

# जागरूकता



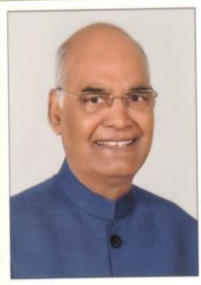
सतर्कता विभाग  
सेंट्रल कोलफील्ड्स लिमिटेड



Dr. Inder Jit Singh, Secretary Coal,  
paying tribute to the Martyrs at Shahid Smarak, CCL HQ

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सत्यमेव जयते

राष्ट्रपति  
भारत गणतंत्र  
**PRESIDENT**  
**REPUBLIC OF INDIA**

MESSAGE

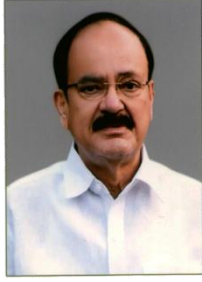
I am happy to know that the Central Vigilance Commission is organising Vigilance Awareness Week on the theme "Eradicate Corruption-Build a New India" from 29<sup>th</sup> October to 3<sup>rd</sup> November, 2018.

Organising different events over the week related to the above theme would help to create awareness about the consequences of corruption and the need to build a society that forcefully fights the evil of corruption. I am confident that government departments, institutions, public and private organisations as well as people at large shall rededicate themselves to the cause of building a New India that is defined by zero-tolerance for corruption and by enhanced levels of transparency, accountability, fair-play and objectivity.

I extend my greetings and felicitations to all those associated with the Central Vigilance Commission and wish the Vigilance Awareness Week every success.

(Ram Nath Kovind)

New Delhi  
October 24, 2018



भारत के उपराष्ट्रपति  
VICE-PRESIDENT OF INDIA  
**MESSAGE**

I am happy to know that this year the Vigilance Awareness Week is being observed on the theme 'Eradicate Corruption – Build a New India' by the Central Vigilance Commission from October 29 to November 03, 2018.

Corruption is one of the biggest obstacles in the progress of a country. Since its inception, the CVC has played a significant role in the promotion of transparency and efficiency in the public sector. I am sure, the proposed public awareness campaign to be run by the CVC during the Awareness Week by conducting activities such as seminars, lectures, debate, plays, poster and drawing competitions in schools, colleges, trades associations, Chambers of Commerce etc. and the formation of integrity clubs in various other institutions will undoubtedly go a long way in the sensitization of general public and other stakeholders about the menace of corruption in public life.

Let us take a pledge on this occasion to remove the scourge of corruption from our society.

  
(M. Venkaiah Naidu)

New Delhi  
22<sup>nd</sup> October, 2018



सत्यमेव जयते

प्रधान मंत्री

**Prime Minister**  
**MESSAGE**

I am pleased to learn that the Central Vigilance Commission is organizing this year's Vigilance Awareness Week from October 29<sup>th</sup> onwards to inspire enlightened participation from the public in the fight against the menace of corruption.

Corruption is the most evil enemy a nation must defeat to ensure sustainable and shared prosperity for its citizens. Corruption weakens our institutions and compromises our strength to realize the true potential of our country.

The clear mandate for our Government is to defeat the forces of corruption and ensure good governance for the welfare of the 130 crore Indian citizens. Through the numerous institutional and legal initiatives, we are endeavouring to build an ecosystem which institutionalizes honesty and integrity. We are in the process of building a New India free from the curses of nepotism and corruption.

I appreciate the commendable efforts and initiatives of CVC in promoting integrity and accountability in public life. In this fight for a corruption free India, dedicated participation from all the stakeholders is to be ensured. Vigilance Awareness Week is a valuable platform to build a mass movement against corruption through informed discussions and awareness outreach programmes.

I wish success for all the programmes planned as part of Vigilance Awareness Week. Let's unite and take pledge for a New India free from the perilous culture of corruption.

(Narendra Modi)

New Delhi  
26 October, 2018

**Shri Anindo Majumdar**  
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## केन्द्रीय सतर्कता आयोग

CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023

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सं./No..... 018/VGL/033

दिनांक / Dated..... 11.10.2018

### MESSAGE

The Commission observes the Vigilance Awareness Week each year to emphasise the significance of probity and integrity in public life. During this period, public campaigns are carried out to promote these ideas. This year the Commission has chosen "Eradicate Corruption - Build a New India" as the theme for the Vigilance Awareness Week.

We believe that corruption corrodes the vitals of the economy. The Central Vigilance Commission, as the apex integrity institution of the country, in pursuit of the Vision of the Government of a New India by the 75<sup>th</sup> anniversary of our Independence, endeavours to promote integrity, transparency and accountability in public life.

The Commission strives to promote integrity and eradicate corruption with the active support and participation of stakeholders and believes that public participation plays a very vital role in fighting corruption and in nation building. Various outreach activities are organised in schools, colleges, villages, towns and cities to ensure collaboration with people.

The Commission appeals to all to solemnly pledge to unite to eradicate corruption and to build a New India.

(Sharad Kumar)  
Vigilance Commissioner

(Dr. T. M. Bhasin)  
Vigilance Commissioner

(K.V. Chowdary)  
Central Vigilance Commissioner



एक कदम स्वच्छता की ओर



**सीसीएल**  
एक मिनीरल कम्पनी

## सेन्ट्रल कोलफील्ड्स लिमिटेड

(भारत सरकार का एक उपक्रम)

अध्यक्ष-सह-प्रबंध निदेशक का सचिवालय  
दरभंगा हाउस, कुचरी रोड, रांची 834 029, झारखण्ड

### **CENTRAL COALFIELDS LIMITED**

(Govt. of India Undertaking)

Office of the Chairman-cum-Managing Director  
Darbhanga House, Kulchery Road, Ranchi 834 029, Jharkhand

कारपोरेट आइडेंटिफिकेशन नं./  
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## Message

I am delighted to learn that Vigilance Awareness Week-2018 is being observed from 29<sup>th</sup> October to 3<sup>rd</sup> November. Under the awareness campaign, various in-house as well as out-reach activities are being carried out by CCL to create, generate and sensitize awareness about the ill effects of corruption not only among public servants but amongst general citizen as well.

The CVC, New Delhi has declared the theme for this year's Vigilance Awareness Week-2018 as "Eradicate Corruption – Build a New India (भ्रष्टाचार मिटाओ – नया भारत बनाओ)". The theme is in line with the broader objective of making the country free from Corruption- Mother of all evils.

It is further heartening to know that a booklet named "Jagruti" is being published on this occasion, which will help serve as a reference to various case studies and in turn will facilitate transparent decision making process in our organization.

CCL has always taken a lead role in creating vigilance awareness and adopting right practices for the promotion of Transparency, Integrity and Accountability. I hope, this year also, various activities undertaken by CCL Vigilance will boost credibility of the company among all stakeholders and spread awareness in the society.

I am confident that this awareness week is going to be highly prolific and successful for the entire Company.

Wishing Vigilance Awareness Week-2018 a grand success.

  
(Gopal Singh)

Chairman Cum Managing Director,  
CCL & BCCL





सीसीएल  
एक मिनोरल कम्पनी

सेन्ट्रल कोलफील्ड्स लिमिटेड

(भारत सरकार का एक उपक्रम)

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A.K.Srivastava, IFS  
Chief Vigilance Officer

### *From CVO's Desk*

It gives me immense pleasure to present “**Jagriti**”- a magazine published by CCL Vigilance on the eve of Vigilance Awareness Week - 2018 ( from 29.10.18 to 3.11.18 ).The magazine contains few case studies, some important CVC Circulars and articles by the employees. The publication of Jagriti, keeping the importance of Preventive Vigilance in mind, aims at educating our employees and creating awareness amongst them.

The theme of this year's Vigilance Awareness Week's, as declared by CVC, New Delhi is “**Eradicate Corruption – Build a New India (अष्टाचार मिटाओ नया भारत – बनाओ)**”. We cannot envision a New India with corruption still remaining the biggest barrier in the implementation of various development & welfare measures. Good Governance, best Institutional Practices, Transparency, Integrity and Accountability are the keys to the success of above initiatives. The Prime Minister's vision for New India 2022 calls for complete eradication of corruption from all walks of life so as to ensure ushering in of a new era of economic growth and prosperity. Let us pledge and act together to build a New India free of corruption and devoid of poverty.

The New India mission requires the active support and participation of the entire society. I hope this year's awareness campaign, already started with Mass Pledge at various *Puja Pandals* and outreach activities at various schools and involving all stakeholders would have a profound impact on the society at large.

I like this opportunity to express my gratitude to the CMD, CCL and all the Directors for enthusiastic support for all the initiatives taken by the Vigilance department of CCL. I would also sincerely thank to my Vigilance team and all concerned for celebrations of Vigilance Awareness Week-2018.

(A.K.Srivastava, IFS)  
Chief Vigilance Officer, CCL

# Case Studies

## 1. Formulation of Standard Operating Procedure (SOP) for implementation of IT initiatives for Surveillance

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### A) Brief description of the measure/Initiative: -

#### **Adopted Measure:**

**SOP for implementation of IT initiatives** for surveillance like Global Positioning System (GPS) based Vehicle Tracking System (VTS) and Radio Frequency Identification (RFID) based Weight Control System

### A) Background :-

- (i) The loss of revenue to the Coal India Ltd. in the form of coal theft, illegal mining, overloading of trucks and wagons, over and under reporting of coal stocks, etc. remained a serious problem for the Coal India Management right from its inception. With the advancement of technology in recent past, some of the IT initiatives such as VTS, CCTV monitoring and computerized Weighment with RFID were introduced to prevent the loss of revenue on such accounts. These were some of the excellent initiatives aiming to bring transparency, accountability & system improvements.
- (ii) As the reviews on the impact of these initiatives in preventing coal theft and other allied issues were done at different levels in Coal India & its Subsidiaries, it was seen that the desired results, as anticipated while introducing these initiatives, had not come. That was the practical scenario in all the subsidiaries of Coal India Ltd.
- (iii) The results of comprehensive audit of these IT initiatives in all subsidiaries to assess their impact on improvement in monitoring & surveillance were not very encouraging and the practical issues in implementation of these initiatives have come out. **It was seen that a uniform SOP had not been developed clearly defining role and responsibilities of various executives, thus there had been a serious reluctance on the part of the field level officials to implement these initiatives. It was also observed that the executives responsible for execution and maintenance had not been reviewed for its implementation.** There were other issues of LAN/ WAN connectivity, Internet availability, damage to RFID Boom Barriers, tampering & theft of GPS devices and plethora of other issues which had made the implementation of these initiatives very poor.

**B) Implementation:**

- (i) Though the concept of IT initiatives started from 2012 onwards were excellent but the mechanism of operation and maintenance had not been developed which was a serious bottleneck in implementation of these initiatives. The need of a SOP was felt by all but not followed up resulting in poor implementation of these initiatives.
- (ii) The matter was taken up by the CVO, CCL with the MoC during a review meeting on 9.01.18 at New Delhi for developing a uniform SOP for installation, operation and maintenance of these initiatives across all subsidiaries of CIL. Accordingly, preparation of SOP was started in January'18. Inputs were sought from CVOs of other subsidiaries as well.
- (iii) While preparing the SOP, it was also realized that a clear responsibility for each activity/ sub activity is a must to make this SOP effective in the long run. Accordingly, a draft Responsibility Matrix within the broad ambit of SOP has also been prepared clearly defining the roles & responsibilities of various executives at different levels for installation, operation and maintenance of these initiatives so as to ensure effectiveness and sustainability.
- (iv) The SOP was prepared by CCL Vigilance and submitted to CIL on 5.02.18. for uniformity across all the subsidiaries of CIL.
- (v) After finalization of SoP, the same was widely circulated to all the Areas. The matter was subsequently briefed during various co-ordination meeting. Regular inspection of Control Room at HQ as well as Areas was also made for implementation of the approved SoP.

