

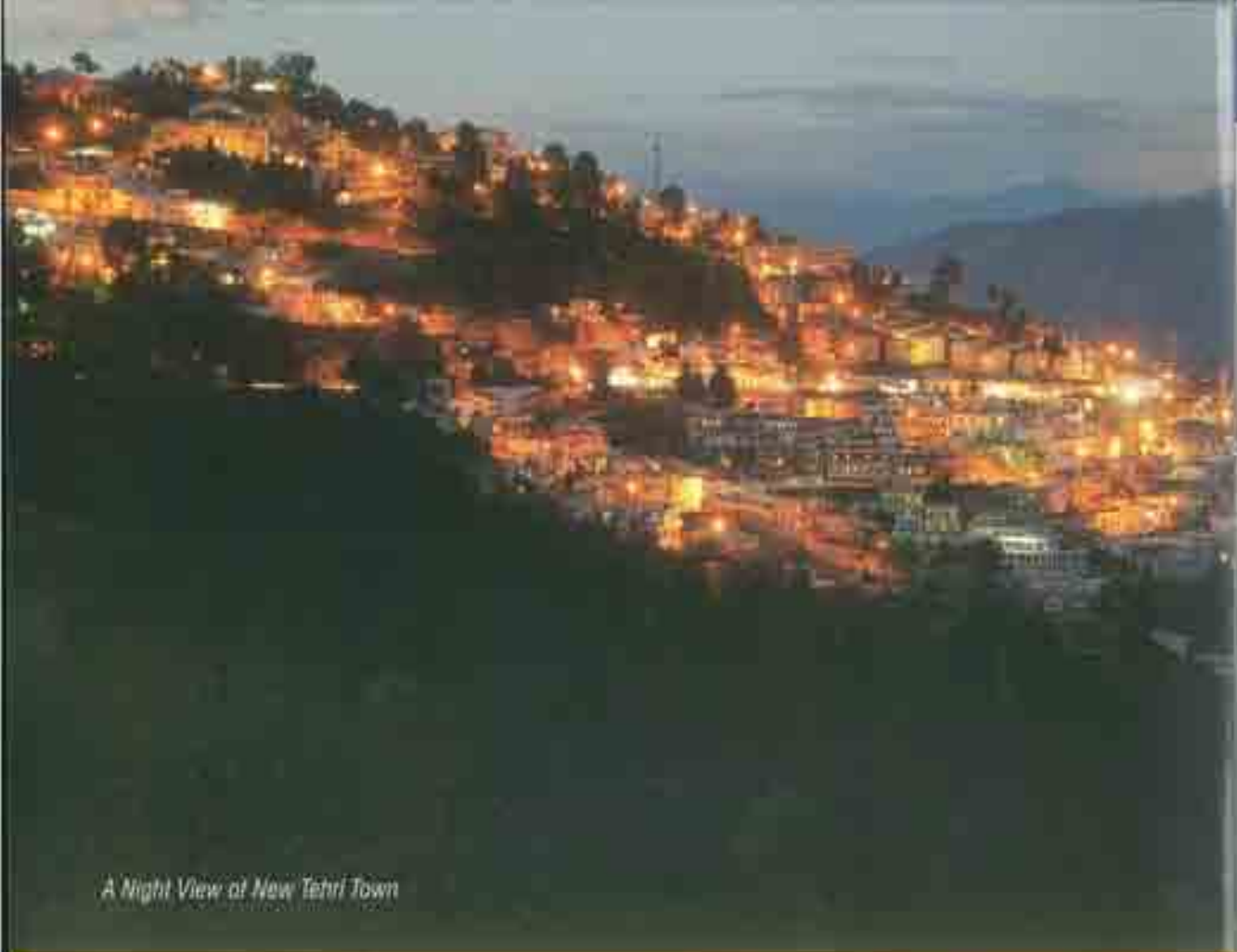
VIGILANCE DEPARTMENT

2018-19

DO's AND DON'Ts & **SYSTEMIC IMPROVEMENTS**



टीएचडीसी इंडिया लिमिटेड
THDC INDIA LIMITED



A Night View of New Tehri Town

VISION

A world class energy entity with commitment to environment and social values.

