

F. No. C-11016/03/2016 -Ad. V  
Government of India  
Ministry of Finance  
Department of Revenue  
Central Board of Excise and Customs  
(Office of Chief Vigilance Officer)

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6<sup>th</sup> Floor, Hudco Vishala Building,  
Bhikaji Cama Place, New Delhi – 66  
New Delhi, dated the 23<sup>rd</sup> June, 2016

To

All Director Generals,  
All Principal Chief Commissioners/Chief Commissioners/Principal  
Commissioners/Commissioners of Customs, Central Excise & Service Tax Zone  
The Narcotics Commissioner  
Directorate of Publicity & Public Relations

**Subject: Single Window System in CBEC for submitting proceedings (including deemed to be proceedings) under Rule 9 of CCS(Pension) Rules, 1972 in respect of retired officer other than Group A.**

As per Board's circular F. No. C-11016/5/2010-Ad.V dated 23.09.2010, departmental proceedings (including deemed to be proceedings) under Rule 9 of CCS(Pension) Rules, 1972 in respect of retired officers other than Group A, are required to be sent to CBEC/Ad.V for obtaining orders of President in terms of Rule 9(2)(a) of the said Rules. The ibid circular lays down that even cases of cessation of minor penalty proceedings on retirement of the officer or on death of the officer are required to be referred to CBEC/Ad.V.

2. CBEC/Ad.V receives a large number of disciplinary cases of retired officers from disciplinary authorities in the field formations for taking a view under Rule 9(2)(a) of CCS(Pension) Rules, 1972. Consideration of such proposals by the President demands that the proposals are accompanied by certified copies of all the documents. The documents which the competent authority may like to peruse are listed in the check list prescribed by UPSC for referring disciplinary cases to the Commission for its advice. Further, if the President tentatively decides to impose a penalty under Rule 9(1), the proposal is required to be submitted to UPSC, for their advice, through single window system. The UPSC does not accept a proposal unless all the documents, as per the check list, duly authenticated, are furnished.

3. It has been experienced that disciplinary cases of retired officers are received in CBEC/Ad.V without certified copies of documents as per the check list prescribed by

UPSC. Often, back references are made by CBEC/Ad.V for furnishing the deficient documents and considerable time is taken in furnishing the requisite documents, resulting into delay in decision making.

4. In order to avoid delay in examination of proposal received from field formations under Rule 9 of CCS(Pension) Rules, 1972, henceforth the disciplinary authorities in the field formations will depute a conversant officer to deliver such proposals, complete in all respect, in CBEC/Ad.V on any Tuesday or Thursday, with prior appointment on phone with US(Ad.V) (Tel:011-26171184). The case documents as per check list prescribed by UPSC will be got checked by the concerned dealing hand in CBEC/Ad.V and, if the records are complete in all respect, receipt of the proposal will be duly acknowledged. If the records are not found complete, a deficiency note will be raised for submitting a complete proposal.

5. Any proposal sent through post/parcel/courier or by any other means, without following the "Single Window System", will be simply ignored.

Yours faithfully,



(Kabindra Joshi)

Deputy Secretary to the Govt. of India

Tel. No. 26171183

Copy to :

1. The Addl. Director General, Directorate General of Vigilance, Customs & Central Excise, Hotel Samrat, Chanakyapuri, New Delhi.
2. ADG(Vig) in all Zonal Units of DGOV.
3. The Web Manager, Dte General of Systems, Customs & Central Excise, New Delhi – with the request that a copy of this circular along with check list prescribed by UPSC (copy enclosed) may be hoisted on the website of CBEC at an early date.
4. Guard File.

**UNION PUBLIC SERVICE COMMISSION**

**PART-I : SERVICE AND RELATED PARTICULARS**

1. Name of charged officer and the service on which borne	
2. i) Whether temporary/permanent/Contract service.  ii) if confirmed, date of confirmation.  iii) Post, if any, in which Quasi-permanent.	
*3. Post held substantively if in permanent service  a) Designation  b) Scale of Pay (indicating stages, EB etc.)  c) Pay drawn  d) Date from which pay shown against (c) drawn  e) Date of increment	
4. Post held at present: a) Designation  b) Scale of pay (indicating stages, EB etc.)  c) Pay drawn  d) Date from which pay shown against (c) drawn  e) Date of next increment	

\* Not to be filled in the case of All India Service Officers.

5. The next lower post (along with pay scale)/ grade, the officer would have held but for his appointment to the present post he is holding.	
6. Date of Birth	
7. Date of joining Government service	
8. Due date of retirement or actual date of retirement, if already retired.	
9. (a) Amount of monthly pension admissible/sanctioned  (b) i) Amount of gratuity admissible ii) Amount of gratuity sanctioned  (This information is required only in respect of cases of recovery from, or withholding of pensionary benefits)	
10. (a) Appointing authority in respect of the post held at present, or the authority which actually appointed the person, if that authority is higher.  (b) Authority competent to impose the penalty in respect of the post held at present.  (c) Appellate authority in respect of the post held at present.	
11. Whether an oral inquiry, if required under the rules, has been held.	
12. Name and designation of the Inquiry Officer appointed, if any.	