**C) Impact and benefits :**

- (i) The above SOP helps in removing the ambiguities on the role of different wings of Companies. In the said SOP, breaking of activity into sub activities and fixing individual responsibilities have been clearly done to remove any ambiguity so as to make this SOP effective in the long run. These will ensure that implementation of IT initiatives is not CVO's driven but an integral process independent of individuals.
- (ii) Reduction in alerts to a reasonable level. On 27.01.18, a total of 9146 alerts were generated. Monitoring of such large no. of alerts was not practicable. However, after the implementation of SOP, alerts have been reduced to a reasonable level. During

the inspection of Control room at HQ, the no. of alerts noticed in all the 12 Areas of CCL was around 200. Areas are advised to take preventive & punitive action on such alerts.

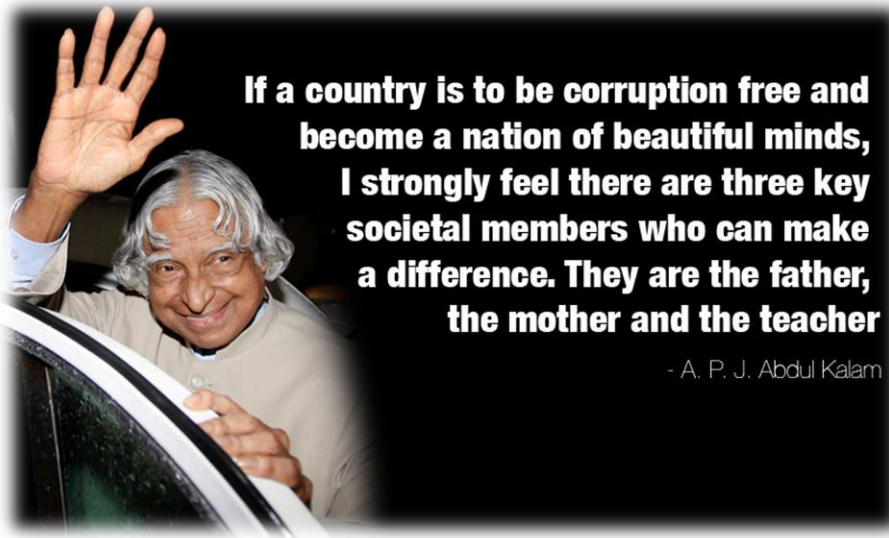
(iii) Thus, the SOP is helping in realizing the desired results as envisaged when these initiatives were conceptualized and introduced. Therefore though these initiatives were started long back but its real effectiveness and sustainability is introduced by this SOP.

(iv) Its complete impact on various aspects of coal production, transport and bringing transparency & accountability is being studied at periodical interval.

**D) Potential for Replicability :**

The above SoP has already been introduced in other subsidiaries. The same may be adopted by other companies after necessary modification as per their specific set up.

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## **2. Study on penalty deduction with respect to weight difference at loading and receiving ends in coal transportation in one of the projects of Central Coalfields Limited.**

### **A) Brief Description of the Measure/Initiative:**

The existing system of deduction of penalty from security deposit of the transporting contractor(s) leading to financial loss to the company was changed & replaced with penalty deduction from monthly running on account bills in all the projects of CCL improving operational efficiency.

### **A) Background:**

- (i) The subject study was made into irregularities in penalty deduction with respect to weight difference in loading and receiving end in coal transportation.
- (ii) The clause no.18.0 of Special Terms and Condition of transportation contract clearly stipulates that "in case the trucks are being weighed both at loading end as well as unloading end, the figures of weighment at both the ends shall be reconciled every month in respect of each contractor and if there is any shortage of coal received at the unloading end, the value of coal found short will be deducted at double the then prevailing rate including all royalty , cess from the security deposit of the transporting contractor(s) concerned or otherwise specifically mentioned in the work order / agreement".
- (iii) The study further revealed that the deduction of penalty (for the shortage quantity received at the unloading end) on monthly basis from security deposit was practically not possible as the security money was deposited in the form of Bank Guarantee by the contractor. Hence the monthly penalty calculation was made by the project officials but the penalty amount could not be deducted on monthly basis. In case where these contracts are for three, five, or eight years, also it can be done only at the end of contract.
- (iv) In the subject case, there was weight difference (shortage) of 6512.765 tonnes in loading and receiving end for the whole period of coal transportation contract. Hence penalty for weight difference (shortage) of 6512.765 tonnes in loading and receiving end was to be imposed on outsourcing contractor. The total amount of penalty calculated to Rs.2,66,92,201.00 for

its recovery from this security money of the contractor. This amount of penalty could not be deducted from security money till the contractor submitted his final bill. After submission of final bill of the contractor, the above amount of penalty i.e. Rs. 2,66,92,201.00 was deducted from Security deposit/ final bill of the contractor.

**B) Problems/Vigilance Risk addressed:**

- (i) As the penalty was being deducted at the end of the contract period hence there was a chance of manipulation in monthly reconciliation of quantity of coal .
- (ii) The penalty amount of company was blocked for the whole contract period hence it was a loss to the company.
- (iii) In the previous method, sometime the penalty amount was more than the security deposit of the contractor hence in that case it was difficult to deduct the whole penalty amount, but in case of monthly deduction of penalty this problem was resolved.

**C) Implementation:**

On the initiative of Vigilance department, a guideline has been issued from competent authority for deduction of penalty (as per clause no. 18.0 of transportation contract) from the monthly running on a/c bills of the contractors instead of security deposit of the contractor in all the projects of CCL.

**D) Impact and Benefits:**

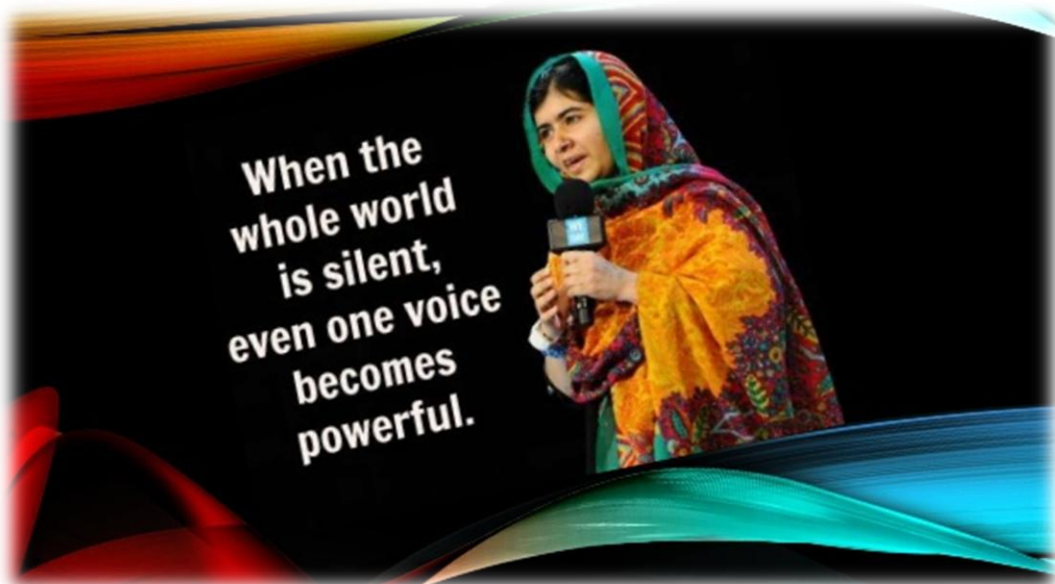
By adopting new guidelines of penalty deduction from monthly on a/c bills of the contractors, the benefits to the company will be as follows:

- Increase in revenue of the company as the amount of penalty will come on monthly basis in company's account.
- Reduction in theft of coal in between loading end and unloading end.
- Increase in quantity of coal in transportation between loading and unloading point as the contractor will try to avoid any shortage of coal.
- Increase in dispatch of coal to consumers.

**E) Potential for Replicability:**

Hence on the initiative of Vigilance Department, a guideline for system improvement has been issued from competent authority for deduction of penalty as per clause of transportation contract from the monthly running on a/c bills of the contractor in all the project of CCL. This guideline is being implemented in all areas of the company saving significant amount of company's revenue and avoiding any legal issues subsequently.

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### **3. Defining Similar work in Civil dept.'s e-tender in Central Coalfields Limited**

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#### **A) Brief Description of the Measure/Initiative :**

This adopted measure deals with making the e tendering process more transparent in Central Coalfields Limited by elaborating e-tender condition of "Similar Work "criteria in various civil works. This initiative was initiated on 17.12.2017 and completed on 27.3.18. It has been already under implementation in entire civil dept. of C.C.L. as a whole.

#### **B) Back ground:**

Central Coalfields Limited has adopted e tendering method for various kind of civil works of estimated value above Rs. 2.00 Lakhs. For it, the bidder is supposed to submit the work experience certificate of similar kind of work previously successfully done by him anywhere else. Based on the certificates, the dept. used to analyze that whether it can be treated as similar work or not.

There was no clear standard guideline available as which type of work will be treated as similar work in case of a tendered work. Each tendering unit in area/Hq. adopted the similar work definition as per their own requirement which varied from each other. There was no clarity/similarity regarding defining similar work in the company.

This caused subjective interpretation at tender committee level about suitability of the experience certificate submitted by bidder for similar work condition as quoted in the NIT. Many times, it lead to dissatisfaction among bidders as their tenders were rejected citing the reason that their submitted work experience certificate cannot be treated as similar work for the tendered work. Chances of favoritism were high. Many times it resulted in vigilance complaints too.

#### **C) Implementation:**

Hence, there was a need to incorporate clear clause regarding "Similar work definition in the N.I.T so that the perspective bidders can decide their suitability for tendering in advance.

Accordingly, an exhaustive study was done by vigilance department in house and a system improvement was suggested

vide CCL/Vig./17-18/2715, Dt. 27.12.2017 to the Director (T), P&P , CCL for making a clear cut guideline on " Similar work definition" for maintaining transparency in the tendering process. After a series of constant persuasion, meeting with various field engineers and tendering officials, a common standard guideline was prepared which was issued vide GM(c)/2018/2477, Dt. 27.3.18 by The General Manager(Civil), CCL HQ. for implementation in the entire CCL.

Hence by using the existing in house human technical resource, a new preventive vigilance measure was developed which will make the CCL's e tendering method more transparent.

#### **D) Impact and Benefits :**

This circular provided sixteen categories of works and clearly defined which work can be taken up under similar work for a particular type of work. It included WBM/Bituminous/ concrete road work, construction of building work including industrial sheds, maintenance and renovation of building works, water supply/sanitary related works internal & external both including static dust suppression system, Deep bore well /tube well, const./renovation of sewage treatment Plant/water treatment plant, const. of ground water reservoir, Const. of RCC overhead tanks, Const./renovation of bridges, culverts/ boundary wall/drain/retaining wall /pump foundation etc., earthen embankment/ Nala diversion/major earthwork, Up keeping of buildings, horticulture work and internal electrification work.

It is helpful in avoiding unnecessary disputes which causes time delay in tender finalization. It is saving the cost overrun and mandays involved in tender finalization too.

The existing system of selection of similar work criteria was improper and accordingly it has been redesigned to make this clause very clear to the bidders. This new provision has contributed very much in making the NIT clause clearer and brought transparency in finalization of tender process.

