rule 7.6 (A) in the CSIR (Residence Allotment) Rules, 1977 as follows :-

“The condition NO. 2 of the CSIR Circular No. 16(63)/Misc./91RS/E.II (U-3) dated 10.4.92 shall not be applicable to the employees whose cases are covered under Rules 7.3 and 7.6 of these Rules.”

The effect of the amendment would be that the employees who are allotted or permitted to retain accommodation as per provisions of Rule 7.3 shall be charged licence fee as per Rule 7.5 for the period of retention.

The amended provision shall come into force with retrospective effect from 6.5.98 when the CSIR (Residence Allotment) Rules, 1997 came into force. The provisions contained in para 2 of the CSIR Circular No. 16(63)/Misc./91 RS/E-II (U-3) dated 10.4.92 shall stand modified to the extent indicated in this circular.

Serial Circular No. 20

Copy of CSIR letter No. 6(83)/98-O&M(Vol.II) dated 12th May 2000 to all the Directors/heads of National Labs./Instts.

Sub: References to the Commission for reconsideration of its advice – Prescribing time limits.

I am forwarding herewith copy of circular No. 000/DSP/1 dated 6.3.2000 issued by Central Vigilance Commission for your information, guidance and necessary action.

Sd/-(Ajay Kumar)
JS(Admn) & CVO

Enclosure

Copy of Letter No. 000/DSP/1 dated 6th March 2000 from Central Vigilance Commission, GPO Complex, INA, New Delhi to all the Chief Vigilance Officers of the Ministries/Departments/autonomous organisations etc.

Sub: References to the Commission for reconsideration of its advice – Prescribing time limits.

Para 5.16, Chapter 1 of the Vigilance Manual Volume I provides for consultation with the Commission if the administrative authorities do not agree with the Commission's advice and propose to take either "lenient view" or a "stricter view" than recommended by it. Such references, however may be made only once and that too with the prior approval of the authorities indicated in para 5.13(b), Chapter I *ibid*. Similar provisions also exist in para 11 and 19 respectively of the Special Chapters on Vigilance Management in Public Sector Banks and Public Sector Enterprises.

2. Delay in disposal of disciplinary cases has been a matter of serious concern to the Commission. Such delays, while affecting the morale of the concerned employees, also lose the deterrent effect for the dishonest employees. The Commission has, therefore, laid down a schedule of time limits for conducting investigations and departmental inquiries in para 41 of the Special Chapters on Vigilance Management in Public Sector Enterprises. It has, however, been observed that references to the Commission for reconsideration of its advice are being made in a number of cases after the lapse of a considerable time after it tendered its advice. This could be in order to cover up the delays in finalization of the proceedings or with an intention to prolong the proceedings. Thus, in order to prompt the administrative authorities to accord priority to the disciplinary cases, the Commission has decided that the administrative authorities, if they so desire, may make references to the Commission for reconsideration of its advice within a period of two months from the date of receipt of its advice, failing which the Commission may decline to entertain such references.

Serial Circular No. 21

Copy of CSIR letter No. 6(83)/98-O&M(Vol.II) dated 12th May 2000 to all the Directors/heads of National Labs./Instts.

Sub: Procedure for consultation with the Commission

I am to forward herewith copy of circular No. NZ/PRC/1 dated 16.3.2000 issued by the Central Vigilance Commission for your information, guidance and necessary action.

Sd/-
(Ajay Kumar)
JS (Admn) & CVO

Enclosure

No. NZ/PRC/1 dated 16.3.2000 from Central Vigilance Commission to all Chief Vigilance Officers.

Sub: Procedure for consultation with the Commission

Please refer to the Commission's letter of even number dated 24.11.1997, reiterating the Commission's instructions dated 7.12.1995, on the procedures for making references to the Commission.

2. It has been observed that many organisations have not been sending bio-data of the officers involved in the case to the Commission, while making a reference to it for its advice. You may be aware that the Commission has decided to put the names of the officers, against whom it recommends initiation of criminal proceedings or imposition of a major penalty, on the Commission's web site. Therefore, the biodata of the officers involved in the case is essential, particularly the service, the batch and the cadre, for proper identification of the officers involved. It is, therefore, requested that the biodata of the officers in the prescribed format (copy enclosed) may invariably be furnished to the Commission in all cases referred to it for its advice.

3. The Commission has also observed that the issuance of charge sheets by the administrative authorities are unduly delayed on the pretext that either the relevant documents are not readily available or the drafting of the charge sheets, and the vetting thereof, takes considerably time due to administrative reasons. In order to obviate delays on these accounts, the Chief Vigilance Officers are requested to certify, while making references to the Commission for its advice on the tentative recommendations for major/minor penalty action, that the draft charge sheets and the relevant documents are ready and that the charge sheets would be issued within a period of 15 days from the date of receipt of the Commission's advice. The draft charge-sheets, however need not be sent to the Commission as the Commission would not undertake the vetting of the draft charge sheets.

Form 1

Particulars relating to the Complaint/CBI case against Sh./Smt./Miss.

1. Name of the Officer : Sh/Smt./Miss
2. Father's Name/Husband's Name :
3. Service to which belongs : (Also mention the cadre and year of allotment in case Of officers of All India Services)
4. Date of Birth :
5. Date of Superannuation :
6. Date of suspension (in case of officers under suspension only)
7. Post held :
 - (a) Designation
 - (b) Level in the organisational hierarchy :
- (c) Scale of Pay :
- (d) Present Pay :
- (e) Date from which pay shown against (d) is drawn :

8. Date of next increment :
9. Date of joining present service :
10. Whether borrowed from State Govt. or any other authority :
11. Which disciplinary rules are applicable to him/her.
12. Previous complaint (s) if any against the officer and the results of inquiries into them.
13. Remarks about integrity in CR.
14. (a) Brief particulars of similar cases, if any, in the Ministry/Organisations, in which the same or other officer (s) may have indulged in similar practices.
 - (b) If so, steps taken to prevent recurrence of such malpractices.

Signature of CVO
Date :
Telephone No. :

Serial Circular No. 22

Copy of CSIR letter No. 6(83)/98-O&M(Vol.II) dated 19th May 2000 to all the Directors/heads of National Labs./Instts.

Sub: Improving vigilance administration – sensitising the public about corruption.

Ref: CSIR letter of even No. dated 20th April 1999

I am to state that the Central Vigilance Commission vide circular No. 99/VGL/16 dated 7th March 2000 has instructed that in addition to its earlier instructions contained in Circular No. 8(1)(g)/99(4) dated 12.3.1999 wherein all Departmental/Organisations under its purview display

standard notice at the reception of their office in English as well as in vernacular languages, to say "Don't Pay Bribes", has now requested that such a notice may also be displayed in Hindi.

Serial Circular No.23

Copy of CSIR letter No.3/1/71-O&M-II dated 23.5.2000

Sub:-Writing of the ACRs in respect of Common Cadre Officers-Amendment in Bye-law 17-Procedure reg.

I am to invite a reference to CSIR O.M.No.6/1/99-Cte dated 4th June, 1999 and circular No.17/66/94-PPS dated 5th July, 1999 regarding amendment made in Bye-law 17 and clarification thereof.

The amended Bye-law 17 provided that the Director of each National Lab /Instt. shall be assisted by COA, Sr.F&AO, SPO and others shall advise the Director on all administrative and financial matters and be responsible for providing support services to all the Scientific Staff and bench level Scientists. Director shall have the power to over-rule the advice of aforesaid functionaries after recording reasons therefor. A report of such cases shall be sent to Director-General, CSIR. Further, CSIR letter dated 5.7.99 as referred to above inter-alia mentions that with the above modification in Byelaw 17, the COA, Sr. F&AO and SPO will now be reporting independently and directly to the Director. Consequently, the Confidential Reports of these Officers will also be written by the Director himself as Reporting Officer and reviewed by the DG, CSIR. Further in respect of the reports written by these officers, Director will be the Reviewing Officer.

A doubt has been raised whether in the absence of Sr. COA/COA/Sr. F&AO/SO(F&A) or Dy. SPO as per their availability in the concerned Lab./Instt. would advise the Director directly or not and also whether due to the incumbent senior officer proceeding on leave/transfer and the post remaining vacant for a long time, whether the Director of the Lab./Instt. is to function as Reporting Officer in respect of the junior officers directly reporting to him.

The matter has been examined and it is now clarified that the Confidential Reports of the Officers functioning as Incharge of different areas viz. Gen. Administration, Finance or Stores & Purchase in a Lab./Instts. irrespective of the level of the officer will be written by the Directors of the concerned Lab./Instt. if they are reporting to him directly and such ACRs will then be reviewed by DG, CSIR.

It is further clarified that it is mandatory to conform to the policy of line of reporting, to satisfy the provisions of the amended byelaw 17, on account of the fact that the decision is of the GB. It is, therefore, essential that the senior most officer in position in the Lab./Instt. in the respective cadre will function as incharge of that area and accordingly will be the advising officer of that area. It is not open to practise any alteration in the schedule of Reporting Officer/Reviewing Officer as stated in para 2 to 4 above.

It is requested that these requirements may kindly be ensured for strict compliance.

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Copy of CSIR circular letter No.20(7)/87-E.II (2) dated 2.6.2000

Sub:- Welfare activities in the Labs./Instts including CSIR Hqrs.- Grant of special relief to the families of the CSIR employees who die in harness.

I am directed to refer to this office letter of even number dated 23.2.1987 on the above subject and to state that references are being received from in this office from various Lab./Instts. seeking clarification as to whether the above scheme being notified vide CSIR letter of even number dated 23.2.87 is still in operation.

