

**No.99/VGL/62**  
**Government of India**  
**Central Vigilance Commission**

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**Satarkta Bhavan, Block "A"**  
**GPO Complex, I.N.A.**  
**New Delhi-110023**  
**Dated the 29<sup>th</sup> November 99**

To

**All Chief Vigilance Officers.**

**Subject:- Amendment of Para 11.4, Chapter X of Vigilance Manual Vol. I.**

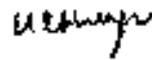
Sir,

Para 11.4, Chapter X of the Vigilance Manual Volume I refers to the illustrative types of vigilance cases in which it might be desirable to initiate proceedings for imposing a major penalty. Sub-para (iii) thereof refers to the "Gross irregularity or negligence in the discharge of official duties with a dishonest motive". It has been observed that 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 the ambiguity, the Commission has decided to amend para 11.4 (iii) ibid as under:-

"The case involving any of the lapses such as gross or wilful 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".

2. This is brought to the notice of all concerned for appropriate action.

Yours faithfully,



(K.L.Ahuja)  
Officer on Special Duty

Copy forwarded for information and necessary action to:-

1. The Department of Personnel & Training (Shri I.S.Chaturvedi, Deputy Secretary (Vig.), North Block, New Delhi.
2. The Central Bureau of Investigation (Shri N.K.Balachandran, JD (Policy), CGO Complex, New Delhi.