The existing system was contributing several vigilance complaints as the tender clause was vague. This new clarity in tender provision has reduced the vigilance complaints related to tenders in civil department.

It will have a very long term effect on the overall image of the company which has a very broad impact in today's competitive

world of business. Less dispute means faster award process and saving in time and money both.

**E) Potential for Replicability :**

This new process, although implemented in Civil dept., but can be very useful in other tender handling departments like E&M dept., Mining dept. etc. in CCL with partial modifications as per their suitability. It will have a positive impact on the tender process.

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The free world knows, out of the bitter wisdom of experience, that vigilance and sacrifice are the price of liberty.

(Dwight D. Eisenhower)

## JSSPS – Aiming to bring Laurels in Olympic 2024



Hon'ble Coal Minister Shri Piyush Goyal Motivating the Cadets of Sports Academy, Khelgaon, Ranchi



CVO, CCL Conferring Awards on the winners during VAW - 2017



Cadets at JSSPS taking Pledge during VAW - 17

## Glimpses from the Past



*Vigilance Awareness Week – 2012*

# CVC Circulars

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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
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सं./No. 18/MISC./02-392171

दिनांक / Dated. 23-08-2018

**OFFICE MEMORANDUM**

**Sub: Rotation of officers working in sensitive posts - regarding.**

**Ref: CVC's circular No. 03/09/13 dated 11-9-2013 (copy enclosed).**

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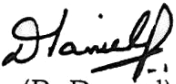
In reiteration of the instructions issued vide circular referred above and other related circulars issued, the Commission vide letter No. 18/Misc/02/378043 dated 1-5-2018 had issued an OM advising all Public Sector Banks, and vide letter No. 18/Misc/02/378044 dated 1-5-2018 advising all Public Sector Insurance Companies to effect rotational transfers in respect of those officers in sensitive posts who are continuing beyond 3 years and also to report compliance within 3 months.

2. Analysis of frauds that have taken place in Public Sector Banks as well as other organizations show that one of the reasons for such frauds was non-implementation of the rotational policy.

3. It is once again reiterated that rotational transfers of officers continuing beyond 3 years may be strictly carried out from the sensitive seats/posts. It is clarified that the Commission's advice is for change from the sensitive seat/post, and not necessarily from the station, which is to be governed by the policy of the respective organizations.

4. Heads/CVOs of all departments/organizations are requested to strictly ensure that the rotational policy is implemented in their respective organizations. CVOs may report on the compliance in this regard in their quarterly reports.

5. This issues with the approval of the Commission.

  
(P. Daniel)  
Addl. Secretary

To,

1. All Secretaries of Ministries/Departments.
2. All CMDs/Heads of CPSUs/PSBs/Organizations.
3. All CVOs of Ministries/Departments/CPSUs/PSBs/Organizations.

Vigilance in oneself is very important. Vigilance means to be alert to what happens inside, so you can catch an old, collective habit pattern.

— Eckhart Tolle —



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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लैक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
Block A, INA, New Delhi 110023

सं./No..... 004/VGL/090 122553

दिनांक / Dated..... 11.9.2013

Circular No. 03/09/13

Subject:- Rotation of officials working in sensitive posts—regarding.

Central Vigilance Commission and the Department of Personnel and Training have issued instructions for effecting rotational transfers of officials posted on sensitive posts. As per Commission's instructions issued vide letter Nos. 98/VGL/60 dated 15.4.1999, 02.11.2001 and 004/VGL/90 dated 01.5.2008 and 04.01.2012 (for public sector banks) on this issue, it was prescribed that Ministries/Departments/Organisations and CVOs are to identify the sensitive posts and staff working in these posts and also ensure that they are strictly rotated after every two/three years to avoid developing vested interests.

2. The Commission in the superintendence of vigilance administration over the years has observed that such rotational transfers are not effected in many organisations due to which officials continue to remain in the same posts for long periods. Such overstay and continuous postings afford scope for indulging in corrupt activities, developing vested interests etc. which may not be in the interest of the organisation. The Commission would, therefore, emphasise that periodical rotation of officials holding sensitive posts/jobs needs to be ensured. As such, officials should not be retained in the same place/position for long by the Ministries/Departments/PSUs/Banks/Organisations etc.

3. Heads/CVOs of all Departments/Organisations are advised to ensure strict compliance of the Commission's guidelines and implement the same in letter and spirit. Further, the CVOs should specifically report the action taken indicating the number of officials rotated/transferred in the respective organisations in the Monthly Report of CVOs submitted to the Commission.

*K D Tripathi*  
(K D Tripathi)  
Secretary

1. All Secretaries of Ministries/Departments.
2. All CMDs/Heads of CPSUs/Public Sector Banks/Organisations.
3. All CVOs of Ministries/Departments/ CPSUs/Public Sector Banks/Organisations.

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केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



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Block A, INA, New Delhi-110023

सं./No..... 000/VGL/18-388880

दिनांक / Dated..26.07.2018.....

Circular No.07/07/18

**Subject: Adherence to time limits in processing of disciplinary cases – reg.**

**Reference: (i) Commission's Letter No.000/VGL/18 dated 23.05.2000  
(ii) Commission's Office Order No.51/08/2004 dated 10.08.2004  
(iii) Commission's Circular No.02/01/2016 dated 18.01.2016**

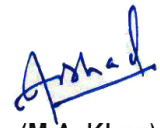
The Commission has been emphasizing from time to time on the need for expeditious completion of disciplinary proceedings. The model time limits for investigation of complaints and for different processes of disciplinary proceedings have been laid down in Commission's letter of even number dated 23<sup>rd</sup> May 2000.

2. The Commission would like to invite the attention of the Administrative Authorities /Disciplinary Authorities to the undue delays in finalizing vigilance cases especially the conduct of disciplinary proceedings despite having a built in time line for every activity. Further, such unexplained delays lead to Central Administrative Tribunals and the High Courts quashing the charge-sheet(s) on the sole ground that the concerned Disciplinary Authorities had issued charge-sheets to the delinquents after very long periods of commission of alleged misconduct etc. and also for unexplained delays in conducting disciplinary inquiries.

3. Timely completion and finalization of disciplinary proceedings is the prime responsibility of the Disciplinary Authority/Administrative Authorities concerned in all Departments/ Organizations. More so, such long delays in finalizing disciplinary matters are not only unjust to officials who may be finally exonerated, but helps the guilty to evade punitive action. The Commission had earlier vide its circular no.02/01/2016 dated 18/01/2016 emphasized on the various steps needed to be taken by all concerned obviating delays at different stages of the process right from investigation to finalization of disciplinary proceedings by way of regular monitoring of these cases/matters.

4. The Commission while reiterating the above said instructions would impress upon all concerned that the time limits prescribed by the Commission/DoPT for processing disciplinary cases at various stages may be strictly adhered to. All disciplinary authorities in each Ministry/Department/Organization need to regularly monitor the progress of individual disciplinary cases and take necessary steps as deemed appropriate to ensure that the disciplinary proceedings are completed within prescribed time-limits and are not unduly delayed.

5. All CVOs are also therefore advised to apprise the concerned officers regarding the above guidelines for compliance in monitoring progress/ handling disciplinary proceedings.



(M.A. Khan)  
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of Gol.
- (ii) All Chief Executives of CPSUs/PSBs/FIs/PSICs/Autonomous Bodies/etc.
- (iii) All CVOs of Ministries/Deptts/CPSUs/PSBs/FIs/PSICs/Autonomous Organizations.
- (iv) Website of CVC

**A man without ethics  
is a wild beast loosed  
upon this world.**

*Albert Camus*

No. 000/VGL/18  
Government of India  
Central Vigilance Commission  
\*\*\*\*\*

Satarkta Bhawan, Block-A,  
GPO Complex, INA,  
New Delhi-110023  
Date the 10<sup>th</sup> August, 2004

**Office Order No.51/08/2004**

**Subject:- Adherence to time-limits in processing of disciplinary cases.**

It has been observed that the schedule of time limits in conducting investigations and departmental inquiries laid down in Commission's letter of even number dated the 23<sup>rd</sup> May 2000 are not being strictly adhered to. In this context, attention is invited to Department of personnel & Training O.M. No. 11013/2/2004-Estt.(A) dated the 16<sup>th</sup> February 2004 regarding accountability for delay in decision making ( copy enclose for ready reference).

2. Delay in decision-making by authorities in processing of vigilance cases would also be construed as misconduct under the relevant Conduct Rules and would be liable to attract penal action. All administrative authorities are requested to take not and strictly adhere to the prescribed schedule of time-limits in dealing with disciplinary cases.

sd/-  
(Anjana Dube)  
Deputy Secretary

Encl:- As above

To,

All Secretaries to the Government of India,  
All Chief Vigilance Officers of Ministries/Departments of Government of India.

Copy to:-

1. Comptroller and Auditor General of India, New Delhi.
2. Union Public Service Commission, New Delhi.
3. Central Bureau of Investigation, New Delhi.
4. All Union Territory Administrations.
5. Lok Sabha/Rajya Sabha Secretariat.

No.11013/2/2004-Estt.(A)  
Government of India  
Ministry of Personnel, P.G. & Pensions  
(Department of Personnel & Training)

-----  
New Delhi, dated the 16<sup>th</sup> February, 2004

**OFFICE MEMORANDUM**

Sub:- Accountability for delay in decision making.  
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A Core Group on Administrative Reforms (CGAR) has been constituted under the chairmanship of Cabinet Secretary in February, 2003 to formulate specific changes in the systems and procedures in consultation with the ministries/departments concerned and to advise strategies for changing attitudes. The Core Group has decided that the existing provisions about accountability mechanism should be reiterated with a view to bring to everyone's notice that these provisions are adequate for initiating disciplinary proceedings when an officer adopts a dilatory attitude leading to delay in decision-making and/or harassment of the public.

2. In view of the above, the following provisions of CCS (Conduct) Rules, 1964 are brought to the notice of all Ministries/Departments for information and necessary action:-

**Rule 3. General**

- (1) Every Government servant shall at all times:-
- (i) maintain absolute integrity;
  - (ii) maintain devotion to duty; and
  - (iii) do nothing which is unbecoming of a Government servant.
- (2) (i) Every Government servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government servants for the time being under his control and authority;
- (ii) No Government servant shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgement except when he is acting under the direction of his official superior;

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Explanation 1:- A Government servant who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty within the meaning of clause(ii) of sub-rule (1).

Explanation II:- Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a Government servant to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such

instructions are not necessary under the scheme of distribution of powers and responsibilities.

**Rule 3A. Promptness and Courtesy**

No Government servant shall

- (a) in the performance of his official duties, act in a discourteous manner;
- (b) in his official dealings with the public or otherwise adopt dilatory tactics or willfully cause delays in disposal of the work assigned to him.

3. Rule 11 of the CCS (CCA) Rules, 1965 provides that the penalties (ranging from 'censure' to 'dismissal') mentioned therein may be imposed on a Government servant 'for good and sufficient reasons'. Thus any Government servants violating the provisions of Conduct Rules can be proceeded against as it will form 'good and sufficient reasons' for imposing the penalties prescribed in Rule 11. In other words, disciplinary proceedings could be initiated if an officer adopts a dilatory attitude, leading to delay in decisions making and/or harassment of the public.

4. Ministries/Departments are also requested to bring the above cited provisions of the Conduct Rules and CCA Rules to the notice of all the officers and officials in the Ministries/Departments (proper) and in the organizations/offices under their administrative control to clarify that if they are found responsible for willful delay in disposal of the various types of cases dealt with them, finally leading to delay in decisions making, they shall be liable for disciplinary action in terms of the relevant provisions referred to in para 2 and 3 of this OM.