In this connection it is clarified that as per proposal approved by G. B., the said scheme was to be reviewed at the end of two years from the date of its operation i.e.1.1.1987. However, keeping in view the enhancement in the death benefits including family pension etc. it was not considered necessary to review the same. Consequently, the scheme has lapsed automatically.

It is requested that the above clarification may be brought to the notice of all concerned Labs./Instts for their information and guidance.

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copy of CSIR circular letter No.6(83)/98-O&M (Vol. II) dated 16.6.2000

Sub:-Schedule of time limits in conducting investigations and departmental inquiries.

I am directed to forward herewith a copy of circular No.000/VGL/18 dated 23rd May, 2000 for your information, guidance and necessary action.

Enclosure:

copy of circular No.000/VGL/18 dated 23rd May, 2000, Govt. of India, Central Vigilance Commission, New Delhi.

Sub:-Schedule of time limits in conducting investigations and departmental inquiries.

Delays in disposal of disciplinary cases are a matter of serious concern to the Commission. Such delays also affect the morale of the suspected/charged employees and others in the organisation. The Commission has issued instructions vide its communication No.8(1)(g)/99(3) dated 3.3.1999 that departmental inquiries should be completed within a period of six months from the date of appointment of Inquiry Officers. Regarding other stages of investigation/ inquiry, the time schedule, as under, has been laid down in the special Chapters on Vigilance management in Public Sector Banks/Enterprises, which are applicable to the employees of public Sector Banks/enterprises. The Commission desires that these time limits should also be adhered to by the Ministries/ Departments of Govt. of India, Autonomous organisations and other cooperative societies, in respect of their employees, so as to ensure that the disciplinary cases are disposed of quickly.

S. No.	State of Investigation or Inquiry	Time limit.
1	Decision as to whether the complaint involves a vigilance angle.	One month from the date of receipt of complaint.
2	Decision on complaint, whether to be filed or to be entrusted to CBI or to be taken up for investigation by departmental agency or to be sent to the concerned administrative authority for necessary action	-do-
3	Conducting investigation and submission of report	Three months.
4	Department's comments on the CBI Report in cases requiring Commission's advice.	One month from the date of receipt of CBI's report by the CVO/ Disciplinary Authority.
5	Referring departmental investigation reports to the Commission for advice.	One month from the date of receipt of investigation report.
6	Reconsideration of the Commission's advice, if required.	One month from the date of receipt of Commission's advice.

7	Issue of charge sheet, if required.	(i)One month from the date of. receipt of Commission's advice. (ii) Two months from the date of receipt of investigation report.
8	Time for submission of defence statement.	Ordinarily ten days or as specified in CDA Rules.
9	Consideration of defence statement.	15(Fifteen) days.
10	Issue of final orders in minor penalty cases	Two months from the date of receipt of defence statement.
11	Appointment of IO/PO in major penalty cases.	Immediately after receipt and consideration of defence statement.
12	Conducting of departmental inquiry and submission of report.	Six months from the date of appointment of IO/PO.
13	Sending a copy of IO's report to the Charged Officer for his representation.	(i) Within 15 days of receipt of IO's report if any of the articles of charge has been held as proved. (ii) 15 days, if all charges held as not proved. Reasons for disagreement with IO's finding should be communicated.
14	Consideration of CO's representation and forwarding IO's report to the Commission for second stage advice.	One month from the date of receipt of representation.
15	Issue of orders on the Inquiry Report.	(i)One month from the date of. Commission's advice. (ii) Two months from the date of receipt of IO's report, if Commission's advice was not required.

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Copy of Csir Circular letter No.6(83)/98-O & M Vol.II dated 1.8.2000

Sub:- Benami Black Money Scheme.

I am to forward herewith a copy of circular No. 000/VGL/74 dated 12.7.2000 issued by Central Vigilance Commission for your information, guidance and wide circulation.

Enclosure :

**GOVERNMENT OF INDIA
CENTRAL VIGILANCE COMMISSION
Satarkata Bhavan, Block A
GPO Complex, INA
New Delhi-110 023**

No./ 000/VGL/74

Dated 12.7.2000

BENAMI BLACK MONEY SCHEME

Corruption is the use of public office for private profit. India is recognised as one of the most corrupt countries in the world. In the corruption perception index of Transparency International for the year 1999, India is ranked 73 out of 99 countries.

2. Corruption flourishes in our country because of secrecy and delay. The secrecy element to some extent has been tackled by the CVC putting on web site the names of charged officers who are facing either prosecution or departmental action. There is enormous delay in the departments taking action even after the departmental inquiry is over. This is being systematically followed up with the departments by CVC.

3. Corruption in our country is also encouraged by the presence of black money or the parallel economy. The extent of black money is placed at 40% of the GDP. Black money is the oxygen for corruption. Corruption is the oxygen for black money.
4. When it comes to prosecution of cases in courts, there are enormous delays. What is worse, the conviction is hardly 6% in criminal cases. This may be due to the poor homework done by the prosecution authorities. The corrupt take advantage of the loopholes in the law and escape.
5. Corruption flourishes because it is perceived to be a low risk high profit business. One approach to check corruption therefore is to increase the risk element for the corrupt whose ill gotten wealth ultimately gets reflected in the form of black money, foreign accounts, benami bank accounts, jewellery and other valuables, benami bank accounts, jewellery and other valuables, .benami property, etc.
6. Occasionally there are reports of the CBI or the Income Tax Department raiding corrupt public servants and seizing enormous amount of cash and property. This is happening at present in a hit and miss fashion. For every person raided, at least 100 escape. At the same time, in the society, public at large know who is a corrupt public servant who is having black money, benami property etc.
7. At present there is no systematic method by which this information can be brought to the notice of either the CBI or the Income Tax department. The CVC has been entrusted with the task of enforcement of the Prevention of Corruption Act so far as public servants of the Government of India are concerned. The CBI's work relating to corruption cases is also monitored by CVC.
8. In order to discharge its function effectively therefore, the CVC has decided to introduce the following scheme, which can be called the Benami Black Money Scheme, with immediate effect.
9. The Central Vigilance Commission, being an apex anti-corruption agency, has the jurisdiction and powers in respect of matters to which the executive powers of Union extends to undertake an inquiry into any transaction in which a public servant is suspected or alleged to have acted in a corrupt manner. It has also been empowered vide para 3(v) of the Govt. of India's Resolution No. 371/20/99-AVD.III dated 4th April, 1999, to exercise superintendence over the vigilance administration of various Ministries of the Central Government or Corporations established by or under any Central Act, Government Companies, Societies and local authorities, owned or controlled by that Government.
10. The Commission proposes to launch a systematic campaign against corruption by involving all members of civil society in fighting this social evil. It , therefore, invites the members of public to report the matter to the Commission if they have information against a public servant about possession of black money or assets, which are believed to be disproportionate to this known source of income. The Commission would scrutinise the information so received and if the information is considered sufficient for carrying out detailed investigations, the CBI, or the Income Tax authorities would be advised accordingly. In suitable cases, the Commission may also advise the concerned authorities to move applications under the Criminal Law Amendment Ordinance, 1944 for confiscation of ill-gotten money. It is, however, clarified that :
 - (i) The Commission does not entertain anonymous or pseudonymous complaints. Therefore, the members of the public, making such complaints, should given their full name and address on the complaints and to confirm having made such a complaint if a reference is received by them in that regard. They are, however, assured that if they so desire, their identity would not be disclosed.
 - (ii) It is neither feasible nor desirable to make the preliminary verifications on the basis of vague information. The information made available to the Commission should, therefore, carry sufficient details about the properties owned by the concerned public servant in his own name or in the name or in the name of his family members/near relatives.
 - (iii) Section 182 IPC makes it a criminal offence if a person gives to any public servant any information, which he knows or believes to be false.
11. The CBI and the Income Tax Department have schemes under which those who give information leading to successful unearthing of black money and benami properties are

suitably rewarded. The informants who provide information under this notification will be also eligible to the rewards directly from CBI/Income Tax Department accordingly.

12. This notification is available on the CVC's site <http://cvc.nic.in>.

Sd/-
Central Vigilance Commissioner.

27.

Copy of letter No. SDS/CSIR/2000-R&A dated 2.8.2000

Sub: Amendment in the provisions for constitution of Selection Committees for recruitment of Group II(5), III(3) to III(7).

I am directed to state that the Governing Body at its 148th meeting held on 2nd June 2000 has approved the following Amendment in Para 9.2.1 of the CSIR Service Rule 1994 for Scientific, Technical and Support Staff.

Existing Rule		Amended Rule	
(I)	Chairman or specialist member of Research Council (RC)	(I)	Chairman or Specialist member of Research Council (RC)
(II)	Director/DG, CSIR or his nominee	(II)	Director/DG, CSIR or his nominee.
(III)	Expert from related area from a sister Lab./Instt. of CSIR.	(III)	Expert from related area from a sister Lab./Instt. of CSIR.
(IV)	Three experts, of whom at least two from outside CSIR system.	(IV)	Three experts, of whom at least two from outside CSIR system.
	To be nominated by RC in the case of Labs./Instts. & DG,CSIR in the case of CSIR Hqrs.	(I)	For Gr. II(5), III(3) to III(7) to be nominated by Management Council(MC) in the case of Labs./Instt. & DG, CSIR in case of CSIR Hqrs.
		(II)	For Gr. IV (1) to IV(4) to be nominated by Research Council (RC) in the case of Labs./Instt. & DG, CSIR in case of CSIR Hqrs.

As far as constitution of selection committee for recruitment of Group IV(1) to IV(4) is concerned, the existing provisions in the para 9.2.1 of the CSIR Service Rules, 1994 for recruitment of Scientific, Technical and Support Staff will remain the same.

28

Copy of CSIR Letter No.17/66/Eqv/94-PPS dated 1.8.2000

Sub: Equivalence of qualification.