MISSION

- To plan, develop and operate energy resources efficiently.
- To adopt state of the art technologies.
- To achieve performance excellence by fostering work ethos of learning and innovation.
- To build sustainable value based relationship with stakeholders through mutual trust.
- To undertake rehabilitation and resettlement of project affected persons with human face.



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 29th October to 3rd 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
22nd October, 2018

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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
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Block A, INA, New Delhi 110023

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 75th 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.

(Sharan Kumar)
Vigilance Commissioner

(Dr. T. M. Bhasin)
Vigilance Commissioner

(K.V. Chowdary)
Central Vigilance Commissioner



D.V. SINGH
Chairman & Managing Director
THDC India Limited

FOREWORD

Vigilance Awareness Week is to be observed from 29th October to 03rd November 2018. The Vigilance department is publishing a booklet on Do's and Don'ts & Systemic Improvements. This compilation will serve as useful reference in the smooth execution of works, and will go a long way in improving professional efficiency. Some of the issues raised by Vigilance department for Systemic Improvement for information of all concerned have also been incorporated in the booklet.

This year the theme of the Vigilance Awareness Week is, "Eradicate Corruption- Build a New India". Corruption results in serious social concern. It erodes the rule of law, undermines good governance, hampers economic growth, and impinges upon competitive and fair business conditions. We should strive to eradicate corruption for the country's growth and development. Public participation and awareness is essential for enhancing integrity and eradication corruption from the system.

I congratulate the Vigilance Department for releasing the booklet on the occasion of Vigilance Awareness Week -2018. I am sure that this booklet will be useful for Executives at all levels of the Corporation.

Place: Rishikesh

Dated :


(D.V.Singh)

Chairman & Managing Director



Dr. Sunita Singh
IFS
Chief Vigilance Officer

PREFACE

On the occasion of Vigilance Awareness Week to be observed from 29th October to 3rd November 2018, the Vigilance department is publishing a booklet on Do's and Don'ts & Systemic Improvements. I am sure that this booklet will be very useful tool in bringing more transparency and help in efficient decision making.

The Theme of the Vigilance Awareness Week is, "Eradicate Corruption- Build a New India". Corruption affects the growth of a nation, it is one of the major factor hindering development. Its eradication is necessary for peace, development and progress. Vigilance department has adopted Preventive and Pro-active approach to create incorruptibility amongst the employees. The strategy of preventive vigilance is drawn and implemented to draw an environment of integrity and to add values to the system for increasing transparency and accountability. Vigilance is a habit and a way of life which can enable each one of us in the organization to challenge our thinking, change our behaviour and adopt better practices for affective functioning. The onus lies on each one of us in imbibing the values of honesty, integrity and transparency in our behaviour and demonstrating them in our dealings and interactions.

Cooperation of each and every employee of the Corporation is of immense importance in this regard. Let us all join together and work untiringly for eradication of corruption from all spheres of life.

Date:


Dr. Sunita Singh)

