



No. 262-02/19-CBI.Gen.

Dated: 04.09.2020

To

All Appointing Authorities/ Disciplinary Authorities
BSNL.

(Through Intranet)

Sub: Grant of Prosecution Sanction in respect of Serving/ Retired officers.

Attention is drawn to Para 6.7.7 of Central Vigilance Commission Manual 2017 on the said subject. The said para inter alia states as thus:

“Resolving difference of opinion between the CBI or other Investigating Agency and the Competent authority: In terms of the DoPT guidelines and GoI Resolution as referred to in para 6.7.5 above, in cases where an authority other than the President is competent to sanction prosecution under section 19 of Prevention of Corruption Act, 1988 and the authority does not propose to accord the sanction sought for by the CBI, or the other investigating agency, as the case may be, the case will be reported to the Commission and the authority will take further action after considering the Commission’s advice.

In cases recommended by the CBI for Departmental action against such employees as do not come within the normal advisory jurisdiction of the Commission, the Commission will continue to resolve the difference of opinion, if any, between the CBI and the competent administrative authorities as to the course of action to be taken.”

2. It is noticed that, CBI sent its report in a case to BSNL requesting for grant of prosecution sanction. The competent authority in the case having difference of opinion from CBI, denied the grant of prosecution sanction. However, the case was to be referred to Commission for resolving the difference of opinion before taking the final decision on grant / denial of the prosecution Sanction.

3. In view of above, in future, all Appointing Authorities/ Disciplinary Authorities are advised to strictly adhere to the above mentioned CVC & DoPT guidelines in processing the requests for Prosecution Sanction or Departmental action against BSNL officials received from CBI/ other investigating agencies, otherwise it will be treated as violation of CVC guidelines and action as deemed fit may be initiated.

This is issued with the approval of CVO, BSNL.

L.S. Naik
04/09/2020
(L.S. Naik)
DGM (Vig.I)

Copy to: Vigilance Heads, All Telecom Circles / Metro Distts, BSNL; for kind information and necessary action please.