I am directed to invite a reference to the list equivalence of qualifications given in Annexure-I on pages 39-40 of revised MANAS and to state that subsequent to publication of Revised MANAS document, some more qualifications have been equated by CSIR under the provision of para 1.4 of revised MANAS. A list of these qualifications is enclosed herewith. These qualifications would be considered equivalent in respect of any candidate only if the same is of direct relevance to the work/ job assigned to him/her within the disciplines relevant to the mandate of the lab./Instt./CSIR Hqrs. as the case may be. The relevance of qualification concerned in the individual cases shall be approved by the Research Council in cases of Labs./Instts and DGCSIR in respect of employees working at CSIR Hqrs. These qualifications will be considered equivalent from the date of notification of the decision by CSIR, as indicated against each.

It is requested that the above equivalence of qualifications may kindly be brought to the notice of all concerned in your Lab./Instt. for their information, guidance and necessary action.

Enclosure:

COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

Anusandhan Bhavan, Rafi Marg, New Delhi-110 001

List of equivalence of qualifications approved by CSIR for Recruitment and Assessment purpose subsequent to publication of Revised MANAS document.

S. No.	Qualification	Equivalent to	Effective date of equivalence
1	Two year diploma in Engineering awarded by Ad-hoc Board of Technical Education prior to 1959	Three year diploma in Engg./Tech.- Entry level qualification for Gr. III	14.6.1995
2	Post Graduate Diploma in Pulp & Paper from Indian Institute of Paper Technology Saharanpur	M. Sc.	14.6.1995
3	Five year Diploma from Sir JJ School of Arts, Mumbai followed by clearing the examination in the prescribed subjects.	B.Arch. Degree	24.7.1996
4	M. Sc. degree in Life Sciences of 3 year duration obtained after B.Sc. from BITS, Pilani.	M. Sc.	14.10.1999
5	Master Degree in Math. (M.A. (Math.) obtained after B.Sc.	M.Sc.	8.10.1999
6	B. Sc. Degree in Engineering Technology obtained after 3 – year Diploma in Civil Engineering from BITS, Pilani	B. Tech./ B. E.	14.10.1999
7	Pass in Section 'A' & 'B' Examination of the Institution of Engineers (I), Calcutta.	B. Tech./ B. E.	14.10.1999
8	Associate membership examination of Indian Institute of Metals Calcutta obtained after B.Sc.	B.E.	14.10.1999
9.	Associate Membership Examination of Indian Instt. of Ceramics, Calcutta obtained after Diploma in Ceramics Engineering of 3 year duration.	B. Tech/B.E.	25.10.1999
10.	Ist Class Three Year Diploma Licentiate Examination in Printing and Graphic Arts obtained from State Council of Engineering and Technical Education.	3 Year Diploma in Engg./Tech – Entry level qualification for Group III	25.10.1999

Note : 1. These qualifications could be considered equivalent if the same have been obtained with the Division/percentage of marks as prescribed in the CSIR Service Rules, 1994 for recruitment of Scientific, Technical and Supporting Staff.

2. These qualifications would be considered equivalent in respect of any candidate only if the same is of direct relevance to the work/job assigned to him/her within the areas /disciplines relevant to the mandate of the Lab./Instts./CSIR Hqrs.

Copy of CSIR letter No.17/66/94-PPS dated 2.8.2000

Sub:- Placement of staff working in the Library and Information Areas/Divisions.

I am directed to invite your kind attention to CSIR circular letter No.2(22)/78-PL dated June, 1982(copy enclosed) and to state that references are being received from the Labs./Instts. regarding the equivalence of the qualification of Associateship in Documentation and reprography/Information Science awarded by INSDOC and Master Degree in Library and Information Science awarded by other recognised universities/ institutions, and placement of the employees possessing these qualifications.

In this connection, it is clarified that in CSIR the Associateship in Documentation and Reprography/Information Science awarded by INDOC has been considered equivalent to Master Degree in Library and Information Science for recruitment in the areas of Information and Documentation only. As per classification of the areas of activities of CSIR Labs./Instts., approved by the Governing Body, the Information and Library activities fall under " Technical Category" and any post in these areas with the advertised qualification of Master Degree in Library and Information Science from any recognised institution or Associateship in Documentation and Reprography/Information Science awarded by INSDOC or for that matter even with any other qualification treated equivalent to entry level qualifications of Group-IV, could be filled up only in Group-III and not in Group-IV. Consequently, the persons possessing these qualifications working in the Library and Information Areas/ Divisions in CSIR Labs./Instts. are eligible for placement and assessment in Group-III only without any other benefit of two year earlier assessment and/ or movement to next higher group under paras 2.3.4. and 2.3.5. respectively of revised MANAS. The cases of concerned staff members and the recruitment in future be regulated accordingly.

It is requested that the above position may kindly be brought to the notice of all concerned in your Lab./Instt. for their information, guidance and necessary action.

Enclosure

Copy of CSIR Letter No.2(22)/78-PL dated June, 1978 addressed to the Heads of all the National Labs/Instts.

Sub:- Associateship in Information Science awarded by the CSIR- Recognition thereof.

I am directed to enclose a copy of O.M.No.19-21/T-7 dated 13th February,1983 of the Ministry of Education & Culture (Department of Education), New Delhi, recognising the Associateship in Information Science awarded by the Council of Scientific and Industrial Research after completion of the training course in Documentation and Reprography offered by Indian National Scientific Documentation Center (INSDOC), New Delhi as equivalent to Master's Degree for recruitment to superior posts in the Central Government where specialisation in Information Science and Documentation is required, for your information and guidance.

You are requested kindly to mention Associateship in Information science of the INSDOC training Course as equivalent qualification while advertising the posts in the field of Information Science & Documentation where qualification of Master's Degree in Library and Information Science is prescribed.

Copy of CSIR letter No. 17(66)/94-PPS dated 2.8.2000

Sub: Procedure for Assessment of Scientific & Technical Staff who are under suspension /against whom disciplinary proceedings are pending.

I am directed to invite your kind attention to this office circular letter of even number dated 8.5.1998 on the above subject and to state that references were being received from the Labs./Instts. seeking clarifications regarding regulation of cases of assessment in respect of

employees on whom major penalty of reduction to a lower stage in the time scale of pay as specified under item (V) of Rule 11 of CCS (CCA) Rules had been imposed.

The matter was examined and it was noted that no procedure/provision had been made for regulating cases of employees falling under the above category, under the procedure as contained in CSIR circular letter referred to above.

The matter was, therefore, placed before the Governing Body for consideration at its meeting held on 2.6.2000 . The Governing Body considered the matter and approved the following provisions effective from the same date from which the revised procedure was made effective, i.e. 8.5.1998, for the purpose :

“ In the event of imposition of penalty of reduction to a lower stage for a specified period as specified in rule 11(v) of CCS (CCA) Rules, the sealed cover will not be opened and the employees will be assessed only from the date following the date of expiry of penalty.”

It is requested that the above decision may kindly be brought to the notice of all concerned in your lab./Instt. for their information, guidance and necessary action.

31

Copy of CSIR letter No. 17(66)/94-PPS dated 2.8.2000

Sub: Regulation of the cases of Group II employees in the pre-revised scales of Rs. 1350-2200 and Rs. 1400-2300 the next higher revised Grade of Rs. 5500-9000 on merger of these scales to the revised scale of Rs. 4500-7000 on implementation of CCS (Revised Pay) Rules, 1977.

In continuation of this office letter of even number dated 7.4.1998 on the above subject, I am directed to state that the matter regarding assessment of the employees in Group II in the pre-revised scales of Rs. 1350-2200 and Rs. 1400-2300 to the next higher grade of Rs. 5500-9000 consequent upon merger of these two scales to the revised scale of Rs. 4500-7000 under the CCS (Revised Pay) Rules, 1997 was placed before the Governing Body of CSIR at its meeting held on 2.6.2000 for its consideration.

The Governing Body considered the matter and approved the following procedure :-

- i) All those employees who were in the pre-revised scale of Rs. 1350-2200 or Rs. 1400-2300 and had been placed in the revised grade of Rs. 4500-7000 w.e.f. 1.1.96, will be considered for assessment to the next higher grade of Rs. 5500-9000 on completion of combined residency period of 10.5 years rendered in the pre-revised scales of Rs. 1350-2200 or Rs. 1400-2300 before 1.1.96 and in the revised scale of Rs. 4500-7000 w.e.f. 1.1.96. The 10.5 years will not include any 'failure' year (s) , if any, in promotion from Rs. 1350-2200 scale to Rs. 1400-2300.
- ii) The date of assessment to the grade of Rs. 5500-9000 will be either the date of completion of 10.5 years of combined service rendered in the grade of Rs. 1350-2200 and Rs. 1400-2300, prior to 1.1.96 and in the revised grade of Rs. 4500-7000 from 1.1.96 or 7 years service rendered in the revised scale of Rs. 4500-7000, whichever is earlier on or after 1.1.96.
- iii) Since the employees in the pre-revised of Rs. 1350-2200 have been placed in the revised scale of Rs. 4500-7000 w.e.f. 1.1.96, any assessment done in respect of such employees for their assessment to the pre-revised scale of Rs. 1400-2300 from a date falling due on or after 1.1.96 shall be treated as nullified and they will be considered a fresh for assessment to the grade of Rs.

- 5500-9000 when they complete the combined service of . 10.5 years rendered in the scales of Rs. 1350-2200 before 1.1.96 and Rs. 4500-7000 from 1.1.96.
- iv) Subsequent chances for those who do not succeed the first time will be after 1 year, 2 years, 4 years and after remaining for one year at the maximum of the grade, as it presently exists in the revised MANAS.
- v) Since the existing Assessment Scheme is already under review through the Apex Committee, all those currently in the scale of Rs. 4500-7000 and appearing for assessment to the scale of Rs. 5500-9000 as above will have to give an undertaking that they will avoid by whatever decision is taken finally by CSIR about their residency period and assessment.