स्वत्व त्याग/ Disclaimer

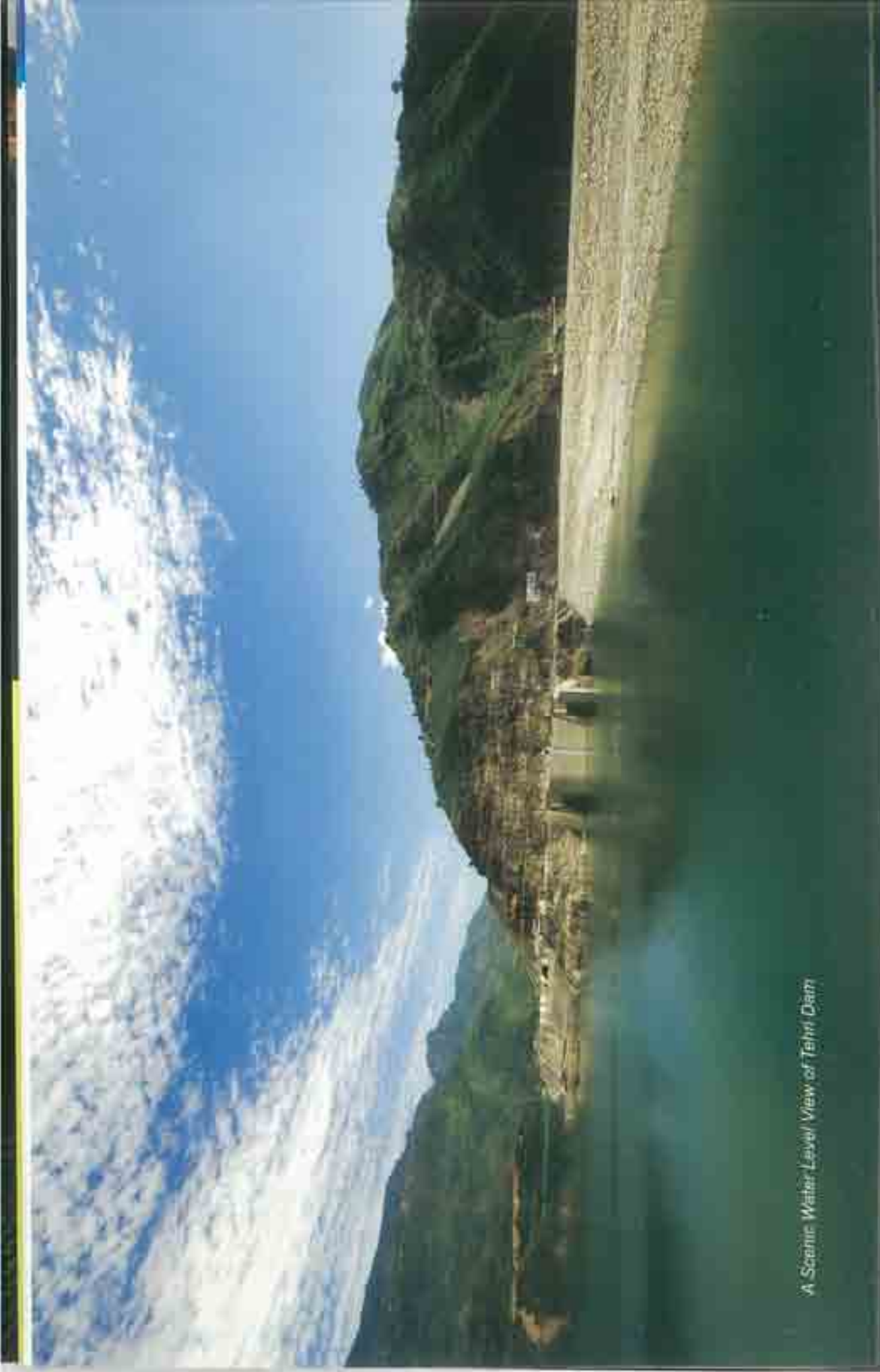
इस बुलेटिन का उद्देश्य पूर्ण रूप से मार्गदर्शन करना है और यह केवल सरकारी उपयोग के लिए है। इसे न तो किसी सरकारी संदर्भ में उपयोग किया जाये और न ही साक्ष्य हेतु न्यायालय में पेश किया जा सकता है। जहाँ कहीं इसका संदर्भ देना आवश्यक हो विषय के मूल क्रम में ही दिया जाये।

This bulletin is purely for the purpose of providing guidelines and is intended for official use only and should not be quoted as authority in any official reference or produced in a Court. A reference, whenever necessary, should always be made to the original orders on the subject.

Any inadvertent mistake may please be excused.

