

**No.98/DSP/9**  
**Government of India**  
**Central Vigilance Commission**

**Satarkta Bhavan, Block "A"**  
**GPO Complex, I.N.A.**  
**New Delhi-110023**  
**Dated the 13th August, 2003**

**OFFICE ORDER NO. 36/7/03 dated 9.7.2003**

**Subject:- Clarifications on Commission's Directions**

**During the meeting of the Central Vigilance Commission with CMDs of Public Sector Banks at IBA, Mumbai on 25.02.2003, a number of issues were raised. The Commission clarified these issues as follows:**

**(i) Commission's directive dated 11.10.2002 on dealing with anonymous/pseudonymous complaints.**

It was requested to reconsider the Commission's directive on dealing with anonymous/pseudonymous complaints modifying the earlier advice of not to take cognizance of such complaints. The Commission is of the view that such a verification cannot be done in a routine manner and in case any department/organization wanted to verify the facts, then a reference to the Commission is necessary. There is, therefore, no change in the Commission's earlier ruling on action on anonymous/pseudonymous complaints.

**(ii) Commission's clarification dated 10.02.2003 on non-acceptance of the Commission's advice in the matter of appeals.**

It was requested to reconsider the Commission's clarification dated 10.02.2003 on non-acceptance of the Commission's advice in the matter of appeals. It was clarified that the DA could differ with the Commission's 2<sup>nd</sup> stage advice for valid reasons and this applied to the Appellate Authority also. The right to the Appellate Authority to differ with the Commission, therefore, not interfered with. The Appellate Authority should satisfy himself that the DA has applied his mind and then take his own independent decision. The Commission, however, would take a view as to whether the 'deviation' in such cases is serious enough to warrant inclusion in its Annual Report.

**(iii) Reference of cases to CBI**

It was clarified that the institution, at the initial stage itself, depending on the facts of the case, should decide whether the case is to be entrusted to the local police or CBI.

**(iv) Posting of officer in 'agreed list'**

It was clarified that drawing up and revising the agreed list with the assistance of CVO is left to the CEOs and if it is desired that a person in the agreed list is to be posted in a particular position, the institution may take the decision for specific reasons.

**Sd/-**  
**(Anjana Dube)**  
**Deputy Secretary**