It is requested that the above decision may kindly be brought to the notice of all concerned for their information, guidance and necessary action.

32

Copy of CSIR letter No. 17/66/94-PPS dated 21.8.2000 to all the Directors of national Labs./Instts.

Sub: Completion of assessments due upto the assessment year 1999-2000.

In continuation of this office circular of even number dated 13.3.2000, I am directed to state that keeping in view the fact that the finalisation of the Apex Committee recommendations with the approval of the competent authority will take some more time, DG, CSIR has been pleased to approve that all the assessments due upto the Assessment Year 1999-2000 may be completed in accordance with the existing procedure/guidelines under the revised MANAS at the earliest.

It is requested that the above decision may kindly be brought to the notice of all concerned in your Lab./Instt. for information and necessary action.

(33)

Copy of CSIR letter No. 6(83)/98-O&M (Vol.II) dated August 2000

Sub: Vigilance Awareness Week

Please find enclosed herewith a copy of Central Vigilance Commission's Circular No. 3(v)/99/11 dated 23.6.2000 relating to "Vigilance Awareness Week".

I shall be grateful if you kindly devote a few hours of your valuable time to ensure that your Institute observes the Vigilance Awareness Week in a befitting manner. I shall be glad to be of any help in this regard.

Annexure

Copy of letter No. 3(v)/99/11 dated 23rd June 2000 from Central Vigilance Commission, New Delhi-110023.

Sub: Vigilance Awareness Week – Observance thereof.

Corruption is anti national, anti poor and anti economic development. According to the UNDP Report on Human Development 1999 on South Asia, if the corruption level in India goes down to that of Scandinavian Countries, the GDP will grow by 1.5% and Foreign Direct Investment will go up by 12%. Corruption is anti poor because nearly 30% of the food grains and sugar meant for the public distribution system disappear in the black market. Corruption literally takes away the food from the mouths of the poor people for whom food security by way of the public distribution systems is devised by the Govt. Corruption is anti national as revealed by the Bombay blasts of 1993 when the customs officials who were bribed permitted the smuggling of the RDX which resulted in the death of 300 people.

2. M/s Transparency International, a Berlin based non-government organisation has ranked India 73 out of 99 countries in the Corruption Perception Index. This refers to

the perception of the degree of corruption as seen by business people, risk analysts and the general public. It ranges from 10 (highly clean) to zero (highly corrupt). Denmark appears at the top of the list with a score of 10 and India figures at 73 with a score of 2.9.

3. War, it is said, is too dangerous to be left to the Generals. Fighting corruption is too important an activity to be left only to the Central Vigilance Commission. The Commission, therefore, proposes to launch a systematic campaign against corruption by involving all members of the civil society in fighting this social evil. The first step in this campaign is to educate the people about the dangers of corruption and sensitize them about the evil consequences of corruption.
4. The CVC which has a special responsibility under para 3(v) of Govt. of India Resolution No. 371/20/99/AVD-III dated 4.4.1999, declares that the week beginning from 31st October every year should be observed as the Vigilance Awareness Week. The significance of 31st October is that it is the birthday of the **Bismarck of India, Sardar Vallabh Bhai Patel**. He represents the best values in the Indian tradition so far as governance is concerned. He integrated the country and also was a shining example of probity in public life.
5. The Vigilance Awareness Week can be observed keeping in view the spirit of the eminent leaders like Sardar Patel and the need for fighting the social evil of corruption. The measures that could be considered for celebrating the Week may include the following :
 - a) It should be a five-day programme beginning from **31st Oct. to 4th Nov.**
 - b) The Central Vigilance Commission would request the President and the Prime Minister for their messages to the Nation on this occasion. Such messages received would be given wide publicity through the media and also through the CVC web-site <http://cvc.nic.in>
 - c) The messages from the President, Prime Minister, the Central Vigilance Commissioner and the Vigilance Commissioner would also be sent in advance to all Chief Executives and Chief Vigilance Officers.
 - d) The Vigilance Awareness Programme would begin in all the offices of the Central Government its subordinate and attached offices, public sector undertakings and banks, autonomous bodies and institutions under the Central Government **at 11 00 hours** with a pledge which would be sent separately. The pledge would be taken by all public servants irrespective of their status and would be administered by the head of the department or the senior most officer available on the occasion.
 - e) After the pledge, the message from the President, Prime Minister, CVC and VC would be read out to the audience.
 - f) The Chief Vigilance Officer may be advised to consider taking following steps depending upon the financial resources –
 - to display banners, posters etc. at prime locations in their office at the corporate centre, regional centre, zonal offices, factories/works etc.
 - to organize seminars at different location on the occasion and to invite prominent faculty from the area to address the participants. The CVC/VC will also address the participants in some of the seminar
 - to organize competitive debates/lectures on anti corruption topics amongst the employees and to distribute prizes
 - to organize competitive lectures/debate on anti corruption methods at the student levels in the colleges/schools in the city and to award prizes to the best participation
 - to issue special journals during the week; and
 - to request the non government organisation, institutions and service associations in the local area to also participate in the vigilance awareness campaign.
6. The NGOs and all other participants in the programme can also select specific procedures or offices and study them and make suggestions about how corruption can be checked by simplification or improvement of procedure by bringing in greater transparency and speed in the disposal of work.

7. It the State Vigilance Commissioners and Directors of State Anti Corruption Bureaus held on 19th June 2000, it was agreed that the vigilance organisations in the state government will also organise vigilance awareness week in their respective states.
8. Awareness is the first step towards action. The Vigilance Awareness Week, it is hoped will help in catalysing action to fight corruption.
9. This notification is also available on the CVC's website <http://cvc.nic.in>

34

Copy of D.O. No. 17/66/8/94-PPS dated 25.8 2000 from Dr.R.A.Mashelkar, Director General, CSIR addressed to all the Directors/Heads of all the National Labs/Instts (by name).

Sub:-Common Irregularities in assessment cases.

I have been receiving many representations from employees making allegations of bias and/or irregularities of one or the other kind in the conduct of the assessments. On examination, irregularities have been found to be there in many cases, as a result of which the wrongly conducted assessments have to be quashed, resulting in avoidable inconvenience/problems to all concerned. Some of the common irregularities noticed in such cases are as under :-

1. Writing/Reviewing and Communicating of APARs - There is a prescribed schedule for writing, reviewing and communication of APAR gradings. It is noted that this is not being followed strictly by many Labs./Instts. and the assessments are being conducted either without communicating the gradings or communicating the same just a few days before the assessments. As per rules, it is necessary to communicate the APAR gradings and dispose off the representations made, if any, within the prescribed time limit well before the assessments, failing which the assessment(s) conducted are liable to be quashed.

If the employee concerned fails to submit his self-assessment report by the stipulated date, the reports have to be written and reviewed by the concerned officer on the basis of their own knowledge about the work and conduct of the officer to be reported upon. The prescribed procedure must be followed to ensure proper and timely completion of the APARs.

2. Assessment Committees were not constituted strictly as per prescribed guidelines, in as much as either the members were not taken from the approved valid panel of experts or they were not from the relevant field, or the number of experts was not what it should be as per given guidelines. It is to be noted that inclusion of experts from non-relevant field or constituting the Assessment Committee with more or less number of experts than the number prescribed under the relevant provisions, amounts to violation of guidelines. It is, therefore, imperative that the experts of Assessment Committee are chosen only from the approved expert panel and their numbers and level is kept strictly as prescribed under the guidelines.

3. As per guidelines the Assessment Committees are to be constituted by the RC or MC as the case may be. In some cases, this has been found to have been done only by the Director and/or Chairman, R.C., which is not proper. The Assessment Committees should always be constituted by the RC/MC at their meetings.

4. As per guidelines, the names of alternate Chairman and expert members are also required to be specified by the RC/MC while constituting the Assessment Committees. This was not done in some cases. Consequently, in place of the Chairman or any expert member who did not come to attend the meeting, they were replaced at the last moment improperly. This is also a procedural irregularity and should, therefore, be avoided.

5. In some cases the declaration of assessment results were unduly delayed. The results of successful as well as non-successful candidates should be announced soon after the assessments.

6. The procedure of seeing the APARs and opening the Peer Review/Referee markings and adding the marks of these two components only after awarding the interview marks by the Assessment Committee, has also to be strictly followed.

7. As per para 0.8 of revised MANAS, it is the primary responsibility of the COA/AO of the Lab./Instt. to ensure that the guidelines of the Assessment Schemes are followed correctly. To ensure this, it is necessary to associate these officers with the processing of the assessments at each and every stage and all papers/records relating to the assessments, including the proceedings etc. should be maintained by the COA/AO. Consequently, the COA/AO handling the assessments shall be held personally responsible in case of any technical lacunae in the proceedings.

These are only a few of the points out of the many aspects which are required to be kept in view for proper conduct of the assessments.

Keeping in view the fact that even a minor procedural irregularity is considered to be a violation of the rules/guidelines by the courts resulting in quashing of such irregular assessments, I request you kindly to ensure that all assessments are processed and conducted strictly as per prescribed procedures and guidelines.

The contents of this letter may also be brought to the notice of COA/AO and all other concerned staff members of your Lab./Instt. for their information, guidance and strict compliance.

Kindly acknowledge receipt.