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A Scenic Water Level View of Tehran Dam

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Do's & Don'ts for General Conduct

CHAPTER - I

Do's & Don'ts for General Conduct



DO's

1. Do always remember that you are public servants, duly compensated for your services through salaries, allowances, perks, etc., out of the 'public exchequer'. As such, you are covered under the definition of 'public servants' as incorporated under the Prevention of Corruption Act, 1988 and also under the Indian Penal Code, 1860.
2. Do always keep in mind that as public servants, you are to do 'public duties' and enhance public well-being only and not private duties to benefit certain private people, with vested interests.
3. Do always appreciate that public servants are answerable for any suspected malafide actions on their part. As such, try to distinguish between 'Malafide' and 'Bonafide' actions or decisions. 'Bonafide' is, what is done in good faith, i.e. done with due care and attention. 'Malafide' is its exact opposite.
4. Do try to understand the implications of the words -Conduct, Misconduct & Criminal Misconduct. Briefly, 'Conduct' means the general & uniform behaviour that is expected of a public servant by the employer organisation. Certain types of behaviour are explicitly shown as misconduct- which may be in the form of omissions as well as commissions. 'Misconduct' attracts departmental actions against the public servants, charged with it. 'Criminal misconduct' means the misconduct as has been defined in Section 13 of the Prevention of Corruption Act, 1988 which also amounts to an 'offence' under the Indian Penal Code and a public servant charged with criminal misconduct is proceeded criminally, in the competent court of Law, some examples are- demanding or accepting bribe by public servants, show of undue favour causing 'wrongful loss' to the organisation and/or wrongful gain to the individual (s)/ agency (s); joining in criminal conspiracy with colleagues/ subordinates and others to cause undue favour as aforesaid, forging of documents / reports; possession of assets/properties in cash or kind or both disproportionate to the known, legal sources of income etc. etc.
5. Do spread the message that corruption and malpractices by public servants directly or indirectly cost the country heavily as those are discriminative in nature, and as such, are violative of Article 14 of the Constitution of India, which provides for "Equality before Law" and "Equal Protection of Law".
6. Do try your best to combat corrupt practices & wilful violation of the laid down Rules, Procedures & Systems by your subordinates & colleagues as 'Good Citizens' of the Largest democracy.
7. Do a periodical self-assessment or self-analysis of yourself as a public servant, a good citizen and a vigilant professional and also about what others think and talk of you.

8. Do understand that 'liberalization of the Economy does not imply liberalisation of corruption'. Liberalization and corruption often go together, as amply demonstrated in advanced as well as third world countries. To ensure speedy decision-making in the new environment, make specific suggestions for liberalization of cumbersome Rules & Procedures and then function within those, not outside.
9. Do always remember that you are an employee of T.H.D.C. India Ltd. and that whatever you do, or have to do, you will do to keep not only the T.H.D.C. India Ltd. flag flying high, but to take it to further commanding heights.
10. Do always keep in mind the THDCIL's Vision, Mission & the Objectives. To be world leader and to remain as such, each and every employee of the organisation has to contribute his/ her might through highest standards of integrity, dedication, commitment, competence and impartiality in a free, fair, fearless & dispassionate manner.
11. Do create a vigilance friendly environment in the organisation, through your own positive, transparent, fair & timely actions.
12. Be cost-conscious, cost-effective and plug all pilferage, wastes and leakages, to be really competitive. Initially, such actions may irritate, but in the long run these repay in handsome manner.
13. Take prompt and firm actions to bring the corrupt to book. This will enhance the moral health of the organisation, give extra impetus to the honest and keep the corrupt few under constant pressure. Those on the fence will jump over to your side.
14. Remember always that you are managers and as managers, your duties are to manage men, money, materials, machines and methods in an economic, efficient, effective, excellent and equitable manner.
15. One's actions and decisions in official matters and dealings should be such, as a person of ordinary prudence would usually take in one's own personal, business affairs.
16. Keep your image both in public and in the organisation as that of an honest, just, reasonable, fair and friendly public servant.
17. Observe normal courtesies in dealings with the public, subordinates and colleagues.
18. Always take prompt action to redress the complaints or grievances of the people, wherever possible. If you have to say 'no' to somebody, say the same very politely, but firmly.
19. Every executive having supervisory functions is a vigilance officer in respect of persons under his/ her charge and the Company's Conduct Rules enjoin upon him/ her to take all possible steps to ensure the integrity and devotion to duty of the employees under his/ her control and authority.
20. Do acquaint yourself with the basic Laws of the Land, respect the laws and observe them, both in letter and spirit. Remember that ignorance of law cannot be an excuse.
21. Infringement or violation of any law could result in departmental action, apart from other proceedings under the law violated e.g. laws relating to prohibition, bigamous marriages, taking or giving dowry, drugs addiction, giving or taking of bribes etc.