## PART-II : DETAILS OF CASE RECORDS

All the records are required to be arranged and cross referenced as indexed below and page numbers of the file / folders to be indicated against each item.)

Item

\*Reference/ Comments

### (A) ORIGINAL CASES

(Where Central Govt. or the State Govt. is the Disciplinary Authority and an order of penalty is to be passed for the first time)

(a). Complaint, if any, received by the authorities.	
(b). (i) Report of the Preliminary enquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the Charged Officer (together with depositions recorded)  ii) Order of suspension/revocation of suspension, if any.	
c. Order, if any of the Competent Authority for joint/common proceedings where two or more Government servants are involved.	
d. i) Charge-sheet together with the statement of imputations, if any, along with enclosures.  ii) Records of delivery of charge sheet to the charged officer  iii) Whether the Chargesheet issued as per Rules	
e. Reply of the Charged Officer	
f. A note from the Disciplinary Authority explaining the factual or procedural points, if any, raised in the Charged Officer's reply in minor penalty where no enquiry has been held.	

\* indicate references in terms of page numbers, file numbers folders etc. Do not leave any column blank, if a document is not enclosed, indicate reasons.

g. Order of the Disciplinary Authority appointing the Inquiry Officer.	
h. Order of the Disciplinary Authority appointing the Presenting Officer.	
i. Daily order sheet maintained by the Inquiry Officer indicating the progress of oral enquiry.	
j. Correspondence of the Inquiry Officer, if any, with the Disciplinary Authority, Charged Officer, Presenting Officer, witness etc.	
k. i) Depositions/oral statements recorded from prosecution witnesses and defence witnesses  ii) Statement of defence of the Charged Officer.  iii) General examination of the Charged Officer.  iv) Whether copies of relevant documents have been supplied to the Charged Officers.  v) Exhibits:  a) Prosecution  b) Defence	
l. i) Written brief, if any, submitted by the Presenting Officer.  ii) Whether a copy of brief of Presenting Officer supplied to the Charged Officer.	
m. Written brief, if any, submitted by the Charged Officer.	
n. Inquiry Officer's report	

<p>o) i) Whether Inquiry Officer's report provided to the Charged Officer.</p> <p>ii) Whether disagreement of the Disciplinary Authority, if any, on the report of the Inquiry Officer communicated to the Charged Officer</p> <p>iii) Representation of the Charged Officer on the findings of the Inquiry Officer.</p> <p>iv) Parawise comments of the Disciplinary Authority on the representation of the Charged Officer, if any.</p>	
<p>p) Whether the Disciplinary Authority has considered the merits of the case and come to the conclusion that a formal penalty is called for. [Where the case is being forwarded to the Ministry under rule 9(2)(a) of Central Civil Services(Pension) Rules, 1972 ]</p>	

**(A) APPEAL CASES**

(Whether the order of penalty has been passed by Collector and an appeal lies to the President / Board.)

(In these cases all the documents listed in (A) should also be sent. )

<p>(a) Order passed by the Disciplinary Authority together with a note, if any, containing the conclusion arrived at by him in respect of each charge.</p>	
<p>(b) Appeal of the Officer concerned.</p>	
<p>(c) Whether appeal has been addressed to the competent authority</p>	
<p>(d) Comments of the Disciplinary Authority on the appeal including points, if any, raised by the appellant.</p>	

**(C) REVISION / REVIEW CASES**

- i) Whether appeal addressed to the President of India or to some subordinate authorities

(Where the appellate authority is subordinate to the President and a modification of the appellate order is sought by way of revision / review or where the President has passed the original order.)

(In these cases all the documents listed in (A) and (B) should also be sent)

- ii) Whether the approval of the Competent Authority obtained before referring the case for Commission's advice

(a) Appellate Authority's Order/ President's Order.	
(b) Petition / Memorial submitted by the Officer	
(c) Note indicating the Reviewing authority's findings on the charges, detailing the reasons narrating modification of the penalty already imposed and the extent of such modification.	
(d) Additional comments on the procedural or factual points if any, raised in petition.	

**(D) PENSION CASES**

(Where the President proposes to withhold or withdraw pension otherwise admissible to the Officer as a result of disciplinary proceedings instituted / deemed to continue in respect of an officer who has retired from service.)

(In these cases all the documents listed in (A) should also be sent.)

(a) Order of the President *, if any, that the disciplinary proceedings should be instituted/continued under the relevant pension rules.	
(b) Show Cause Notice issued to, the Officer indicating precisely the quantum of cut proposed to be made in his pension and the period for which it shall be operative.	
(c) Reply of the officer to the aforesaid notice.	
(d) Comments on factual or procedural points raised by the Officer in his reply.	

\* Central govt. in the case of All India Service Officers.



**(E) GENERAL**

<p>(a) Miscellaneous documents regarding evidence such as the exhibits, statements etc. referred to in (A) to (B) and extracts of relevant Rules, Codes, annuals, Acts, Judgements etc.</p>	
<p>(b) Information/position of disciplinary proceedings instituted against other co-accused officers.</p>	
<p>(c) Whether complete and upto date Confidential Roll of the Officer has been enclosed.</p>	

Signature \_\_\_\_\_

CHIEF VIGILANCE OFFICER