Serial circular No. 35

Copy of CSIR Office Memorandum No. 1(81)/2000-O&M dated 7th September, 2000

Sub: Authentication of Orders made in the name of the President, Vice-President, Director-General and others of the Society under the CCS (CCA) Rules

In accordance with the provisions of Bye-law 13 of CSIR, the Director-General, CSIR has been pleased to accord approval to the following :

- (i) All the Orders made in the name of the President, Vice-President, Director-General and others of the Society under the CCS (CCA) Rules, shall be authenticated under the signature of the Chief Vigilance Officer, CSIR;
- (ii) When the Chief Vigilance Officer is unavailable, all such orders shall be authenticated under the signature of the Joint Secretary (Admn), CSIR.
- (iii) Under circumstances when both the above cited Officers are not available, all such Orders shall be authenticated by Deputy Secretary (Lab. Admn).

The Powers to authenticate the Orders passed by the President, Vice-President and Director-General etc. shall rest in one individual officer at a time.

Serial circular No. 35

Copy of CSIR letter No. 6(83)/98--O&M(Vol.II) dated 19th September, 2000

Sub: Improving Vigilance Administration - Tenders.

In continuation of CSIR Circular of even number dated 02.02.1999 on the above cited subject, further instructions have been forwarded by the Central Vigilance Commission vide their circular number 98/ORD/1 dated 24.08.2000 a copy of which is being enclosed herewith for your

Information, guidance and wide circulation..

Annexure

Copy of letter No. 98/ORD/1 dt. 24.8.2000 from Central Vigilance Commission, INA, New Delhi-110023.

Sub: Improving Vigilance Administration – Tenders.

Please refer to the instructions issued by Commission vide its communication No. 8(1)(h)/98(1) dated 18.1.98, banning post tender negotiations except with L-1.

2. The Commission has been getting a number of queries on how to handle the matter if the quantity to be ordered is more than L-1 can supply or about placement of orders on Public Sector Undertakings. It is requested that such matters may be dealt with in accordance with the clarifications issued by the Commission vide its letter of even number dated 15.3.1999 (copy enclosed).
3. Some of the organisations have sought clarification as to whether they can consider the L-2 offer or negotiate with that firm if L-1 withdraws his offer before the work order is placed, or before the supply or execution of work order takes place. In this regard, it is clarified that such a situation may be avoided if a two-bid system is followed (techno-commercial) so that proper assessment of the offers is made before the award of work order. Therefore, if L-1 party backs out, there should be rendering in a transparent and fair manner. The authority may in such a situation call for limited or short notice tender if so justified in the interest of work and take a decision on the basis of lowest tender.
4. The Commission has also been getting references for its advice on the procedures being followed in individual cases of tenders. The Commission would not involve itself in the decision making process of individual organisations. It, however, would expect the organisations to implement its instructions dated 18.11.98, in its spirit and to ensure that the decisions of administrative authorities are transparent.

Annexure

Copy of letter No. 98/ORD/1 dated 15.3.1999 from the Central Vigilance Commission, INA, New Delhi-110023.

Sub: Improving vigilance administration – Tenders.

Please refer to CVC's instructions issued under letter No. 8(1)(h)/98(I) dated 18.11.98 banning post tender negotiations except with L-1 i.e. the lowest tenderer. Some of the organisations have sought clarifications from the Commission as they are facing problems in implementing these instructions. The following clarifications are, therefore, issued with the approval of Central Vigilance Commissioner.

- (i) The Govt. of India has a purchase preference policy so far as the public sector enterprises are concerned. It is clarified that the ban on the post tender negotiations does not mean that the policy of the Govt. of India for purchase preference for public sector should not be implemented.
- (ii) Incidentally, some organisations have been using the public sector as a shield or a conduit for getting costly inputs or for improper purchases. This also should be avoided.
- (iii) Another issue that has been raised is that many a time the quantity to be ordered is much more than L1 alone can supply. In such cases the quantity order may be distributed in such a manner that the purchase is done in a fair transparent and equitable manner.

Serial Circular No. 37.

Copy of CSIR letter No. 6(83)/98-O&M (Vol.II) dated 19.9.2000

Sub: Observance of Vigilance Awareness Week.

In continuation of CSIR DO letter of even number dated 25.08.2000 on the above cited subject, following instructions/materials have been forwarded by the Central Vigilance Commission vide their circular number 000/VGL/55 dated 4.09.2000 a copy of which is being enclosed herewith for your information, guidance and wide circulation :-

- i) Hindi version of CVC circular No. 3(v)/99/11 dated 23.6.2000
- ii) A copy of the PLEDGE, both in Hindi and in English as referred in para 5(d) of the circular cited at (i) above.

Enclosure

Copy of Central Vigilance Commission circular number 000/VGL/55 dated 4.09.2000

Sub: Observance of Vigilance Awareness Week.

The undersigned has been directed to refer to the Commission's instructions No.3(V/99/11 dated 23.6.200, on the above subject, and to forward the following material:-

- i) Hindi version of the instruction No.3(v)/99/11 dated 23.6.2000;
- ii) A copy of PLEDGE as referred in para 5(d) of the above mentioned instruction { English and Hindi Version.

Sd.
KL Ahuja
Officer on Special duty

PLEDGE

(Reference para 5(d) of CVC's letter No.3(v)/99/11 dated 23.6.2000 – CSIR Serial circular No.33)

WE, THE PUBLIC SERVANTS OF INDIA, DO HEREBY SOLEMNLY PLEDGE THAT WE SHALL CONTINUOUSLY STRIVE TO BRING ABOUT INTEGRITY AND TRANSPARENCY IN ALL SPHERES OF OUR ACTIVITIES. WE ALSO PLEDGE THAT WE SHALL WORK UNSTINTINGLY FOR ERADICATION OF CORRUPTION IN ALL TOWARDS THE GROWTH AND REPUTATION OF OUR ORGANISATION. THROUGH OUR COLLECTIVE EFFORTS, WE SHALL BRING PRIDE TO OUR ORGANISATIONS AND PROVIDE VALUE BASED SERVICE TO OUR COUNTRYMEN. WE SHALL DO OUR DUTY CONSCIENTIOUSLY AND ACT WITHOUT FEAR OR FAVOUR.

Serial Circular No. 38

Copy of CSIR letter No. 1(60)/81-Vig. O&M (Vol.II) dated 28.9.2000

Sub: CCS (CCA) Rules, 1965- Amendment thereof.

I am to forward herewith a copy of Notification No.11012/20/1998-Estt(A) dated 21.8.2000 on the above subject from MoPPG &P (DoPT) for information & necessary action.

Enclosure

copy of GOI Notification No.11012/20/1998-Estt(A) dated 21.8.2000 on the above subject from MoPPG &P (DoPT,) New Delhi

(TO BE PUBLISHED IN PAT. II, SECTION 3, SUB-SECTION (I) OF THE GAZETTE OF INDIA)

Govt. of India,

**Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Trg.)**

New Delhi, Dated 21.8.2000

NOTIFICATION

GSR.....In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 348 of the Constitution and after consulting the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965, namely:-

1. (1) These rules may be called CCS(CC&A) Amendment Rules, 2000
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the CCS (CCA) Rules, 1965, in rule 15, sub-rule (1-A), (1-B) and (2), the following sub-rule (2) and (2A) shall be substituted, namely:-
 - “(2) The disciplinary authority shall forward or cause to be forwarded a copy of the report of inquiry, if any, held by the disciplinary authority or where the disciplinary is not the inquiring authority, a copy of the report of the inquiring authority together with its own tentative reasons for disagreement, if any, with the finding of inquiring authority on any article of charge to the Government servant who shall be required to submit, if he so desires, his written representation or submission to the disciplinary authority within fifteen days, irrespective of whether the report is favourable or not to the Government servant.
 - (2A) The disciplinary authority shall consider the representation, if any, submitted by the Government servant and record its finding before proceeding further in the matter as specified in sub-rule (3) and (4)”

Sd.
Smt. S. Bandopadhyaya
Director
F.No.11012/20/1/1998- Estt (A)

Serial Circular No. 39.

Copy of CSIR letter No. 17/66/94-PPS dated 6.10.2000

Sub: Regulation of the cases of Group II employees in the pre-revised scales of RS. 1350-2200 and RS. 1400-2300 to the next higher revised grade of RS. 5500-9000 on merger of these scales to the revised scale of RS. 4500-7000 on implementation of CCS (Revised Pay) Rules, 1997.

I am directed to invite your kind attention to this office circular of even number dated 2.8.2000 on the above subject and to state that references are being received from some of the Labs./Instts. seeking clarification whether the service rendered in the grade of RS. 380-640 will also be taken into consideration for reckoning the 10.5 years combined service for the purpose of consideration for assessment to the revised grade of Rs. 5500-9000.

It is clarified that the service rendered in the scale of RS. 380-640 before revision of the scale of Rs. 1350-2200 under the Fourth Pay Commission recommendations w.e.f. 1.1.86 will also be taken into consideration for reckoning the 10.5 years combined service for the purpose of consideration for assessment promotion to the revised grade of Rs. 5500-9000. However the benefit of assessment to the grade of Rs. 5500-9000 to the employee whose cases are regulated under the CSIR orders under reference shall be admissible only from 1.1.96 or thereafter and not from any earlier date. Thus if any of the employees had already completed more than 10.5 years combined service in the two respective grades under reference as on 1.1.96, the earliest due date for consideration of their cases for assessment to the grade of Rs. 5500-9000 would be 1.1.96. For reckoning the due date of eligibility for consideration the number of years for which any of the concerned employees had been rejected for promotion to the grade of Rs. 1400-2300 prior to 1.1.96, shall be added to 10.5 years.