22. Please verify whether any rules, regulations, policies, guidelines, procedures, practices and functions exist in the organisation about the modalities in which the works of your unit are to be carried out. Some instructions issued from time to time might have become defunct or redundant. It would be advantageous to consolidate them and update so that clear and unambiguous guidelines are available for following the correct path.
23. If there are no written instructions or procedural guidelines about various types of work/ functions to be performed in your unit and the same are being carried out as per certain practices, it would be desirable to make a humble beginning to streamline those through written procedures. It would definitely help the new entrants to your unit to perform his/ her duties properly. This will also help in sharing of accountability on individual decisions. Remember, you cannot escape the accountability tomorrow, by evading it today.
24. The schedule of Delegation of Powers (DoP) confers considerable discretion on the executives, at various levels and the company expects the executives to use the discretionary powers judiciously. Proper caution should be taken in the exercise of discretionary powers and as far as practicable, reasonings for the use of discretion in a particular case, in a particular manner should be recorded. Vigilance would not question the use of such discretionary powers, unless there is clear evidence of abuse or misuse of such powers in a malafide way.
25. In respect of powers vested in you under the DoP, a committee may be constituted to evaluate, negotiate, purchase etc. Such committee is to assist you in taking a proper decision; appointment of a committee does not amount to abdication of one's responsibility as the Competent Authority. Whereas each member of such a committee is jointly and severally responsible for its recommendations, the responsibility for final decision rests on you.
26. It might not be always possible to keep detailed records of all actions and even some deviations from the laid down procedures might have to be made occasionally, due to sudden, emergent requirements. Whenever you are departing from the existing instructions or taking recourse to emergency measures or situations, kindly record as soon as possible, the nature of emergency and the reasons for deviations logically and systematically. If you are not the competent authority, bring your record notes to immediate notice of the Competent Authority for information and approval on ex-post-facto basis.
27. Please make surprise and periodical visits to sites, to check works in progress, stores, etc. On the spot recording of inconsistencies, if any, and also prevents inferior quality in works/supplies, other irregularities and pilferage. Element of "surprise" is as essential as advance planning of visits on periodical basis.
28. Make it a habit to record the minutes of a meeting at the earliest possible, not later than 48 hours of the conduct of such meetings and the minutes should be circulated to all concerned positively within a week of holding such meetings. Delay in writing minutes of the negotiating committee, purchase committee, tender committee, recruitment/promotion committee etc, tends to give scope for suspicion that some manipulations might be taking place. Wherever practicable, the minutes of such committee meetings should be recorded immediately, at the conclusion of