Sd-  
(Mrs. Pratibha Mohan)  
Director

To

All Ministries/Departments of the Government of India.

Copy to:

1. Comptroller and Auditor General of India, New Delhi.
2. Union Public Service Commission, New Delhi.
3. Central Vigilance Commission, New Delhi.
4. Central Bureau of Investigation, New Delhi.
5. All Union Territory Administrations.
6. Lok Sabha/Rajya Sabha Secretariat.
7. All attached and Subordinate Offices of the Ministry of Personnel, Public Grievances and Pensions and Ministry of Home Affairs.
8. All officers and sections in the Ministry of Personnel, Public Grievances and Pensions and Ministry of Home Affairs.

Sd-  
(Smt. Pratibha Mohan)  
Director(E-II)

**No.3(v)/99/8**  
**CENTRAL VIGILANCE COMMISSION**

\*\*\*\*\*

**Satarkta Bhavan, Block "A"**  
**GPO Complex, I.N.A.**  
**New Delhi-110023**  
**Dated the 5<sup>th</sup> October,1999.**

**Subject:- Drafting of charge- sheet.**

Inadequate skill in drafting the charge-sheet is one of the reasons which help the charged officials to get away with lapses/misconduct committed by them. Many cases fail before the Courts of Law just because of the defective framing of charge-sheets. It has been observed by the Commission that the chargesheets are sometimes framed in a very general way and the existing practice with regard to framing of charges and imputations vary widely. Sometimes the charge itself is framed in a very general way, only pointing out that the official concerned has acted in an unbecoming manner or has shown lack of devotion to duty or has acted without integrity. The real issues, in such circumstances, are to be found in the statement of imputations. It has also been observed by the Commission that the organisations/Ministries etc. while framing the charge sheets list serious irregularities/charges in the imputations but do not mention the same in the articles of charge. Many a times the charges are not framed in accordance with the advice given by the Commission, thereby diluting the central issues.

2. Rule 14(3)(i) of the CCS (CCA) Rules stipulates that "the substance of the imputations of misconduct or misbehaviour into distinct articles of charge" should be drawn up by the Disciplinary Authority whenever it is proposed to hold an enquiry against a Government servant. This would mean that no charge can be proper or complete without including therein elements of the main content of the allegations/imputations. Therefore, the spirit of all Conduct, Discipline & Appeal Rules imply that there should be a specific finding on each allegation made against the officer. At the end, the IO must then apply his mind to come to a conclusion as to whether the charge as a whole has been proved wholly, partially or not at all.

3. It has to be understood that the statement of imputations/allegations annexed are supplementary/supportive material to the charge sheet; they are details of facts/evidence to support the charges made, and should contain names of witnesses/documents in support of the charges. That is, the statement of imputations is to make the basis of the charge, allegation-wise, precise and specific and should include details of what exactly each witness/document is going to prove regarding every charge. Each charge should also have a separate statement of imputations of

misbehaviour/misconduct. The common failing of listing out one long statement of misconduct/misbehaviour ought to be avoided.

4. The Commission has also issued instructions earlier which are reproduced in Para 14.1 to 14.3 of Chapter X of Vigilance Manual Part I stipulating that the articles of charge should be framed with great care. Broad guidelines as to how the articles of charge should be framed have also been indicated therein. Similarly, the common mistakes which have been noticed by the Commission in framing the chargesheet have also been incorporated in Para 12.1.3 of the special Chapter on Vigilance Management in Banks and Para 20.1.3 in the Special Chapter in PSEs. These are reproduced below:-

"Special care has to be taken while drafting a chargesheet. A charge of lack of devotion to duty or integrity or unbecoming conduct should be clearly spelt out and summarised in the Articles of charge. It should be remembered that ultimately the IO would be required to give his specific findings only on the Articles as they appear in the chargesheet. The Courts have struck down chargesheets on account of the charges framed being general or vague (S.K. Raheman Vs. State of Orissa 60 CLT 419.) If the charge is that the employee acted out of an ulterior motive that motive must be specified (Uttar Pradesh Vs. Salig Ram AIR 1960 All 543). Equally importantly, while drawing a charge sheet, special care should be taken in the use of language to ensure that the guilt of the charged official is not pre-judged or pronounced upon in categorical terms in advance (Meena Jahan Vs. Deputy Director, Tourism 1974 2SLR 466 Cal). However, the statement merely of a hypothetical or tentative conclusion of guilt in the charge, will not vitiate the charge sheet (Dinabandhu Rath Vs. State of Orissa AIR 1960 Orissa 26 cf. Also Powari Tea Estate Vs. Barkataki (M.K.) 1965 Lab LJ 102)".

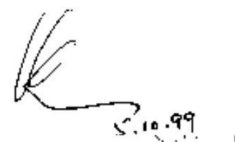
5. Notwithstanding the extant instructions/guidelines many organisations continue to make avoidable mistakes while framing the charge sheets. Therefore, it is reiterated that the extant instructions on the subject as stated in the aforesaid paras may be followed carefully while drafting the charge sheet, in order to avoid subsequent difficulties. The CVOs of the organisations/Ministries etc. should ensure that these instructions are implemented scrupulously.

6. In addition as already summarised above, an IO is required to give his finding in respect of each article of charge and reasons thereof. As the articles of charge are definite and distinct substance of the statement of imputations of misconduct or misbehaviour, the findings on each articles of charge have to be inter-alia based on statement of imputations. Therefore, the Inquiry Officers are required to record their findings in respect of each allegation framed in support of an article of charge in order to ensure that inquiry reports do not suffer due to deficiencies.



7. All CVOs may ensure strict compliance of the above instructions. CVOs are also instructed to carry out an exercise on their own in respect of cases where the Commission has tendered its first stage advice to ensure that the articles of charge and statement of imputations are in conformity with the advice. The CVOs of Ministries can also check charge sheets in a random manner during their visits/inspections.

8. This instruction is available in the website of CVC at <http://cvc.nic.in>.

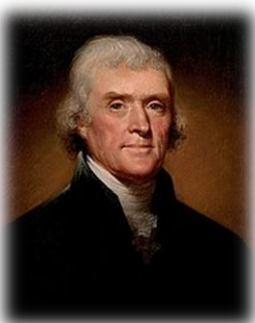


(N.VITTAL)

**CENTRAL VIGILANCE COMMISSIONER**

TO

- i) The Secretaries of All Ministries/Departments of Government of India.
- ii) The Chief Secretaries to All Union Territories.
- iii) The Comptroller & Auditor General of India.
- iv) The Chairman, Union Public Service Commission.
- v) All Chief Vigilance Officers in the Ministries/ Departments/PSEs/Public Sector Banks/ Insurance Companies/ Autonomous Organisations/ Societies.
- vi) President's Secretariat/Vice-President's Secretariat/Lok Sabha Secretariat/Rajya Sabha Secretariat/PMO.
- vii) The Director/CBI, New Delhi.



**"Honesty is the first chapter in the book of wisdom."**

**- Thomas Jefferson**



बापू की जयन्ती (02.10.2018) पर स्वच्छता ही सेवा अभियान के तहत आयोजित साइकलथन

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CENTRAL VIGILANCE COMMISSION



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सं./No.....PVC/18/01/378456

दिनांक / Dated...03/05/2018.....

CIRCULAR NO. 02/04/18

**Sub: Timely payments to the contractors/suppliers/service providers-Preventive Measures -reg.**

The Commission has been receiving complaints regarding inordinate delay in payments/ non-settlement of bills of contractors/suppliers/service-providers by some of the Central Public Sector Enterprises (CPSE). It is observed that there is substantial delay in settling running/final bills; and in several cases, bills (both running as well as final) have remained pending for 5 - 6 years, though these are required to be cleared within a few days. Such inordinate delay in the settlement of bills is an unhealthy practice, affording scope for corruption. The Commission is of the view that delay could, in some cases, be motivated.

2. Some of the major CPSEs have reported that their Bill Watch/ Online Bill Tracking Systems red flags such delays in payment of bills. However, it is important that monitoring of cases of delay/non-settlement is done at higher levels to achieve efficiency and to reduce delay. The Commission would, therefore, advise the CVOs to examine from vigilance angle all cases of inordinate delay (with respect to prescribed time if any, or cases of delay exceeding 15 days for running bills and 30 days for final bills) from date of receipt of bill. A Report in cases of delay in the last three years, elaborating the reasons for delay, may be submitted to the Commission within three months.

3. As a preventive vigilance measure, the Commission would also advise the CVOs to study the existing systems for receipt and processing of bills and prescribed timelines for release of payments to the contractors/suppliers/service providers. If required, the matter may be taken up with the Management to further streamline the system keeping in view the following aspects:-

i) Stipulation in all tender documents/Contracts/POs regarding the number of days (from the date of submission of clear and admissible bill) within which payment will be released. Officials should be designated to ensure compliance of timelines for release of such payments.

ii) Any clarification from the contractors/suppliers/service providers on the bill submitted by the contractor should be sought within a specified number of days provided in the contract itself and except in exceptional circumstances, these clarification should be sought in one go. Similarly, the contractor should be required to submit the clarification sought within a specified number of days.

iii) In case of any disagreement between the Organization and the contractor on any part of the bill, such part may be severed from the rest. Payment against agreed and admissible part can be processed as per laid down procedure, while the disputed part can be dealt as per contract provisions viz. conciliation, dispute resolution, arbitration, etc.

iv) Online Bill Tracking System should be put in place with provision for alerting higher level of management to enable monitoring, review/intervention in cases of delay.

4. All CVOs while preparing the report as at para 2 above, should also inform the Commission of status of action taken on the preventive aspects as at point (i) to (iv) above.

5. The CVOs may report on the implementation of the guidelines, aberrations detected and action taken in the annual reports.



(Sonali Singh)

Additional Secretary

To,

All Chief Vigilance Officers of CPSEs

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Website  
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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
Block A, INA, New Delhi-110023

सं./No. 018/VGL/022-377353

दिनांक / Dated.....20.04.2018.....

**Subject:- Public Procurement (Preference to Make in India), Order 2017 (PPP-MII Order) – regarding.**

Department of Industrial Policy and Promotion (DIPP) has issued 'Public Procurement (Preference to Make in India), Order 2017' (PPP-MII Order) dated 15.06.2017 pursuant to Rule 153 (iii) of General Financial Rules, 2017, which seeks to promote domestic production of goods and services. As per this Order, restrictive and discriminative clauses cannot be included in procurement by Central Government agencies against domestic suppliers. The Commission has received a request from DIPP to widely disseminate the Order to the CVOs and IEMs to exercise oversight on all contracts over an amount of Rs. five crores.

2. In order to implement to PPP-MII order in letter and spirit, the Commission would direct all the Chief Vigilance Officers (CVO) to exercise oversight on all contracts over an amount of Rs. five crores so as to ensure that restrictive and discriminative clauses against domestic suppliers are not included in the tender documents for procurement of goods and services and that the tender conditions are in sync with the PPP-MII Order, 2017 in their respective Departments/Organisations.

3. The Commission further desires that the Independent External Monitors (IEMs) appointed by the respective organisations may keep in view the provisions of PPP-MII Order 2017 while exercising their functions / duties as IEM in respect of procurements / contracts which fall in their purview.

(J. Vinod Kumar)  
Director

1. All Chief Vigilance Officers of Ministries/Departments/CPSUs/Public Sector Banks/Insurance Companies/Autonomous Organisations /Societies etc. for compliance and to circulate to the Independent External Monitors.
2. To be placed on website.