Clarification has also been sought by some of the Lab./Instts. about the applicability of 2 year earlier assessment provision for acquiring the qualification of the next higher group with the benefit of assessment to the grade of Rs. 5500-9000 on completion of 10.5 years combined service rendered in two different grades. In this connection, it is clarified that since the combined residency period of 10.5 years is being reckoned on the basis of service rendered in the two different grades, and the benefit of assessment to the higher grade is not admissible from any date prior to 1.1.96, the benefit of two-year

earlier assessment will not be admissible to such cases. However, the concerned employees could avail this benefit of two year earlier assessment in their assessment to the next higher grade of RS. 6500-10,500/-.

It is requested that the above clarifications may kindly be brought to the notice of all concerned in your Lab./Instts. for their information, guidance and necessary action.

Serial Circular No. 39 A

Copy of CSIR Letter No.27/470/2000-ISTAD dated 9.10.2000

Sub: Expenditure Management- Fiscal Prudence and Austerity in case of foreign travel*

In continuation of the circular letter of even number dated 3.10.2000 regarding guidelines on Expenditure Management- Fiscal Prudence and Austerity, further instructions from the Hon. Prime Minister of India on the same subject have been received. The contents of this directive *inter –alia* are as follows:

“The guidelines on austerity provide that foreign travel shall be undertaken only if it is absolutely unavoidable. It is, therefore, necessary for Ministers to ensure that the expenditure on foreign travel by the Ministries is minimised.”

Government of India, Ministry of Finance, Department of Expenditure have emphasised that the above referred guidelines shall be kept in view while examining the various expenditure proposals of the Ministries/Departments.

It is, accordingly urged that utmost restraint may kindly be applied while recommending proposals pertaining to foreign travel

Kindly acknowledge receipt.

**subject provided by the editors.*

Serial Circular No.40

Copy of CSIR letter No. 6(83)/98-O&M(Vol.II) dated 20.10.2000 addressed to all Directors/heads of National labs./Instts.

Sub: Observance of Vigilance Awareness Week-Message of CVC and Vig. Commissioner.

In continuation of CSIR DO letter of even number dated 25.8.2000 and letter dated 19.9.2000 on the above cited subject, a copy of the messages of the Central Vigilance Commissioner and the Vigilance Commissioner have been forwarded by the Central Vigilance Commission vide their circular number 000/VGL/55 dated 13.1.2000 which is being enclosed herewith for your information, guidance and further necessary action.

Enclosures

Copy of letter No. 000/VGL/55 from Central Vigilance Commission, New Delhi-110-023.

Sub: Observance of Vigilance Awareness Week.

The undersigned has been directed to refer to the Commission's instructions No. 3 (v)/99/11 dated 23.6.2000 and Commission's letter of even number dated 4.09.2000, on the above subject.

The messages of the Central Vigilance Commissioner and, the Vigilance Commissioner are enclosed. The messages from President and Prime Minister would be sent as soon as it is received from them.

MESSAGE

Corruption is anti-national, anti-poor and anti-economic development. It is necessary to mobilize all efforts to ensure that India emerges as a corruption free country and is able to fully utilize its human potential to become an economic superpower.

It is said that war begins in the minds of the people. Corruption also ultimately has its origin in the mindset of the people. It is also said that war is too dangerous to be left to the Generals. Fighting corruption also is too important to be left only to organisations like the Central Vigilance Commission, Central Bureau of Investigation, Anti-Corruption Bureaux etc.

In order to increase the awareness about the dangers of corruption and the need for vigilance the Central Vigilance Commission has decided that from this year for a week beginning 31st October throughout the country will be celebrated a Vigilance Awareness Week. 31st October is the birthday of Sardar Vallabhbhai Patel who is synonymous with integrity. He ensured the physical integrity of India by uniting nearly 600 native states and principalities which were left at the time when India became independent and British quit India. Sardar Patel also represented the highest ideals of integrity in public service and public governance. He was a statesman who will be a source of inspiration for all Indians who cherish the physical integrity of India and the intellectual, moral and financial integrity at the level of individuals.

India today is considered as one of the most corrupt countries in the world. If only India's corruption level can come down to that of Scandinavian countries, according to the 1999 Human Development Report of UNDP, India's GDP will grow by 1.5% and the foreign direct investment will go up by 12%. Today India ranks 73 out of 99 countries, according to the Corruption Perception Index published by the Transparency International in 1999. Our objective must be to see that not only the Central Vigilance Commission, vigilance organisations and the organisations designated to fight corruption but every sector of society including students, businessmen, social leaders and other leaders in every walk of life are able to reflect and contribute to initiating steps for bringing down the level of corruption in public governance in India.

I am sure inspired by the memory of Sardar Vallabhbhai Patel, all of us will be able to contribute in building a corruption free India which could emerge as an economic superpower.

Sd/- (N. Vittal)

Message of Vigilance Commissioner

It has been said that "Corruption undermines the rule of law, strangles economic growth and hurts the poor most severely." We all know that the biggest problems in our country are illiteracy and poverty. It can be safely said that to fight these major problems, the only strategy is to begin with the commitment to have an economy with systems which are open, transparent and accountable. This ultimately means fighting corruption because no matter how much investment is made, economic stability and consequent prosperity can never develop in an environment subverted by corruption.

- 2. The fight against corruption has to be thought of as a cleansing operation which when successful, would encourage effective economic and social activity within and outside the government. This fight obviously cannot be fought only by individual agencies like the CVC or the CBI; corruption has to be struck through out society at all levels, and all countrymen have to join in this effort to make our nation more prosperous and strong, and free of corruption.*
- 3. That is why the Central Vigilance Commission has exhorted, the various Government agencies/Ministries and Chief Vigilance Officers to organize seminars/functions to unravel the immense harm that can be caused by corruption, into focus, during the Vigilance Awareness Week.*
- 3. Significantly, the Vigilance Awareness Week is to begin on the 31st October, the birthday of Sardar Vallabh Bhai Patel, whose integrity, commitment to duty, courage and strong resolve are qualities which shine like a beacon before us as a guiding point. We in the Commission sincerely hope that the Vigilance Awareness Week shall be a great success.*

Serial Circular No.41

*Copy of CSIR letter No. 3(80)/85-O&M dated 9.10.2000 addressed to l Director, RRL
Thiruvanthapuram.with copy to all Heads of Labs./Divisions*

Sub: Procedure to be followed in respect of incomplete APARs.

Refer to your letter No. 105-Admn(153)RM/99-E.II dated 19.6.2000 regarding the procedure to be adopted to update the APAR dossier in respect of S/T staff whose APAR forms were left incomplete/not returned to Lab./Instt. administration by respective Reporting /Reviewing Officer within the prescribed time limit on their demitting the office due to retirement/resignation etc.

2. The following procedure may be adopted :-

- (a) In the absence of Reviewing Officer not completing his portion in the APAR form, the report written by Reporting Officer may be placed before the APAR Normalisation Committee and the grading as awarded by 'APAR Normalisation Committee' be communicated to the employee concerned as in any other case when report has been reviewed by the Reviewing Officer.
 - (b) In the absence of both reporting and reviewing in the APAR for any particular year, an 'averaged grading' on the basis of all the APARs available for past years in the same group and grade held by the individual may be taken for calculating the APAR marks for that particular year for which APAR was not filled in, and
 - (c) The APAR for any particular period cannot be filled in at a later stage by any officer who had not been authorised to act as Reporting or Reviewing Officer during that relevant period in respect of the concerned scientist. Such cases may be regulated as per item 2 (a) or (b) above as the case may be.
3. The best course, will always be to ensure that all the reports which are due are filled in by both the Reporting and Reviewing Officers. In this connection your attention is also invited to DO letter No. 17/66/8/94-PPS dated 25.8.2000 from the DG, CSIR underlining, inter alia, the need for timely completion of APARs/ACRs.

Serial Circular No.42

*Copy of CSIR letter No. 6(83)/98-O&M(Vol. II) dated 1.11./2000 addressed to all Heads of all
national Labs./Institutes.*

Sub:-Forwarding of copies of CVC letters

I am directed to forward herewith following letters/circulars which have been forwarded by the Central Vigilance Commission for your information, guidance and necessary action :-

1. No. 000/VGL/70 dated 25.9.2000 on the subject of " Suspension of public servants involved in criminals/departmental proceedings".
2. No. 99/VGL/66 dated 28.9.2000 on the subject of "Consultation with the CVC – Making available a copy of the CVC's advice to the concerned employees."
3. No. 3(v)/99/13 dated 28.9.2000 on the subject of "Effective punishment of the corrupt through traps."

Enclosure I

*Copy of letter No. 000/VGL/70 dated 25.9.2000 from Central Vigilance Commission, INA, New
Delhi-110023.*

Subject: " Suspension of public servants involved in criminals/departmental proceedings".

Suspension is an effective tool for checking corruption. There have been many instances where senior officials, who had been trapped or were alleged to have disproportionate wealth or who were facing charge sheets on other serious charges, had not been suspended. It has also come to notice that

officers charged of corruption, if not suspended, manage to get their inquiries delayed because delay in criminal/departmental proceedings enables them to continue in service even though the charges against them are grave enough to deserve the punishment of dismissal from service. Such officials can also use the opportunity of continuance in service for earning money through illegal/corrupt means. The Commission, therefore, is of the view that officers facing criminal/departmental proceedings on serious charges of corruption should be placed under suspension as early as possible and their suspension should not be revoked in a routine manner.

2. It has been provided in para 2.4, Chapter V of the Vigilance Manual, Volume I, that public interest should be the guiding factor in deciding whether, or not, a public servant should be placed under suspension, or whether such action should be taken even while the matter is under investigation and before a prime-facie case has been established. The instructions provide that it would be appropriate to place a person under suspension if :-

- (i) the continuance of the public servant in office is likely to prejudice investigation, trial or inquiry (apprehending tempering with documents or witness) or
- (ii) Where the continuance in office of the public servant is likely to seriously subvert discipline in the office in which he is working;
- (iii) Where the continuance in office of the public servant will be against the wider public interest, e.g. if there is a public scandal and it is considered necessary to place the public servant under suspension to demonstrate the policy of the Government to deal strictly with officers involved in such scandals, particularly corruption;
- (iv) Where the investigation has revealed a prime facie case justifying criminal/departmental proceedings which are likely to lead to his conviction and/or dismissal, removal or compulsory retirement from service; or
- (v) Where the public servant is suspected to have engaged himself in activities prejudicial to the interest of the security of the State.

