

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(DEPARTMENT OF PERSONNEL & TRAINING)
LOK SABHA
UNSTARRED QUESTION NO. 1719
(TO BE ANSWERED ON 04.05.2016)

DISREGARD TO CVC RECOMMENDATIONS

Ä1719. SHRI LAXMI NARAYAN YADAV:

Will the PRIME MINISTER be pleased to state:

- (a) whether a number of departments and organisations disregard the recommendations/advice of the Central Vigilance Commission (CVC) as a result of which the Government machinery has not become corruption free till now;
- (b) if so, whether the Government proposes to take any action against such departments and organisations and if not, the reasons therefor; and
- (c) the steps taken/proposed to be taken by the Government to impress upon the departments and organisations to abide by the recommendations/advice of the CVC?

ANSWER

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office. (DR. JITENDRA SINGH)

(a) to (c): The recommendations of the Central Vigilance Commission (CVC) are advisory in nature. The Disciplinary Authority is the final authority to take a decision on imposition of penalty or otherwise under the Statutory Rules governing conduct of a public servant.

Cases of disagreement between Disciplinary Authority and CVC regarding proceedings/ sanction for prosecution are referred to Department of Personnel & Training (DoP&T) for views/ advice in terms of Government of India (Transaction of Business) Rules 1961 and as per directions given in this regard by DoPT from time to time. Once the Competent Authority in DoP&T gives its views, the Disciplinary Authority may have to take a considered final decision, keeping in view the advice given by the Competent Authority.

The Commission reviews the non-compliance of its advice and takes a view as to whether such deviations are serious warranting inclusion in its Annual Report, which are placed in both houses of Parliament. The Commission has reported 28, 17 and 20 such cases in its Annual Reports for 2012, 2013 and 2014.

The Central Government is fully alive and committed to implement its policy of "Zero Tolerance against Corruption" and has taken several measures to combat corruption and improve the functioning of Government. These include:

- (i) The Prevention of Corruption Act, 1988;
- (ii) Enactment of Right to Information Act, 2005;
- (iii) Enactment of Lokpal and Lokayuktas Act, 2013;
- (iv) Enactment of Whistle-blowers Protection Act, 2011;

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- (v) Issue of comprehensive instructions on transparency in tendering and contracting process by the CVC;
- (vi) Issue of instructions by the CVC asking the organizations to adopt Integrity Pact in major procurement activities; State Governments have also been advised to adopt Integrity Pact in major procurements;
- (vii) Introduction of e-Governance and simplification of procedures and systems;
- (viii) Issue of Citizen Charters;
- (ix) Ratification of United Nations Convention against Corruption (UNCAC) in 2011;
- (x) Placing of details of immovable property returns of all Members of the All India Services and other Group' A' officers of the Central Government in the public domain;
- (xi) Setting up of 92 additional Special Courts exclusively for trial of CBI cases in different states.