No.98/DSP/3  
Government of India  
Central Vigilance Commission  
\*\*\*\*\*

Satarkta Bhawan, Block 'A',  
GPO Complex, INA,  
New Delhi-110 023  
Dated the 24<sup>th</sup> December, 2004

**Office Order No.75/12/04**

**Sub: Participation of consultants in tender – guidelines regarding.**

Consultants are appointed by the organisation for preparation of project report. These appointment are made for any new projects, expansions, modernization/modification of the existing projects etc. The selection is made with maximum attention to the suitability, competence and proven track record.

2. Further, during the CVO's Conference convened by the Commission in Sept.1997, the Central Vigilance Commissioner had constituted a Committee of CVOs to go into the system of contracts prevalent in PSUs and to suggest, wherever required, methods of streamlining the contracting provisions. The Committee after going through the contract system of various organisations had made recommendations on consultants as under:-

3.

**Consultants** :-A firm which has been engaged by the PSU to provide goods or works for a project and any of its affiliates will be disqualified from providing consulting services for the same project. Conversely, a firm hired to provide consulting services for the preparation or implementation of a project, and any of its affiliates, will be disqualified from subsequently providing goods or works or services related to the initial assignment for the same project.

Consultants or any of their affiliates will not be hired for any assignment, which by its nature, may be in conflict with another assignment of the consultants.

3. It has come to the notice of the Commission that in a tendering process of a PSU, the consultant was also permitted to quote for work for which they had themselves estimated the rates and the consultant quoted 20% above their own estimated rates as against the awarded rates which were 20% below the estimated cost. Such over dependence on the consultant can lead to wasteful and infructuous expenditure which the organisation regrets in the long run. Meticulous and intelligent examination of the consultants proposal is therefore essential for successful and viable completion of the project.

4. The Commission reiterates the recommendations made by the Committee that the consultants/firm hired to provide consulting services for the preparation or implementation of a project, and any of its affiliates, will be disqualified from subsequently providing goods or works or services related to the initial assignment for the same project.

Sd/-  
(Anjana Dube)  
Deputy Secretary

To  
All Chief Vigilance Officers

Telegraphic Address :  
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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
Block A, INA, New Delhi 110023

No.011/VGL/014

सं./No.....

दिनांक / Dated..... 11<sup>th</sup> February, 2011

Circular No.01/02/11

**Sub: Transparency in Tendering System**

There have been instances where the equipment/plant to be procured is of complex nature and the procuring organization may not possess the full knowledge of the various technical solutions available in the market to meet the desired objectives of a transparent procurement that ensures value for money spent simultaneously ensuring upgradation of technology & capacity building.

2. The Commission advises that in such procurement cases where technical specifications need to be iterated more than once, it would be prudent to invite expression of interest and proceed to finalise specifications based on technical discussions/presentations with the experienced manufacturers/suppliers in a transparent manner. In such cases, two stage tendering process may be useful and be preferred. During the first stage of tendering, acceptable technical solutions can be evaluated after calling for the Expression of Interest (EOI) from the leading experienced and knowledgeable manufacturers/suppliers in the field of the proposed procurement. The broad objectives, constraints etc. could be published while calling for EOI. On receipt of the Expressions of Interest, technical discussions/presentations may be held with the short-listed manufacturers/suppliers, who are prima facie considered technically and financially capable of supplying the material or executing the proposed work. During these technical discussions stage the procurement agency may also add those other stake holders in the discussions who could add value to the decision making on the various technical aspects and evaluation criteria. Based on the discussions/presentations so held, one or more acceptable technical solutions could be decided upon laying down detailed technical specifications for each acceptable technical solution, quality bench marks, warranty requirements, delivery milestones etc., in a manner that is consistent with the objectives of the transparent procurement. At the same time care should be taken to make the specifications generic in nature so as to provide equitable opportunities to the prospective bidders. Proper record of discussions/presentations and the process of decision making should be kept.

3. Once the technical specifications and evaluation criteria are finalized, the second stage of tendering could consist of calling for techno commercial bids as per the usual tendering system under single bid or two bid system, as per the requirement of each case. Final selection at this stage would depend upon the quoted financial bids and the evaluation matrix decided upon.

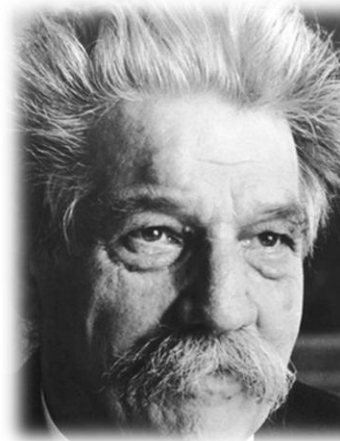
4. Commission desires that organizations formulate specific guidelines and circulate the same to all concerned before going ahead with such procurements.



(Anil Singhal)  
Chief Technical Examiner

To

All Secretaries of Ministries/Departments  
All CEOs/Heads of Organisations  
All Chief Vigilance Officers



The first step in the evolution of  
ethics is a sense of solidarity with  
other human beings.

— *Albert Schweitzer* —



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केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लैक्स,  
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सं./No. 015/VGL/091

दिनांक / Dated. 13.01.2017

Circular No. 02/01/2017

Subject:- Adoption of Integrity Pact – Revised Standard Operating Procedure - regarding.

The Commission has reviewed the Standard Operating Procedure for adoption of Integrity Pact issued vide Circular No. 10/5/09 dated 18.5.2009 and has formulated a revised Standard Operating Procedure (SOP) for adoption of Integrity Pact in Government Departments / Organisations. A copy of the same is enclosed for information and necessary action.

(J. Vinod Kumar)  
Director

1. All Secretaries of Ministries/Departments.
2. All CMDs/Heads of CPSUs/Public Sector Banks/Organisations.
3. All CVOs of Ministries/Departments/ CPSUs/Public Sector Banks/Organisations.

Subject:- Adoption of Integrity Pact – Standard Operating Procedure – regarding.

## **1.0 Background**

1.1 In order to ensure transparency, equity and competitiveness in public procurement, the Commission has been recommending the concept of Integrity Pact (IP) for adoption and implementation by Government organizations.

1.2 CVC through its office orders No. 41/12/07 dated 04.12.2007 and 43/12/07 dated 28.12.2007 as well as Circulars No. 18/05/08 dated 19.05.2008 and Circular No. 24/08/08 dated 05.08.2008 recommended adoption of Integrity Pact to all the organizations and provided basic guidelines for its implementation in respect of major procurements in Government Organisations. A Standard Operating Procedure (SOP) was issued by the Commission vide order No. 10/5/09 dated 18.05.2009. The Commission issued clarifications regarding the appointment, tenure and eligibility criteria of IEMs vide Circular dated 11.8.2009 and 19.4.2010. The review system for IEMs was modified vide circular dated 13.8.2010 and clarification regarding tenure of IEMs was issued by the Commission vide its circular dated 23.7.2012.

1.3 Deptt. of Expenditure vide OM dt. 19.7.2011, issued guidelines to all Ministries/ Departments/Organizations including their attached/subordinate offices and autonomous bodies for implementation of IP. Also, vide OM dated 20.7.2011 Deptt. of Expenditure requested Department of Public Enterprises for directions to Central Public Sector Enterprises for use of IP.

1.4 Further, in view of the increasing procurement activities of Public Sector Banks (PSBs), Insurance Companies (ICs) and Financial Institutions (FIs), the Commission vide Circular No. 02/02/2015 dated 25.02.2015 advised that all PSBs, PSICs and FIs shall also adopt and implement the Integrity Pact.

## **2.0 Integrity Pact**

2.1 The Pact essentially envisages an agreement between the prospective vendors/bidders and the buyer, committing the persons/officials of both sides, not to resort to any corrupt practices in any aspect/stage of the contract. Only those vendors/bidders, who commit themselves to such a Pact with the buyer, would be considered competent to participate in the bidding process. In other words, entering into this Pact would be a preliminary qualification. The essential ingredients of the Pact include:

- Promise on the part of the principal not to seek or accept any benefit, which is not legally available;
- Principal to treat all bidders with equity and reason;
- Promise on the part of bidders not to offer any benefit to the employees of the Principal not available legally;
- Bidders not to enter into any undisclosed agreement or understanding with other bidders with respect to prices, specifications, certifications, subsidiary contracts, etc.

- Bidders not to pass any information provided by Principal as part of business relationship to others and not to commit any offence under PC/ IPC Act;
- Foreign bidders to disclose the name and address of agents and representatives in India and Indian Bidders to disclose their foreign principals or associates;
- Bidders to disclose the payments to be made by them to agents / brokers or any other intermediary;
- Bidders to disclose any transgressions with any other company that may impinge on the anti corruption principle.

2.2 Integrity Pact, in respect of a particular contract, shall be operative from the date IP is signed by both the parties till the final completion of the contract. Any violation of the same would entail disqualification of the bidders and exclusion from future business dealings.

### **3.0 Implementation procedure**

- 3.1 As stated in Department of Expenditure's O.M. dated 20.7.2011, Ministries/Departments may, in consultation with the respective Financial Adviser and with the approval of the Minister-in-charge, decide on and lay down the nature of procurements/contracts and the threshold value above which the Integrity Pact would be used in respect of procurement transactions/contracts concluded by them or their attached/sub-ordinate offices.
- 3.2 The above provision is also applied for procurements made by autonomous bodies for which also the concerned administrative ministry / department may lay down the nature of procurements/contracts and the threshold value above which the Integrity Pact would be used.
- 3.3 The provision for the Integrity Pact is to be included in all Requests for Proposal/Tender documents issued in future in respect of the procurements/contracts that meet the criteria decided in terms of para 3.1 and 3.2 above.
- 3.4 Tenders should specify that IEMs have been appointed by the Commission. In all tenders, particulars of all IEMs should be mentioned instead of nominating a single IEM in the tender as far as possible.
- 3.5 The Purchase / procurement wing of the organization would be the focal point for the implementation of IP.
- 3.6 The Vigilance Department would be responsible for review, enforcement, and reporting on all related vigilance issues.
- 3.7 It has to be ensured, through an appropriate provision in the contract, that IP is deemed as part of the contract so that the parties concerned are bound by its provisions.

- 3.8 IP would be implemented through a panel of Independent External Monitors (IEMs), appointed by the organization. The IEM would review independently and objectively, whether and to what extent parties have complied with their obligations under the Pact.
- 3.9 Periodical Vendors' meets, as a familiarization and confidence building measure, would be desirable for a wider and realistic compliance of the principles of IP.
- 3.10 A clause should be included in the IP that a person signing IP shall not approach the Courts while representing the matters to IEMs and he / she will await their decision in the matter.
- 3.11 In case of sub-contracting, the Principal contractor shall take the responsibility of the adoption of IP by the sub-contractor.
- 3.12 Information relating to procurements/contracts covered under IP and its progress/status would need to be shared with the IEMs on monthly basis.
- 3.13 The final responsibility for implementation of IP vests with the CMD/CEO of the organization.

#### **4.0 Role and Duties of IEMs**

- 4.1 The IEMs would have access to all contract documents, whenever required.
- 4.2 It would be desirable to have structured meetings of the IEMs with the Chief Executive of the Organisation on a quarterly basis including an annual meeting to discuss / review the information on tenders awarded during the previous quarter. Additional sittings, however, can be held as per requirement.
- 4.3 The IEMs would examine all complaints received by them and give their recommendations/views to the Chief Executive of the organization, at the earliest. They may also send their report directly to the CVO and the Commission, in case of suspicion of serious irregularities requiring legal/administrative action. IEMs are expected to tender their advice on the complaints within 10 days as far as possible.
- 4.4 For ensuring the desired transparency and objectivity in dealing with the complaints arising out of any tendering process, the matter should be examined by the full panel of IEMs jointly as far as possible, who would look into the records, conduct an investigation, and submit their joint recommendations to the Management.
- 4.5 IEM should examine the process integrity, they are not expected to concern themselves with fixing of responsibility of officers. Complaints alleging malafide on the part of any officer of the organization should be looked into by the CVO of the concerned organisation.