3. Para 2.5, Chapter V of the Vigilance Manual, Volume I also lays down that it may be considered desirable to suspend a public servant for misdemeanor of the following types :-

- (i) an offence or conduct involving moral turpitude;
- (ii) corruption, embezzlement or misappropriation of Government money, possession of disproportionate assets, misuse of official powers for personal gains;
- (iii) serious negligence and dereliction of duty resulting in considerable loss to Government.
- (iv) Desertion of duty; and
- (v) Refusal or deliberate failure to carry out written orders of superior officers.

(IN case of types (iii) and (iv) discretion should be exercised with care).

4. It has been provided in para 17 of the “Directive on investigation of cases by the Special Police Establishment Division of the CBI” that the CBI would recommend suspension of the concerned employees in appropriate cases.

5. The Central Vigilance Commission has been empowered, vide para 3 (v) of the Government of India’s Resolution No. 371/20/99-AVD.III dated 4th April 1999, to exercise superintendence over the vigilance administration of various Ministries of the Central Government or Corporations established by or under any Central Act, Government Companies, Societies and local authorities, owned or controlled by that govt. Since the suspension of a public servant on serious charges, like corruption, is directly related to the vigilance administration, the Commission hereby desires that all disciplinary authorities should follow the instructions enumerated in paras 2,3 and 4 supra strictly. It also desires that if the CBI recommends suspension of a public servant and the competent authority does not propose to accept the CBI’s recommendations in that regard, it may be treated as a case of difference of opinion between the CBI and the administrative authority and the matter may be referred to the Commission for its advice. It also directs person had been suspended on the recommendations of the CBI, the CBI may be consulted if the administrative authority proposes to revoke the suspension order.

6. These instructions are available on the CVC’s web-site <http://cvc.nic.in>

Copy of CVC letter No. 99/VGL.66 dated 28.9.2000.

Sub: Consultation with the CVC – Making available a copy of the CVC’s advice to the concerned employee.

Para 3.6(iii), chapter XI and para 8.6, Chapter XII of the Vigilance Manual, Vol. I, provide that the advice tendered by the Central Vigilance Commission is of a confidential nature meant to assist the disciplinary authority and should not be shown to the concerned employee. It also mentions that the Central Vigilance Commission tenders its advice in confidence and its advice is a privileged communication and, therefore, no reference to the advice tendered by the Commission should be made in any formal order.

2. The Commission has reviewed the above instructions in view of its policy that there should be transparency in all matters, as far as possible. The Commission has observed that the Hon’ble Supreme Court had held a view in the case – State Bank of India Vs. DC Aggarwal and another (Date of Judgement : 13.10.1992) – that non-supply of CVC’s instructions, which was prepared behind the back of respondent without his participation, and one does not know on what material, which was not only sent to the disciplinary authority but was examined and relied, was certainly violative of procedural safeguard and contrary to fair and just inquiry. Further, the Hon’ble High Court of Karnataka at Bangalore in writ Petition No. 6558/93, has also observed that if a copy of the report (CVC’s advice) was furnished to the delinquent officer, he would have been in a position to demonstrate before the disciplinary authority either to drop the proceedings or to impose lesser punishment instead of following blindly the directions in the CVC report.

3. The Commission, at present, is being consulted at two stages in disciplinary proceedings, i.e. first stage advice is obtained on the investigation report before issue of the charge sheet, and second stage advice is obtained either on receipt of reply to the charge sheet or on receipt of inquiry report. It, however, does not seem necessary to call for the representation of the concerned employee on the first stage advice as the concerned employee, in any case, gets an opportunity to represent against the proposal for initiation of departmental proceedings against him. Therefore, a copy of the Commission’s first stage advice may be made available to the concerned employee along with a copy of the charge sheet served upon him, for his information. However when the CVC’s second stage advice is obtained, a copy thereof may be made available to the concerned employee, along with the IO’s report, to give him an opportunity to make representations against IO’s findings and the CVC’s advice, if he desires to do so.

4. In view of the position stated above, para 3.6 (ii) Chapter XI and para 8.6, Chapter XII of the Vigilance manual, Vol. I and also para 2 of the Commission’s letter No. 6/3/73-R dated 20.8.1973 may be treated as deleted.

5. Para 12.4.4 of Special Chapter on Vigilance Management in Public Sector Banks and para 22.6.4 of the Special Chapter on Vigilance Management in Public Sector Enterprises envisage that the inquiring authorities, including the CDIs borne on the strength of the Commission, would submit their reports to the disciplinary authority who would then forward the IO’s reports, along with its own tentative views to the Commission for its second stage advice. The existing procedure in this regard may broadly continue. The disciplinary authority may, after examination of the inquiry report, communicate its tentative views to the Commission. The Commission would, therefore, communicate its advice. This, alongwith the disciplinary authority’s views, may be made available to the concerned employee. On receiving his representation, if any, the disciplinary authority may impose a penalty in accordance with the Commission’s advice or if it feels that the employee’s representation warrants consideration, forward the same, along with the records of the case, to the Commission for its reconsideration.

6. Thus, if, on receipt of the employee’s representation, the concerned administrative authority proposes to accept the CVC’s advice, it may issue the orders accordingly. But if the administrative authority comes to the conclusion that the representation of the concerned employee necessitates reconsideration of the Commission’s advice, the matter would be referred to the Commission.

Copy of CVC letter No. 3(v)/99/13 dated 28.9.2000

Sub: Effective punishment of the corrupt through traps.

It has been provided in the instructions issued by the Commission, vide its communication No. 3(v)/99/10 dated 1.12.1999, that the disciplinary authorities, the CVOs, as well as those who are hurt by the conduct of corrupt employees, can arrange for traps against corrupt public servants and that the local police or CBI can be contacted for arranging the traps.

2. In terms of Section 17 of the Prevention of Corruption Act, 1988, an offence punishable under the PC Act can be investigated by a police officer not below the rank of an Inspector of Police in the case of Delhi Police Establishment, an Assistant Commissioner of Police in the Metropolitan areas of Mumbai Calcutta, Chennai and Ahmedabad and a DSP or a police Officer of equivalent rank elsewhere. Further, every person, aware of the Commission of, or of the intention of any other person to commit any offence, punishable under various sections of IPC including Sections 7 to 12 of the PC Act, in the absence of any reasonable excuse, is required to give information to the nearest Magistrate or Police Officer of such commission or intention in terms of Section 39 of the Cr. PC.

3. The Commission has observed that the number of traps conducted by the police officials, under the provisions of PC Act, do not commensurate with the level of corruption perceived in the country. This could be because (i) there may not be a branch of the CBI in the near vicinity of the complainant and (ii) the people, at large, have reservations in approaching the local police. Therefore, keeping in view the above provisions of Law, and in order to implement the Commission's instructions referred to in para 1 supra, the Commission desires the CVOs to take the initiative in arranging a trap if a person gives a written complaint or a source information to him about the alleged demand of bribe by an official in his organisation. For that purpose, he may take on record the complaint, approach the local police or the CBI for assistance in conducting a trap, coordinate closely between the police authorities and the complainant, and ensure secrecy of the entire exercise so that it does not end in a fiasco. Further action in the matter may, however, be taken in terms of the Commission's instructions dated 1.12.1999, i.e. the CBI and the Police may complete the documentation within a period of two months and make available legible, authorised photocopies of all the documents to the disciplinary authorities for the purpose of departmental proceedings. The CBI or the local Police may, if they so desire, launch criminal proceedings against the concerned employee separately.

4. These instructions are available on the CVC's website <http://cvc.nic.in>

Serial Circular No. 43

Copy of CSIR letter no. 6(82)/98-O&M dated 1.11.2000 to all Directors/Heads of national Labs./Insts.

Sub: Central Secretariat Manual of Office Procedure (11th Edition of 1996) – modification of para 115 regarding.

I am directed to forward herewith a copy of OM No. 46013/7/2000-O&M dated 8th September 2000 issued by Min. of Personnel, Public Grievances & Pensions, Department of Administrative Reforms & Public Grievances for your information, guidance and necessary action.

Enclosure

Copy of letter No. 46013/7/2000 –O&M dated 8.9.2000 from MoPPG&P, New Delhi.

Sub: Central Secretariat Manual of Office Procedure (11th Edition of 1996) – modification of para 115 regarding.

The undersigned is directed to say that recently a reference was received from the Chief Vigilance Commission stating that there should be a general rule that no public servant will keep a file with him/her for more than seven working days. The suggestion of the CVC was examined in this department in consultation with the Cabinet Secretariat. It has been decided that para 115 – Time limit,

laid down in Chapter XIII – Checks on Delays – in the Central Secretariat Manual of Office Procedure, may be modified and should now be read as under :-

Para 115. Time Limit :

Time Limits will be fixed for disposal of as many types of cases as possible Handled in the department through departmental instructions. As a General Rule, no official shall keep a case pending with him/her for more than seven working days unless higher limits have been prescribed for specific types of cases through departmental instructions. In case of a case remaining with an official for more than the stipulated time limit, an explanation for keeping it shall be recorded in the note portion by him/her. The system of exception reporting will be introduced to monitor the disposal of receipts.

2. This may be brought to the notice of all concerned and attached/subordinate/autonomous offices for compliance.
3. This issues with the approval of Minister of State (AR & PG).

