OFFICE THE CHIEF VIGILANCE OFFICER
DELHI JAL BOARD:GOVT. OF N.C.T. OF DELHI
VARUNALAYA PH-II:JHANDEWALAN:NEW DELH-05.

No. DJB/CVO/2017/128 Dated: 16/08/2017

Subject: Clarification regarding disciplinary authority.

It has been brought to my notice that disciplinary authority for Category-D and Category-A officials have to seek concurrence of higher authorities i.e. Member (A) and Board respectively in case a major penalty of dismissal/removal from service or compulsory retirement from service is to be imposed upon charged officials. My attention was drawn to Board Resolution No. 608 dated 25.09.2003 which is reproduced as follows:

> *"It was further clarified that concurrence of the Board shall be obtained in case the proposed penalty is that of compulsory retirement, removal from service or dismissal from service in respect of Group 'A' Officers. Similarly, concurrence of Member(A) shall be obtained in case any of the said penalties is proposed to be imposed by the concerned Chief Engineer/Director on a Group 'D' employee".*

These instructions were directly in conflict with CCS(CCA) Rules in terms of Govt. of India orders issued from time to time and also violated basic principle of application of mind by disciplinary authority acting in quasi judicial proceedings.

The undersigned has received number of request for clarification from different levels regarding hearing of appeal by superior authority who may, actually had granted concurrence to the decision already, albeit on administrative side.

I have got the matter examined and relevant records were called for. The perusal of preamble (Letter No. DJB/309 dated 4/7/2005 and Resolution No. 1034 dated 09.08.2005) placed before

Board clearly indicates that requirement of seeking concurrence of higher authorities before imposing penalty of Compulsory retirement, dismissal or removal from service was dispensed with and no longer applicable.

It is accordingly clarified that Office Order No. 90 dated 08.03.2006(copy enclosed) clearly indicates that the competent disciplinary authority for each category of the officials and the same supercedes previous orders issued on the subject. Disciplinary Authorities as indicated in aforesaid order in appropriate columns are competent authorities for specified penalties.

16/8/2017

(H.P.S. SRAN)
CHIEF VIGILANCE OFFICER

Encl: as above.

1. All Disciplinary Authorities (as per list)

Separate Copy for information:

1. CEO, DJB.
2. Member(Admn.), DJB.
3. DOV/SE(Vig.)/EE(Vig.)/DD(Vig.)
4. AO(Vig.) with request to inform all SVIs.
5. Guard file.
6. Office Copy.

16/8/2017.

CHIEF VIGILANCE OFFICER