- 4.6 The role of IEMs is advisory, would not be legally binding and it is restricted to resolving issues raised by an intending bidder regarding any aspect of the tender which allegedly restricts competition or bias towards some bidders. At the same time, it must be understood that IEMs are not consultants to the Management. Their role is independent in nature and the advice once tendered would not be subject to review at the request of the organization.
- 4.7 Issues like warranty / guarantee etc. should be outside the purview of IEMs.
- 4.8 All IEMs should sign non-disclosure agreements with the organization in which they are appointed. They would also be required to sign a declaration of absence of conflict of interest.
- 4.9 A person acting as an IEM shall not be debarred from taking up other assignments such as consultancy with other organizations or agencies subject to his declaring that his / here additional assignment does not involve any conflict of interest with existing assignment. In case of any conflict of interest arising at a later date from an entity wherein he is or has been a consultant, the IEM should inform the CEO and recuse himself/herself from that case.
- 4.10 All organizations may provide secretarial assistance to IEM for rendering his/her job as IEM.
- 4.11 In case of any misconduct by an IEM, the CMD/CEO should bring it to the notice of the Commission detailing the specific misconduct for appropriate action at the Commission's end.
- 4.12 The role of the CVO of the organization shall remain unaffected by the presence of IEMs. A matter being examined by the IEMs can be separately investigated by the CVO in terms of the provisions of the CVC Act or Vigilance Manual, if a complaint is received by him/her or directed to him/her by the Commission.

#### 5.0 **Appointment of IEMs**

- 5.1 The IEMs appointed should be eminent personalities of high integrity and reputation. The Commission would invite applications from willing interested persons and maintain a panel of persons eligible to be appointed as IEM. The Commission may make independent and discreet background check before including a name in the panel.
- 5.2 The choice of IEM should be restricted to officials from the government and public sector undertakings who have retired from positions of the level of Additional Secretary to the Government of India and above or equivalent pay scale, and for Public Sector Undertakings, Board level officers in Schedule A Companies, Public Sector Banks, Insurance Companies and Financial Institutions. Officers of the Armed Forces who have retired from the rank equivalent of Lt. General and above may also be considered for appointment.

- 5.3 For appointment as IEM the Organisation has to forward a panel of suitable persons to the Commission. This panel may include those who are in the panel maintained by the Commission or they may propose names of other suitable persons for appointment as IEM. While forwarding the panel of suitable persons, the Organization would enclose detailed bio-data in respect of all names proposed. The details would include postings during the last ten years before superannuation, special achievements, experience, etc., in Government sector. It is desirable that the persons proposed possess domain experience of the PSU activities or the relevant field with which they may be required to deal.
- 5.4 The Commission would not consider the name of an officer / executive who is either serving or who has retired from the same organization to be an IEM in that organization, although they may have served in the top management.
- 5.5 A maximum of three IEMs may be appointed in Navratna PSUs and a maximum of two IEMs in other Public Sector Undertakings, Public Sector Banks, Insurance Companies and Financial Institutions.
- 5.6 A person may be appointed as an IEM in a maximum of three organizations at a time.
- 5.7 The appointment of IEM would be for an initial tenure of three years and could be extended for another term of two years on a request received by the Commission from the organization appointing the IEM. An IEM can have a maximum tenure of 5 years in an organization with an initial term of three years and another term of two years.
- 5.8 Age should not be more than 70 years at the time of appointment/extension of tenure.
- 5.9 Remuneration payable to the IEMs by the organization concerned would be equivalent to that admissible to an Independent Director in the organization and in any case should not exceed Rs. 20,000/- per sitting. Remuneration being paid to existing IEMs may not be changed to their detriment for the duration of their tenure.
- 5.10 The terms and conditions of appointment, including the remuneration payable to the IEMs, should not be included in the Integrity Pact or the NIT. This may be communicated individually to the IEMs concerned.

#### **6.0 Review System**

All organizations implementing IP would undertake a periodical review and assessment of implementation of IP and submit progress reports to the Commission. CVOs of all organizations would keep the Commission posted with the implementation status through their annual reports and special reports, wherever necessary.

- 7.0 All organizations are called upon to make sincere and sustained efforts to imbibe the spirit and principles of the Integrity Pact and carry it to its effective implementation.

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स्वच्छता पखवाड़ा के अंतर्गत आयोजित “स्वच्छता पाठशाला” कार्यक्रम के प्रतिभागी बच्चों को सम्मानित करते कोल सचिव



स्वच्छता पखवाड़ा के दौरान वृक्षरोपण करते हुए सी.एम.डी., सी.सी.एल.



Shri A.K. Srivastava, CVO, CCL, paying tribute to the Martyrs at Shahid Smarak, CCL HQ



No.98/ORD/1  
Government of India  
Central Vigilance Commission  
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Satarkta Bhawan, Block 'A',  
GPO Complex, INA,  
New Delhi- 110 023  
Dated 24<sup>th</sup> August, 2000

To

- (i) The Secretaries of All Ministries/Departments of Government of India
- (ii) The Chief Secretaries to All Union Territories
- (iii) The Comptroller & Auditor General of India
- (iv) The Chairman, Union Public Service Commission
- (v) The Chief Executives of All PSEs/Public Sector Banks/Insurance Companies/Autonomous Organisations/Societies
- (vi) The Chief Vigilance Officers in the Ministries/Departments/PSEs/Public Sector Banks/Insurance Companies/ Autonomous Organisations/Societies
- (vii) President's Secretariat / Vice- President's Secretariat / Lok Sabha Secretariat/ Rajya Sabha Secretariat/ PMO

**Subject: Improving Vigilance Administration-Tenders.**

.....

Sir,

Please refer to the instructions issued by Commission vide its communication No. 8 (1) (h)/98(1) dated 18.11.98, banning post tender negotiations except with L-1.

2. The Commission has been getting a number of queries on how to handle the matter if the quantity to be ordered is more than L-1 can supply or about placement of orders on Public Sector Undertakings. It is requested that such matters may be dealt with in accordance with the clarifications issued by the Commission vide its letter of even number dated 15.3.99 (copy enclosed).

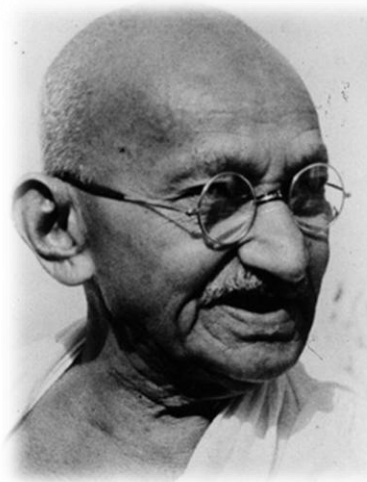
3. Some of the organisations have sought clarification as to whether they can consider the L-2 offer or negotiate with that firm if L-1 withdraws his offer before the work order is placed, or before the supply or execution of work order takes place. In this regard, it is clarified that such a situation may be avoided if a two-bid system is followed (techno-commercial) so that proper assessment of the offers is made before the award of work order., Therefore, if L-1 party backs out, there should be retendering in a transparent and fair manner. The authority may in such a situation call for limited or short notice tender if so justified in the interest of work and take a decision on the basis of lowest tender.

4. The Commission has also been getting references for its advice on the procedures being followed in individual cases of tenders. The Commission would not involve itself in the decision making process of individual organisations. It, however, would

expects the organisations to implement its instructions dated 18.11.98, in its spirit and to ensure that the decisions of administrative authorities are transparent.

Yours faithfully,

Sd/-  
(K.L.Ahuja)  
Officer on Special Duty



Carefully watch your thoughts, for they become your words. Manage and watch your words, for they will become your actions. Consider and judge your actions, for they have become your habits. Acknowledge and watch your habits, for they shall become your values. Understand and embrace your values, for they become your destiny.

— Mahatma Gandhi —

**No.98/ORD/1**  
**CENTRAL VIGILANCE COMMISSION**

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Satarkta Bhavan, Block 'A'  
G.P.O. Complex, I.N.A.,  
New Delhi- 110 023  
Dated the 18<sup>th</sup> December, 2003

**Subject:- Improving Vigilance Administration: Increasing Transparency in Procurement/Sale etc.**

The Commission is of the opinion that in order to bring about greater transparency in the procurement and tendering processes there is need for widest possible publicity. There are many instances in which allegations have been made regarding inadequate or no publicity and procurement officials not making available bid documents, application forms etc. in order to restrict competition.

2. Improving vigilance administration is possible only when system improvements are made to prevent the possibilities of corruption. In order to bring about greater transparency and curb the mal-practices mentioned above the Central Vigilance Commission in the exercise of the powers conferred on it under Section 8(1)(h) issues following instructions for compliance by all govt. departments, PSUs, Banks and other agencies over which the Commission has jurisdiction. These instructions are with regard to all cases where open tender system is resorted to for procurement of goods and services or for auction/sale etc. of goods and services.

- (i) In addition to the existing rules and practices regarding giving publicity of tenders through newspapers, trade journals and providing tender documents manually and through post etc. the complete bid documents alongwith application form shall be published on the web site of the organization. It shall be ensured by the concerned organization that the parties making use of this facility of web site are not asked to again obtain some other related documents from the department manually for purpose of participating in the tender process i.e. all documents upto date should remain available and shall be equally legally valid for participation in the tender process as manual documents obtained from the department through manual process.

- (ii) The complete application form should be available on the web site for purposes of downloading and application made on such a form shall be considered valid for participating in the tender process.
- (iii) The concerned organization must give its web site address in the advertisement/NIT published in the newspapers.
- (iv) If the concerned organization wishes to charge for the application form downloaded from the computer then they may ask the bidding party to pay the amount by draft/cheques etc. at the time of submission of the application form and bid documents.

3. While the above directions must be fully complied with, efforts should be made by organizations to eventually switch over to the process of e-procurement/e-sale wherever it is found to be feasible and practical.

4. The above directions are issued in supersession of all previous instructions issued by the CVC on the subject of use of web-site for tendering purposes. These instructions shall take effect from 1<sup>st</sup> January, 2004 for all such organizations whose web-sites are already functional. All other organizations must ensure that this facility is provided before 1<sup>st</sup> April, 2004.

Sd/-  
**(P. Shankar)**  
**Central Vigilance Commissioner**

To

- (i) The Secretaries of All Ministries/Departments of Government of India
- (ii) The Chief Secretaries to all Union Territories
- (iii) The Comptroller & Auditor General of India
- (iv) The Chairman, Union Public Service Commission
- (v) The Chief Executives of all PSEs/ Public Sector Banks/Insurance Companies/Autonomous Organisations/Societies.
- (vi) The Chief Vigilance Officers in the Ministries/Departments/PSEs/Public Sector Banks/Insurance Companies/Autonomous Organisations/Societies
- (vii) President's Secretariat / Vice-President's Secretariat / Lok Sabha Secretariat / Rajya Sabha Secretariat / PMO

No. 02-07-1-CTE-30/309204  
Central Vigilance Commission  
Chief Technical Examiner's Organization  
\*\*\*

Satarkta Bhavan, Block-A  
GPO Complex, INA, New Delhi  
Dated, the 04.03.2016

Circular No. 04/03/2016

OFFICE MEMORANDUM

Sub: Acceptance of Bank Guarantee (BG) – Reg.