- the meeting and signed by all the members, so that in case there is any point of ambiguity, the same could be clarified by the concerned members at the time of signing.
29. Always date your initials or signatures fully. It might save you sometimes, from some possible future embarrassments.
 30. The Conduct, Discipline and Appeal Rules are the generally uniform guidelines and are not only for keeping the management informed about the personal acquisitions, disposals etc., of the employees; but are also meant for their protection against allegations made by unscrupulous persons. The disclosures made or permission obtained at appropriate time, as required under the Conduct Rules, would provide you protection against unnecessary allegations at a later date. Even if you have taken advance for the purchase of car, house etc., from the company, this does not dispense with the requirement of permission or intimation under the Conduct Rules.
 31. Follow scrupulously the Conduct, Discipline and Appeal Rules/ Standing Orders as laid down for the employees.
 32. Every employee is required to maintain absolute integrity, at all times, under the Conduct Rules. A man of integrity will never listen to any plea against conscience and is always accepted, believed trusted and befriended by all.
 33. Deposits with the banks, Life Insurance Corporation, or a firm of standing, doing normal banking business do not require any prior sanction or intimation under the Conduct Rules, except where specifically called for. All employees should intimate transaction of all movable property worth two (02) months Basic Pay & above to the concerned Personnel Deptt.
 34. Every executive is required to submit a statement of his Immovable and Movable Property on his first appointment. Please make sure that your statement has reached the Competent Authority and you have obtained the acknowledgment for the same and keep this acknowledgment safely and securely with you. Please remember that possession of assets disproportionate to your known/legal sources of income is an offence and your Property Return is going to help you tremendously, if you are faced with any wild allegations of corruption.
 35. Please submit the Return of Immovable Property, as on 31st December, by 31st January of the subsequent year, notwithstanding the fact that the return may be a 'Nil' one i.e. there was no acquisition of immovable properties during the period under report.
 36. Keep a good conscience and stick to it. It is a constant friend and will never let you down. Hence decide on what you think is right and stick to it. Please record your reasonings for a particular advice or decision in the file as logically and as clearly as possible.
 37. Think well before acting but when the time of action comes, stop thinking and start acting, for action is the expression of your thoughts.
 38. Behaviour is an important tool of success; so, behave cogently, gently, amply, kindly, friendly, cheerfully and boldly. Behave with others the way you expect others to behave with you.

39. Encourage your subordinates to do their best. The inner most expectation of every human being is the "craving to be appreciated". If you want to effect change, and change fast, encouragement is the best tool.
40. Sometimes, you may commit errors. But if you do so, please admit the same gracefully, instead of trying to pass on the responsibility to others. The greatest error one could make in life is to be in fear of committing error.
41. Wherever son, daughter or any member of your family or any other close relative accepts an employment with any private firm with which you have official dealings or with any firm having official dealing with the Company, apply for the previous sanction of the Competent Authority. Where the acceptance of the employment cannot await the prior permission of the Competent Authority, the employment may be accepted provisionally, subject to the permission of the Competent Authority.
42. If you or any of your relatives is interested in any case or in a contract or in any other matter connected: directly or indirectly with your official duties, refer such matter or contract to your official superior, without any noting from you on the subject.
43. Always obtain the previous sanction of the Competent Authority before you own wholly or in part; any newspaper or periodical or conduct or participate in the editing, publication or management of any newspaper or periodical.
44. Always obtain the previous sanction of the Competent Authority before you participate in a radio broadcast or contribute any article or write any letter, either in your own name or anonymously, pseudonymously or in the name of any other person to any newspaper or periodical, unless you are satisfied that such a contribution is of a purely literary, artistic or scientific in nature.
45. Do indicate to the Management, if any member of your family is engaged in a trade or business or owns or manages an insurance agency or commission agency.
46. You can accept the full amount of fee for any work done by you, with the prior permission of the competent authority provided, it is for one time assignment performed.
47. Remember, each one of you as a public servant is expected to act honestly and faithfully, at all times.
48. Always demonstrate a sense of fair play and impartiality in disposing of cases; it is paying.
49. Avoid seeking and receiving cash donations and advertisements from the Corporation's Contractors/suppliers etc. even for a good cause lest it should place you under obligations.
50. Dispose of cases promptly and without undue haste.
51. Do intensive monitoring of delays and disposal of files of your department, it helps curbing corruption.
52. Give job rotation to those who are on sensitive desks/positions atleast once in 5 years, lest vested interests should grow.
53. Pay personal and particular attention to compliance of Rules and Procedures; it is an effective method of preventive vigilance.

