

**Office Order No.03/01/10**

**Sub: Clarification regarding making reference to the Commission for advice on complaints and second stage advice cases.**

- Ref: (i) Commission's circular No.002/VGL/61 dated 23-9-2003 and 1-4-2004.  
(ii) Commission's Circular No. 000/VGL/187 dated 3-8-2001.**

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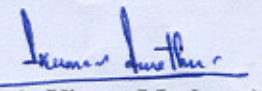
**1. Complaints:**

In case of a complaint referred by the Commission to the CVO for investigation and report, if after investigation it is found that the officials involved in the case do not fall under the jurisdiction of the CVC, the case need not be referred to the Commission and may be dealt with by the CVO. However, the action taken by the CVO on the CVC referred complaint may be intimated to the Commission in order to monitor compliance.

The above dispensation does not apply to complaints received by the Commission under PIDPI Resolution and which are referred to the CVO for investigation and report. In other words all complaints falling under PIDPI referred to the CVO by the Commission for investigation and report should necessarily be referred to the Commission for its advice.

**2. Vigilance Cases:**

In respect of composite cases wherein the Commission had tendered its first stage advice for all categories of officers involved, second stage advice of the Commission should be sought only in case of officers falling within the jurisdiction of the Commission. With respect to officers not falling under the jurisdiction of the Commission, the case should be dealt at the level of the CVO, and referred to the Commission for second stage advice only if the DA's opinion is at variance with the Commission's advice. This procedure would also apply to CBI investigated cases involving officials not falling under the jurisdiction of the CVC wherein the Commission had rendered its advice (cases where there were differences between the CBI and the DA and which were referred to the CVC for advice).

  
( Vineet Mathur )  
Director

To

- (1) The Secretaries of all Ministries/Departments of Government of India.
- (2) The Chief Secretaries of all Union Territories.
- (3) The CMDs of all CPSUs/Public Sector Banks/Insurance Companies / Autonomous Bodies / Societies.
- (4) Chief Vigilance Officers of Ministries / Departments / Organisations /CPSUs / Public Sector Banks / Insurance Companies / Autonomous Bodies / Societies.