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Reference is invited to the Commission's Circular No. 01/01/08 dated 31.12.2007 (issued vide OM No. 02-07-1-CTE-30 dated 09.05.2006), wherein necessity for ensuring verification of genuineness of Bank Guarantee prior to its acceptance was emphasized and steps were suggested.

2. It is, however, observed that the practice of paper based verification of BGs followed by the organizations is not only time consuming causing delay in acceptance/award of works or advance related payments but also its trustworthiness cannot always be ensured due to human intervention in it.

3. In this background, organizations are advised to follow IT enabled confirmation system which is swift and secured in addition to their existing paper based confirmation system. The following methods for verification may be considered by the organizations:-

- a) Getting confirmation through digitally signed secured e-mails from issuing Banks;
- b) Online verification of Company portal with user ID and password followed by 2<sup>nd</sup> stage authentication system generated One Time Password (OTP) on portal for reconfirmation;
- c) E-mail confirmation followed by 2<sup>nd</sup> stage authentication by system generated SMS through registered mobile and reconfirmation through SMS to the verifying officer.

4. Keeping above in view, organizations may evolve their own procedure adopting any one or more of the above methods for ensuring genuineness of BGs, which is compatible with the guidelines of Banks/Reserve Bank of India.

*R. Chandra*  
( Ramesh Chandra )  
Chief Technical Examiner  
4/3/2016

To

All Chief Vigilance Officers

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सं./No. 005/CRD/012

भारत सरकार  
केन्द्रीय सतर्कता आयोग  
GOVERNMENT OF INDIA  
CENTRAL VIGILANCE COMMISSION

सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
Block A, INA, New Delhi 110023

दिनांक / Dated .....  
20 January, 2010

- (i) The Secretaries of all Ministries/Departments of Government of India
- (ii) The Chief Secretaries to All Union Territories
- (iii) The Comptroller & Auditor General of India
- (iv) The Chairman, Union Public Service Commission
- (v) The Chief Executives of all PSEs/Public Sector Banks/Insurance Companies/Autonomous Organisations/Societies.
- (vi) The Chief Vigilance Officers in the Ministries/Departments/PSEs/Public Sector Banks/Insurance Companies/Autonomous Organisations/Societies
- (vii) President's, Secretariat/Vice-President's Secretariat/Lok Sabha Secretariat/Rajya Sabha Secretariat/PMO

CIRCULAR No.01/01/10


Attention is invited to the Commission's circular No. 4/3/07 dated 3.3.07 on the issue of "Tendering Process – Negotiations with L1".

In the said circular it has, among other things, been stated "As post tender negotiations could often be a source of corruption, it is directed that there should be no post tender negotiations with L1, except in certain exceptional situations". It has come to Commission's notice that this has been interpreted to mean that there is a ban on post tender negotiations with L-1 only and there could be post tender negotiations with other than L1 i.e. L2, L3 etc. This is not correct.

It is clarified to all concerned that - there should normally be no post tender negotiations. If at all negotiations are warranted under exceptional circumstances, then it can be with L1 (Lowest tenderer) only if the tender pertains to the award of work/supply orders etc. where the Government or the Government company has to make payment. However, if the tender is for sale of material by the Government or the Govt. company, the post tender negotiations are not to be held except with H1 (i.e. Highest tenderer) if required.

2. All other instructions as contained in the circular of 3.3.2007 remain unchanged.

3. These instructions issue with the approval of the Commission and may please be noted for immediate compliance.

  
(V. Ramachandran)  
Chief Technical Examiner

No.005/CRD/012  
Government of India  
Central Vigilance Commission  
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Satarkta Bhawan, Block 'A',  
GPO Complex, INA,  
New Delhi- 110 023  
Dated the 3<sup>rd</sup> March, 2007

**Circular No. 4/3/07**

**Sub:- Tendering process - negotiations with L-1.**

Reference is invited to the Commission's circulars of even number, dated 25.10.2005 and 3.10.2006, on the above cited subject. In supersession of the instructions contained therein, the following consolidated instructions are issued with immediate effect:-

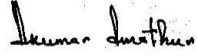
- (i) As post tender negotiations could often be a source of corruption, it is directed that there should be no post-tender negotiations with L-1, except in certain exceptional situations. Such exceptional situations would include, procurement of proprietary items, items with limited sources of supply and items where there is suspicion of a cartel formation. The justification and details of such negotiations should be duly recorded and documented without any loss of time.
- (ii) In cases where a decision is taken to go for re-tendering due to the unreasonableness of the quoted rates, but the requirements are urgent and a re-tender for the entire requirement would delay the availability of the item, thus jeopardizing the essential operations, maintenance and safety, negotiations would be permitted with L-1 bidder(s) for the supply of a bare minimum quantity. The balance quantity should, however, be procured expeditiously through a re-tender, following the normal tendering process.
- (iii) Negotiations should not be allowed to be misused as a tool for bargaining with L-1 with dubious intentions or lead to delays in decision-making. Convincing reasons must be recorded by the authority recommending negotiations. Competent authority should exercise due diligence while accepting a tender or ordering negotiations or calling for a re-tender and a definite timeframe should be indicated so that the time taken for according requisite approvals for the entire process of award of tenders does not exceed one month from the date of submission of recommendations. In cases where the proposal is to be approved at higher levels, a maximum of 15 days should be assigned for clearance at each level. In no case should the overall timeframe exceed the validity period of the tender

and it should be ensured that tenders are invariably finalised within their validity period.

(iv) As regards the splitting of quantities, some organisations have expressed apprehension that pre-disclosing the distribution of quantities in the bid document may not be feasible, as the capacity of the L-1 firm may not be known in advance. It may be stated that if, after due processing, it is discovered that the quantity to be ordered is far more than what L-1 alone is capable of supplying and there was no prior decision to split the quantities, then the quantity being finally ordered should be distributed among the other bidders in a manner that is fair, transparent and equitable. It is essentially in cases where the organisations decide in advance to have more than one source of supply (due to critical or vital nature of the item) that the Commission insists on pre-disclosing the ratio of splitting the supply in the tender itself. This must be followed scrupulously.

(v) Counter-offers to L-1, in order to arrive at an acceptable price, shall amount to negotiations. However, any counter-offer thereafter to L-2, L-3, etc., (at the rates accepted by L-1) in case of splitting of quantities, as pre-disclosed in the tender, shall not be deemed to be a negotiation.

2. It is reiterated that in case L-1 backs-out, there should be a re-tender.
3. These instructions issue with the approval of the Commission and may please be noted for immediate compliance.

  
\_\_\_\_\_  
(Vineet Mathur)  
Deputy Secretary

**All Chief Vigilance Officers**



No.005/VGL/4  
Government of India  
Central Vigilance Commission  
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Satarkta Bhawan, Block 'A',  
GPO Complex, INA,  
New Delhi- 110 023  
Dated the 16<sup>th</sup> March 2005

**Office Order No.13/3/05**

**Subject: Details on award of tenders/contracts publishing on Websites/  
Bulletins.**

The Commission vide its Circular No.8(1)(h)/98(1) dated 18.11.1998 had directed that a practice must be adopted with immediate effect by all organisations within the purview of the CVC that they will publish on the notice board and in the organisation's regular publication(s), the details of all such cases regarding tenders or out of turn allotments or discretion exercised in favour of an employee/party. However, it has been observed by the Commission that some of the organisations are either not following the above mentioned practice or publishing the information with a lot of delay thereby defeating the purpose of this exercise, viz. increasing transparency in administration and check on corruption induced decisions in such matters.

2. The Commission has desired that as follow up of its directive on use of "website in public tenders", all organisations must post a summary every month of all the contracts/purchases made above a certain threshold value to be decided by the CVO in consultation with the head of organisation i.e. CEO/CMD etc. as per Annexure-I. The threshold value may be reported to the Commission for concurrence.

3. Subsequently, the website should give the details on the following:

- a) actual date of start of work
- b) actual date of completion
- c) reasons for delays if any

A compliance report in this regard should be sent by the CVOs alongwith their monthly report to CVC.

Sd/-  
(Anjana Dube)  
Deputy Secretary

To

All Chief Vigilance Officers

**Details of contractors concluded during the Month**

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Tender No.	Item/ Nature of work	Mode of Tender Enquiry	Date of Publication of NIT	Type of Bidding (Single/ Two Bid System)	Last date of receipt of tender	Nos. of tenders recd.	Nos. and names of parties qualified after technical evaluation	Nos. and names of parties not qualified after technical evaluation	Whether contract awarded to lowest tenderer/ Evaluated L1	Contract No. & Date	Name of Contractor	Value of Contract	Scheduled date of completion of supplies

## Public Notices

### GOI Resolution on Public Interest Disclosure and Protection of Informer

The Government of India has authorized the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. The jurisdiction of the Commission in this regard would be restricted to any employee of the Central Government or of any corporation established by or under any Central Act, government companies, societies or local authorities owned or controlled by the Central Government. **Personnel employed by the State Governments and activities of the State Governments or its Corporations etc. will not come under the purview of the Commission.**

3. In this regard, the Commission, which will accept such complaints, has the responsibility of keeping the identity of the complainant secret. **Hence, it is informed to the general public that any complaint, which is to be made under this resolution should comply with the following aspects.**

- i) The complaint should be in a **closed / secured envelope**.
- ii) The envelope should be addressed to Secretary, Central Vigilance Commission and should be **superscribed "Complaint under The Public Interest Disclosure"**. If the envelope is not superscribed and closed, it will not be possible for the Commission to protect the complainant under the above resolution and the complaint will be dealt with as per the normal complaint policy of the Commission. The complainant should give his/her name and address in the beginning or end of complaint or in an attached letter.
- iii) Commission will **not entertain anonymous/pseudonymous** complaints.
- iv) The text of the complaint should be carefully drafted so as **not to give any details or clue as to his/her identity**. However, the details of the complaint should be specific and verifiable.
- v) In order to protect identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are **advised not to enter into any further correspondence** with the Commission in their own interest. The Commission assures that, subject to the facts of the case being verifiable, it will take the necessary action, as provided under the Government of India Resolution mentioned above. If any further clarification is required, the Commission will get in touch with the complainant.

4. The Commission can also take **action against complainants making motivated/vexatious complaints** under this Resolution.

5. A copy of detailed notification is available on the web-site of the Commission <http://www.cvc.nic.in>.

**Issued in Public Interest by the Central Vigilance Commission, INA, Satarkta Bhawan, New Delhi.**

**Sd/-  
Secretary  
Central Vigilance Commission**

Humane Touch by CEO & CVO, CCL



CVO, CCL, honoring superannuating employee of CCL during Samman Samaroh

Shri Gopal Singh, CMD CCL plays with differently abled child at Handicapped Centre, Dhori

# Articles & Poems

सतर्कता जागरूकता / भ्रष्टाचार उन्मूलन विषय पर लघु रचना

काला धन और कदाचार की बातें  
जब हम करते हैं  
भ्रष्टाचार और दिग्भ्रमित होने की बातें  
जब हम करते हैं  
'लोग' लिप्त हैं, 'लोग' ही त्रस्त हैं  
फिर न जाने कौन से 'लोग'  
किन 'लोगों' की बातें बैठे करते हैं  
बना महाजन हर विभाग अब  
भागम भाग 'लोग' करते हैं  
और फिर महाजनी व्यसतों से  
कुछ 'ले', कुछ 'दे' कर हम  
काम निकाला करते हैं  
खड़े होना लम्बी पंक्ति में  
होता न हमें गवारा है  
फिर ठाठ से बैठे अपने बैठको में  
हम करते की .....