Serial Circular No. 44

Copy of CSIR letter No. 17/66/20/94-PPS dated 17.11.2000 to the Directors of all national Labs./Institutes.

Sub: Incentive of two year earlier assessment than the normal period of assessment on acquiring qualification of next group – Clarification reg.

I am directed to state that references are being received from the Labs./Instts. seeking clarification regarding the admissibility of the incentive of two year earlier assessment than the normal period of assessment in terms of CSIR circular letter No. 17/66/94-PPS dated 24.5.1996 to those employees who had already undergone the course of higher study before joining CSIR service.

The matter has been considered and it is accordingly clarified with the approval of the competent authority that the benefit of two year earlier assessment in terms of CSIR circular cited above is admissible only to those employees who acquire the entry level qualification of next higher group by undergoing the full process of acquiring the relevant higher qualification after joining CSIR service i.e. by taking admission in the course of study after their joining with due permission of the competent authority. Thus, the said benefit will not be admissible to those employees who had already undergone part or full course of study before joining CSIR service.

It is requested that the above clarification may kindly be brought to the notice of all concerned in your Lab./Instt. for information, guidance and necessary action.

Serial Circular No. 44 A

Copy of CSIR letter No. 14(12)/98-E.II dated 17.11.2000 to the Directors of all national Labs./Institutes.

Sub:- Amendment in terms and conditions of offer of appointment of scientists.*

I am directed to state that in the format prescribed for making the offer of appointment to the scientists in CSIR system presently being used there is a clause which states that “the post is temporary but likely to continue. In the event of its becoming the permanent your claim for permanent absorption will be considered in accordance with the rules in force.....”

Now consequent upon the abolition of the contractual system of appointment of scientists in CSIR read with GOI orders delinking of confirmation from the availability of permanent posts, this clause required to be modified.

The matter has been considered and it has been decided with the approval of the competent authority to modify the said clause as under :-

Existing Clause	Modified Clause
<p>“The post is temporary but likely to continue. In the event of its becoming permanent, your claim for permanent absorption will be considered in accordance with the rules in force. You will be on probation for a period of one year from the date of taking over charge of the post. The probationary period may be extended or curtailed at the discretion of the competent authority. During the period of probation, the appointment may be terminated at any time without notice and without assigning any reason.</p>	<p>“You will be on probation for a period of one year from the date of taking over charge of the post. The probationary period may be extended or curtailed at the discretion of the competent authority. During the period of probation, the appointment may be terminated at any time without notice and without assigning any reason. After successful completion of probationary period, you will be considered for confirmation in accordance with the extant rules.”</p>

It is requested that the relevant clause in the existing format of the offer of appointment in use may kindly be modified accordingly. This may also be brought to the notice of all concerned in your Lab./Instt. for their information, guidance and necessary action.

** Subject provided by editors.*

Serial Circular No.45

Copy of CSIR letter No.17/66/94-PPS dated 23.11.2000

Sub:- Assessment Committee for assessment of Scientists from Grade IV(4) to Grade IV (5) under para4.5 of the Revised MANAS.

I am directed to state that consequent upon amendment in the Rules and Regulations and Bye-laws of CSIR, as notified vide CSIR letter no. 6/1/99 (Cte.) dated 4.6.1999, references are being received from Labs./Instts whether the same procedure of electing a member as Chairman in the absence of Chairman of RC meetings could also be followed in respect of assessment for which the entire RC constitutes the Assessment Committee.

As per provision contained in para 4.5 of the Revised MANAS, for assessment of scientist working in the Labs./Instts. from Grade IV(4) to Grade IV(5), the entire RC will constitute the Assessment Committee and the quorum comprises of Chairman of RC, Director and one Expert in the area of assessees. Thus under the existing guidelines, there is no provision for an alternate Chairman in case the Chairman is not able to attend the Assessment Committee meeting for any reason.

The matter has been considered and the competent authority has approved the modification for the existing relevant provision under para 4.5 of the Revised MANAS as under:

“ Para 4.5 - For assessment from Grade IV(4) to Grade IV(5) the RC will constitute the Assessment Committee in the case of Labs. The Chairman of RC will preside as the Chairman, Assessment Committee. In the absence of Chairman, RC Members present shall elect a member to preside the Assessment Committee. In case areas of all assessees are not covered, experts in these areas may be co-opted as additional members of the Committee.”

**Quorum: Chairman, Assessment Committee.
Director, and
One Expert in the area of assessees.**

Total members present including above three should be more than 50% of the total strength of RC.

It is requested that the above decision may kindly be brought to the notice of all concerned in your Lab./Instt. for their information, guidance and necessary action.

Serial Circular No. 46

Copy of CSIR circular letter No.17/66/94-PPS dated 8.12.2000

Sub:-Relaxation in threshold marks for normal assessment for SC/ST employees under para 2.4 of revised MANAS

I am directed to state that as per the decision of the Government of India notified vide DoPT O.M.No.36012/23/96-Estt(Res.)- Vol. II dated 3.10.2000 to restore with immediate effect, the relaxation/concessions in matter of promotion for candidates belonging to SCs/STs by way of lower qualifying marks, lesser standard of evaluation that existed prior to 22.7.97, the instructions contained in DoPT OM No. 36012/23/96-Estt.(Res.) dated 22.7.1997 for with drawing instructions for lower qualifying marks/ lesser standard of evaluation for promotion for candidates belonging to SCs/STs, become in operative from the date of issue of above Govt. of India, DoPT, OM dated 3.10.2000.

In the light of the above decision of the Govt. of India, the provisions made under the assessment scheme made applicable to S&T employees of CSIR for less threshold marks for assessment of SC/ST candidates was also required to be restored.

The matter has been considered by the competent authority and has approved restoration of the provision of relaxation in the prescribed threshold marks for normal assessment of SC/ST candidates as contained under para 2.4 of revised MANAS, which was subsequently modified to 10 marks uniformly vide CSIR circular No.17/66/94-PPS, dated 28.1.97, for the assessments under Revised MANAS as well as erstwhile Bye-law 71 (b) scheme falling due on or after 3.10.2000

It is requested that the above decision may kindly be brought to the notice of all concerned in your Lab./Instt. for their information, guidance and necessary action.

Serial circular No.47

Copy of CSIR letter No.3/1/71-O & M dated 13.12.2000

Sub: Writing of ACRs by officers under suspension-Review of instructions reg.

Ref: Circular letter No.3/1/71-O & M dated 23.8.1978

In continuation of this office letter of even number dated 23rd August, 1978 on the subject cited above, I am directed to forward herewith a copy of O.M.No.21011/8/2000-Estt.(A) dated 25.10.2000 from Department of Personnel & Training, New Delhi for information, compliance /guidance and necessary action.

Enclosure
*copy of O.M.No.21011/8/2000-Estt.(A) dated 25.10.2000 from Department of Personnel & Training,
New Delhi*

Sub: Writing of ACRs by officers under suspension-Review of instructions reg

The undersigned is directed to refer to this Department's O.M.No.21011/2/78-Estt. (A) dated 1st August, 1978 which allows the Reporting/ Reviewing officer under suspension to writ/review the ACR on his subordinates within two months from the date on which the report was due.

2. The policy of the Government has been reviewed in the light of a suggestion from Central Vigilance Commission and it has been decided in partial modification of the above orders that no officer under suspension should be allowed to writ/review the ACRs on his subordinates if during major part of writing/reviewing he is under suspension as he might not have full opportunity to supervise the work of his subordinates.

3. The Ministry of Agriculture & Cooperation etc are requested to bring the above decision to the notice of all concerned authorities for compliance and guidance.

Sd.
Harinder Singh)
Joint Secretary to the government of india

Copy to All Ministries /Departments as per standard list.

Serial Circular No.48

*Copy of CSIR letter No.6(83)/98-O & M (Vo. II) dated 21st December 2000 addressed
to COAs/AOs of all the National Labs/Instts.*

Sub:- Availability of Vigilance Manual on CVC website @<http://CVC.nic.in>

It is stated that the vigilance Manual of the Central Vigilance Commission is available on their website @<http://CVC.nic.in>

It can be downloaded, if required.

Serial Circular No.49

Copy of CSIR circular letter no.14(6)/1/86-E.II dated 27.12.2000

Sub:- Managing the Security & Cleaning jobs in the Labs./Instts.

I am directed to invite your kind attention to CSIR circular letter of even number dated 4.12.2000 on the above subject and to state that on receiving references from some of the Labs/Instts. expressing their difficulties, the matter has been reconsidered and in partial modification of earlier instructions, the DG., CSIR has approved as under:

1. The Labs./Instts may be allowed to extend the existing contracts, if any expiring in the near future, up to 31.3.2001 on the existing terms and conditions and also simultaneously to initiate action for direct engagement of persons for these jobs For security jobs the names of Ex-servicemen should be obtained from DG (Resettlement), Sainik Boards etc.
2. The engagement of persons as such shall be done on yearly basis with the prior approval of the CSIR. For this purpose, a self-contained proposal indicating the optimum requirement of the security/cleaning persons should be forwarded to CSIR along with all supporting documents such as sanctioned strength, vacancies, workers presently engaged through the contractors and the places/points where the persons engaged will be deployed and any other relevant information. The requirement may be bifurcated in two parts i. e.(i) for managing the jobs which are not permitted to be managed through the contractors under the Notification No.80.779 (E) dated 9.12.1976 i.e. sweeping, cleaning, dusting and watching of buildings owned or occupied by Labs./Instts. and (ii) managing the services in the areas other than falling under the prohibited category mentioned in part (i) here above.

You are requested to take further necessary action accordingly and also to forward the required details/information as above to CSIR so as to reach her by 25.1.2001 positively.