

उत्तर मध्य रेलवे

प्रधान कार्यालय
इलाहाबाद।

पत्रांक: 797-E/Policy/NCR/~~Correspondence~~
दिनांक : /07/2016

NCR PS No.4890/2016

समस्त विभागाध्यक्ष/उमरे/इला., वरि. उप महाप्रबंधक, उप महाप्रबंधक/सा. मु.प्रशा. अधि/नि मंडल रेल प्रबन्धक/कार्मिक, उत्तर मध्य रेलवे, इलाहाबाद, आगरा एवं झांसी।
मुख्य कारखाना प्रबंधक, उत्तर मध्य रेलवे, वैगन रिपेयर शॉप झांसी।
मुख्य कारखाना प्रबंधक, उत्तर मध्य रेलवे, रेल स्प्रिंग कारखाना, सिथौली (ग्वालियर)।
चेयरमैन/आरआरसी/उत्तर मध्य रेलवे/इलाहाबाद।
उप मुख्य सामग्री प्रबंधक/झांसी, उप मु. अभि/सीपीओएच/इला., उप मु. अभि./सीएसपी इला.
प्रिन्सिपल - सुपरवाइजरस ट्रेनिंग सेन्टर, झांसी, सिविल ट्रेनिंग सेन्टर, कानपुर, इण्डिया रेलवे ट्रेक मशीन ट्रेनिंग सेन्टर, इलाहाबाद, एरिया ट्रेनिंग सेन्टर, झांसी, बेसिक ट्रेनिंग सेन्टर, लोको, झांसी, बेसिक ट्रेनिंग सेन्टर, सी एण्ड डब्लू/झांसी, बेसिक ट्रेनिंग सेन्टर, वैगन वर्कशॉप, झांसी, सी एण्ड डब्लू ट्रेनिंग सेन्टर, कानपुर, परमानेंट वे ट्रेनिंग सेन्टर, झांसी, ट्रान्सपोर्टेशन ट्रेनिंग सेन्टर, सूबेदारगंज, इला., इलेक्ट्रिक ट्रेनिंग सेन्टर/टीआरडी/झांसी, इलेक्ट्रिक ट्रेनिंग सेन्टर, कानपुर, मु.प्रा. अधि./आईआरपीएमयू/नई दिल्ली
उप मुख्य इंजी/ब्रिज/लाइन/इला./झांसी एवं आगरा, एक्स ई एन/ब्रिज लाइन/झांसी।
व.स.वि.स/कैश एवं पे/उमरे/इलाहाबाद।

Sub: - Issue of prosecution sanction under PC Act, 1988.

The copy of Railway Board's letter No 2012/V-1/CBI/1/2 dated 30.06.2016 is sent herewith for your information, guidance and necessary action.

Policy letters circulated under NCRPS Nos. may also be downloaded from website www.ncr.indianrailways.gov.in
(About us/Department/Personnel/NCR Policy Circulars)

DA: As above.

(V.P. Singh)

Sr. Personnel Officer/HQ
For General Manager/P

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु—

1. कार्यालय अधीक्षक, उत्तर मध्य रेलवे, इलाहाबाद।
2. मुख्य विधि सहायक, उत्तर मध्य रेलवे, इलाहाबाद।
3. मुख्य स्टाफ एण्ड वेलफेयर इन्सपेक्टर, उत्तर मध्य रेलवे, इलाहाबाद।
4. मुख्य कार्यालय अधीक्षक/एससी-एसटी, उत्तर मध्य रेलवे, इलाहाबाद।
5. महामंत्री, एन सी आर ई एस
6. महामंत्री, एन सी आर एम यू
7. महामंत्री, एन सी आर पी ओ ए
8. महामंत्री एस सी/एस टी एशोसिएशन
9. महामंत्री ओबीसी एशोसिएशन

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

RBL-2016-1400
5-7-16

No. 2012/V-1/CBI/1/2

New Delhi, dated 30/06/2016

The General Manager (Personnel),
All Indian Railways

Chief Vigilance Officers,
All PUs/PSUs

2/67
The General Manager (Vigilance),
Zonal Railways, CORE/ALD,
NF(CONST), METRO/Kolkata

CAO/COFMOW,
DMW/Patiala

Sub: Issue of prosecution sanction under PC Act, 1988

Please find enclosed a circular no. 06/06/16 dated 01/06/16 issued by the CVC advising all the Administrative Authorities to ensure that sanctions for prosecution are issued under the signature of competent authority of the delinquent/suspected public servant or such other authority who is competent to sign on behalf of the competent authority.

The circular of the CVC may be brought to the notice of all concerned administrative authorities.

DA: As above

Priya
(Priya Gopatakiashnan)
Deputy Director Vigilance -1
Railway Board

Copy to:

- i) Secretary/RB
- ii) All Officers in Vigilance Directorate/RB

मु०का०अधि०	✓
मु०का०अधि० (प्रशा०)	✓
उप मु०का०अधि० (राज)	✓
उप मु०का०अधि० (मुख्या०)	✓
अध्यक्ष (रे०म०प्र०)	
उप मु०का०अधि० (आई०आर०)	
प्र०का० अधि० (राज)	
प्र०का० अधि० (मुख्या०)	✓
प्र०का० अधि० (आई०आर०)	
स०का० अधि० (भरती)	
स०का० अधि० (मुख्या०)	
मुख्या० अधीक्षक/का० अधीक्षक	

05/07/16
06/07/16
Vh3-7-16
D&AR

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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग

CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लैक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023

Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi 110023

016/VGL/021

सं./No.....

01/06/2016

दिनांक / Dated.....

Circular No.06/06/16

Subject:- Issue of prosecution sanction under PC Act, 1988 – regarding.

The Commission is mandated under Section 8 (1) (f) of CVC Act, 2003 to review the progress of the applications pending for sanction for prosecution under PC Act, 1988 with the Competent Authorities. In exercise of these powers, the Commission has been emphasising the need for quick and expeditious decisions on request of sanction for prosecution received from CBI / other investigating agencies under the PC Act, 1988. The Commission has also, from time to time, advised all concerned Competent Authorities to adhere to the time limits for processing requests for prosecution sanction under Section 19 of PC Act as laid down by the Apex Court in letter and spirit.

2. CBI has brought to the notice of the Commission that a number of cases were struck down by Courts due to prosecution sanction having been issued by authorities not competent to issue the same. Such inappropriate sanction order issued by the Administrative Authorities undermine the investigations conducted by the investigating officer, etc., and results in a futile exercise. Under section 19(1) of the Prevention of Corruption Act, 1988, the authority competent to sanction prosecution will normally be a) in the case of a Central Government servant who is employed in connection with the affairs of the Union and is removable from his office by the Central Government – Central Government; b) in the case of a State Government servant who is employed in connection with the affairs of the State and is removable from his office by the State Government - State Government; c) in the case of any other public servant - authority competent to remove him from his office.

3. The Commission would therefore, advise that all Administrative Authorities may ensure that sanctions for prosecution issued are under the signature of the appropriate Competent Authority of the delinquent / suspected public servant or such other authority who is competent to sign on behalf of the competent authority and the decision has been taken by the competent authority so that any such issues questioning the validity of sanction do not arise at a later stage in matters of sanction for prosecution.

[J. Vinod Kumar]
Director

1. All Secretaries of Ministries/Departments.
2. All CMDs/Heads of CPSUs/Public Sector Banks/Organisations.
3. All CVOs of Ministries/Departments/ CPSUs/Public Sector Banks/Organisations.