देश को किसने बिगाड़ा है  
मुट्टी भर ज़मीन की कीमत  
आसमान पर जाती है  
बिकते सपनों के अशियाने  
आंखे धुँधली कर जाती है

बदले समय के चाल चित्त पर  
बजता जोड़ नगाड़ा है  
जर्जर होती जाती पीढ़ी  
न इसका कोई उबारा है  
बिगड़ चुका है काल अतीत  
और वर्तमान भी अँधियारा है  
जो दृढ़ निश्चयी हो, कालजयी हो  
फिर स्वर्णिम भविष्य हमारा है  
हो सकल सचेत सब  
जागरूकता एक सहारा है  
भ्रष्टाचार की भीती भेदें  
संघर्ष ही एक नारा है  
कदाचार का काल कलुष है  
सो कल का उज्ज्वल धवल दिवस है  
मंतव्य मंथन बस ये हमारा है।

विजय कुमार  
वरीय प्रबन्धक (कार्मिक)  
ढोरी क्षेत्र

## Corruption - it's Causes & Prevention

**Dhiraj Kumar Choudhary,  
Sr. Manager (M)/Vig**

The meaning of corruption is a dishonest or illegal behavior involving a person in a position of power, for example, accepting money for doing something illegal or immoral.

There are mainly two basic reasons for corruption:

### 1) Attitude of the people:

There is a moral degradation in our thinking although we are very vocal in saying that we don't want corruption but we don't want to go through the pain associated in its eradication (almost like saying people want to get treated of cancer, but don't want the side-effects of chemotherapy). We as a society, want best of both the worlds. So while we may say that we want zero corruption, we do not mind paying some thousands of rupees to get our work done early and easily. We always want some genie like miraculous figure to come and rid us of our problems, without us even going through the pain. Therefore when it's time to walk the talk, we fail miserably. We would rather choose 'a mere promise to eradicate corruption' than choose someone 'who actually works to eradicate corruption' since the former makes us feel good and somehow satisfies our inner consciousness while the latter is a path full of thorns, obstacles causing pain.

### 2) Population:

Second cause which is the root cause of almost every problem in India is population. We have always shortages of hospitals, houses, schools, colleges, factories etc in our country. As a result of such a massive population, demand always over shoots the supply. It's almost like survival of the fittest (India is still in the expanding phase of demographic cycle) plus the race to surpass each other. So obviously people use all the possible ways ('sources'/'jacks'/'bribes') to get things done their way.

Prevention and eradication of corruption is an absolute requirement for better public life. This corruption takes an interesting turn in such a way that everyone becomes corrupt in some other sort if situation permits.

The following tips can be adopted to eradicate corruption in India:

1. **Give better salary in Government jobs:** Many employees in government positions receive low salary. Hence they expect to make money by bribery. For this they try to delay the work for so long that the client is fed up and opts for bribery for progress in the work, so low salary is one of the reasons of corruption. To curb this, their salaries should be raised periodically.

2. **Increase the number of workers:** In many offices of the government sector, the work load has gone up drastically but the recruitment of vacancies has declined. This gives an option for delaying the work by officials and expects monetary or other benefits for faster completion.

3. **Law to dismiss from service if found to be involved in corruption:** This seems a better option. For instance if you see cases where anti-corruption bureau raids an official's home and finds disproportionate assets, the official is suspended from employment and taken for judicial trials. But after couple of years you will find them in employment at same or even better positions. So this creates no fear among the officials against corruption.

4. **Keep transactions online and provide bill for every purchase:** Many of them do not pay taxes and escape, this involves corruption. Making payments online through bank accounts and provision of bills for every transaction involving money is a better corruption watch. In other words, public should opt for cashless transactions where possible. This will limit the corruption related to money.

5. **Camera in most Government offices:** In every ATM there is camera to keep a watch on the public taking their money, then why not government offices have cameras to have a watch on the employee's performance. Even there are many employees who openly take bribe in presence of common men. This public bribery is due to confidence that public wants their work more than the amount they are paying to them as bribes.

6. **Speed up the work progress in Government offices:** Most of the corporate offices start working full fledged by 8-9 am. But the government offices start by 10 to 11 am and wind up by 4:30 to 5 pm with a lunch break of one & half hour in between. This indicates how much of commitment lies in the work and how fast the work goes on. If there are mistakes in the work or delay in the work, stake holders have to run behind those employees to rectify or complete the work, in doing so they pay bribes to get their work done. This culture increases the chances of corruption. So there should



be accountability of daily work done in government works and targets should be given to complete the work on time basis. Otherwise, instead of being public servants, they tend to act as public bosses.

7. **Keep inflation low:** This is another factor for keeping corruption high and also persistent. Due to rise in prices, any amount of income seems to be insufficient. This inflation is a corruption involving politicians and businessmen. Businessmen try to raise the prices to sell their inventory or stock of goods at higher price. For this the politicians support them and are paid monetary or other benefits. This is a cheap business tactic but even the so called richest business magnets play this corruption game.

8. **Speed up the judgment and increase the courts:** Many cases of corruption take years to be given verdict. This delay in cases creates lack of fear for being corrupt and also huge time span for court trials gives sufficient time to make alterations in the witness. Establishing fast track courts and giving severe punishment for corruption practice will keep a control on corruption.

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Honesty is as much saying everything as it is saying what is true.

(Richard Snelling)

## **Eradicate Corruption: Build a New India**

**Ankur Varma,  
MT(X), Machine Shop,  
CRS, Barkakana**

In matter of style swim with the current; in matter of principles stand like a rock. These two lines by Thomas Jefferson are ostensibly the simplest to read but why has such a simple thing become a herculean task? Is it really something to worry about? The answer is yes.

The entrenched prejudice of corruption is only confined to bribery but the veracity of this stereotype is questionable. This is so because, failing to do our task is also a type of corruption. The companies pay the employees for their designated task but the employee would rather utilize the time in scrolling through the social media feeds.

Today we need to awaken our conscience and ask ourselves what we ought to do. If we assiduously complete the designated tasks this would create a new India. This would make us feel satiated with life and believe me contentment is the most supreme ecstasy. A journey of thousand miles starts with single step. Creating a new India is a mammoth task but the thing discussed above is a step in right direction. Such baby steps will help us build a new India.

A thought provoking teaching from the Holy Book Bhagwat Gita would incentivize us and prevent us to go astray.

“An unscrupulous task would make us do another immoral task of higher degree, but a scrupulous task would inevitably lead to another savory deed.”

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## **HOW DO YOU DEFINE CORRUPTION?**

**MANISHA JHA  
MT (HR),  
MAGADH-AMRAPALI AREA**

Generally speaking as, “the abuse of entrusted power for private gain”.

Corruption can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs.

Grand corruption consists of acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good. Petty corruption refers to everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods services in places like hospitals, schools, police department and other agencies.

Political corruption is a manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position, sustain their power, status and wealth. See animated definitions of many corruptions in Anti-corruption Glossary.

### **WHAT IS TRANSPARENCY?**

Transparency is about shedding light on rules, plans and processes. It is knowing why, how, what, and how much. Transparency ensures that public officials, civil servants, managers, board members and businesspeople act visibly and understandably, and report on their activities. And it means that the general public can hold them to account. It is the surest way of guarding against corruption, and helps increase trust in the people and institutions on which our futures depend. See how transparency can defeat corruption in a range of areas.

### **WHAT ARE THE COSTS OF CORRUPTION?**

Corruption impacts societies in a multitude of ways, In the worst cases, it costs lives. Short of this, it costs people their freedom, health or money. The cost of corruption can be divided into four main categories: political, social and environmental.

On the political front, corruption is a major obstacle to democracy and the rule of law in a democratic system, offices and institutions lose their legitimacy when they're misused for private advantage. This is harmful in established democracies, but even more so in newly emerging ones, It is extremely challenging to develop accountable political leadership in a corrupt climate.

Economically, corruption depletes national wealth, Corrupt politicians invest scarce public resources in projects that will line their pockets rather than benefit communities, and priorities high-profile projects such as dams, power plants, pipelines and refineries over less spectacular but more urgent infrastructure projects such as schools, hospitals and roads corruption also hinders the development of fair market structures and distorts competition, which in turn deters investment.

Corruption corrodes the social fabric of society. It undermines people's trust in the political system, in its institutions and its leadership. A distrustful or apathetic public can then become yet another hurdle to challenging corruption.

Environmental degradation is another consequence of corrupt systems: lack of, or non-enforcement of, environmental regulations and legislation means that precious natural resources are carelessly exploited, and entire ecological systems are ravaged. From mining, to logging, to carbon offsets companies across the globe continue to pay bribes in return for unrestricted destruction.

### **WHAT DO YOU DO TO FIGHT CORRUPTION?**

Our three guiding principles are: build partnerships, proceed step-by-step and stay non-confrontational. We have learned from experience that corruption can only be kept in check if representatives from government, business and civil society work together to develop standards and procedures they all support. We also know that corruption can't be rooted out in one big sweep. Rather, fighting it is a step-by-step, project-by project process. Our non-confrontational approach is necessary to get all relevant parties around the negotiating table.

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### भ्रष्टाचार मिटाओ – नया भारत बनाओ

सिसक रहा है देश भ्रष्टाचार के बोझ तले  
इसको मिटाने का संकल्प हम में चाहिए

रिश्वत लेने के लिए फैलता है हाथ अपना  
थोड़ा तो ज़मीर में ईमान होना चाहिए

बेईमानों के आग से जल रहा है देश सारा  
इसको बुझा सके वो हौसला होना चाहिए

दुश्मनों से जीत कर अपनों से हारते रहे  
ऐसे जयचंदों से सावधान होना चाहिए

यूहि नहीं बदलेगी तस्वीर कभी देश की  
युवाओं का पौरुष जागना भी तो चाहिए

ऐसे गद्दारों से बचा सको ये देश अपना  
तो सवा सौ करोड़ हिंदुस्तानियों को साथ होना चाहिए।

**रवि शंकर,  
कैट-I, के० कर्म० बरकाकाना**

### अंधेरो में ज्योति

भ्रष्टाचार मिटाएँगे, नया भारत बनाएँगे।  
चाहे कुछ भी त्याग करना पड़े  
चाहे बार बार मरना पड़े  
भूख दुख का सामना हो –  
फिर भी यही कामना हो  
भ्रष्टाचार मिटाएँगे, नया भारत बनाएँगे।

नहीं सहेंगे गंदी सियासत को  
मिलकर करेंगे हर एक ईबादत को  
भस्म कर देंगे जला कर रावण को  
खुशिया देंगे हर एक घर आँगन को  
भ्रष्टाचार मिटाएँगे, नया भारत बनाएँगे।

जहाँ कहीं भी होगी बुराई  
मिलकर करेंगे वहा चढ़ाई  
बस एक सबक रखेगे याद  
हम है आपस में भाई भाई  
भ्रष्टाचार मिटाएँगे, नया भारत बनाएँगे।

मंदिर मस्जिद दिल में रख  
प्रेम का प्याला मिलकर चख  
भारत बनेगा जब ही महान  
हम बन जय गर इंसान  
भ्रष्टाचार मिटाएँगे, नया भारत बनाएँगे।

अनवर की है यही दुआ  
कोई न रहे हमसे खफ़ा  
बाइबल गुरुग्रंथ एक समान  
मिलकर पढ़ें गीता कुरान  
भ्रष्टाचार मिटाएँगे, नया भारत बनाएँगे।

**एजाज अनवर  
पेंशन विभाग, सीसीएल, राँची**



Hon'ble Coal Minister Shri Piyush Goyal,  
during a visit to Piparwar Area, CCL



Mass Awareness Campaign Against the Ill Effects of Corruption by the Employees of CCL Through Nukkad Natak During VAW 2017



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