54. Keep on assessing the strength and weaknesses of the 'Internal Control Mechanism' this is the surest way to reduce malpractices.
55. Publicise the Rules and Procedures as widely as possible, in simple words and make them less cumbersome; it dispenses with the necessity for 'speed money'.
56. Pay surprise and frequent visits to the places visited by the public; it will give you a good feed back of the happenings.
57. Remember always that corruption starts in a small way; it would thus be wise to 'press the brake' in the initial stage itself.
58. Follow scrupulously all laid down procedures; this will go a long way in eliminating malpractices. In case any deviation is considered necessary in Corporation's interest, get the approval of Competent Authority.
59. Keep a quiet watch over the style of living, types of visitors etc. of the employees posted on sensitive desks/areas/posts; it will help detection of corruption at early stages.
60. Prepare a short check list of all essential procedures and before giving sanctions, ensure that all Procedures have been followed by referring to the check list; this small step will save you a lot of subsequent botheration.
61. Remember always that vigilance is the function of all employees having supervisory responsibility; not of Vigilance Department alone; as Vigilance is primarily a Management Function.
62. Consider Vigilance man as your friend, philosopher & guide and extend him your whole-hearted cooperation.
63. Remember, problems start where vigilance ends.



DON'Ts

1. Don't be arbitrary and illogical in your decisions. The decisions should be justifiable on all counts.
2. Never delay the decisions and/ or movement of files. Delay creates doubt and breeds corruption. Even innocent delays create suspicion in the minds of the people. Please remember that the percentage of mistakes in quick decisions is no greater than in long drawn ones.
3. Don't mix with the contractors and suppliers having dealings with you or your Company and also do not accept lavish hospitality, except to the extent it is necessary for the business of the company. Having regular club associations and social parties with such contractors and businessmen creates suspicions in the minds of public, your colleagues and subordinates, about your integrity; and could result in avoidable complaints.
4. If the case of any person or firm comes up, in which you do have direct or indirect interest, do not hesitate to put up the case to your higher authority pointing out what interest you have with the person or the firm.
5. Do not mix up your personal and official business as far as possible. If it is unavoidable, particularly while on tour, you can take casual leave and do not claim Daily Allowance.
6. Never delay submission of your T.A. Bills. These should be submitted carefully and any excuse that wrong Daily Allowance has been claimed, as that bill prepared by the Private Secretary, is not acceptable.
7. Never sign the minutes or any other documents backdated. This may or may not achieve the desired objective, but can certainly land you in difficulties during interrogation, in the event of a vigilance case later.
8. Avoid dealing with firms which do not give full and complete address or detailed particulars. Do go into antecedents of such firms wherever required. Do verify bonafides of the firms which furnish addresses like C/o Post Box No....."
9. Please Avoid giving any statements to the Press, unless you are authorised to do so. If you have something to convey to the Press, use the good offices of the Corporate Communications/ PR Department.
10. Do not fail to be fully conversant with the powers delegated to you under Delegation of Powers. Do not unjustifiably put up proposals to higher authorities if the case can be disposed of at your level, under the delegation.
11. Do not, be negligent or lack in devotion to duty any time. Barring bonafide mistakes or errors of judgment, if any employee exhibits lack of devotion to duty or negligence, he/ she attracts provisions of Conduct Rules.
12. Do not forget to conduct yourself in a manner which enhances the image of the company. This covers not only your actions in your official capacity and position,

but also your private life and dealings. For example, if you are found in an inebriated state in a public place, you are liable to be proceeded against for serious breach of Conduct Rules.

13. Do not engage or participate in any demonstration involving incitement to an offence.
14. You are prohibited from engaging directly or indirectly in any trade or business or undertaking any other employment, part time or whole time, without the previous sanction of the Competent Authority.
15. An executive should avoid monetary transactions either directly or through members of his / her family, which places him/ them under pecuniary obligation to any person with whom he/ she has or is likely to have official dealings.
16. Do not give evidence in connection with any enquiry other than judicial or departmental enquiry or enquiry before an authority appointed by Government, Parliament, or State Legislature, without previous permission of Competent Authority, and where permitted to give evidence, do not criticise policy or action of the Government or the Company.
17. Do not communicate information to anybody unauthorisedly, either during service or after leaving service. Do not own, edit or publish any newspaper or periodical without previous sanction of Competent Authority.
18. Do not take part in the registration, promotion or management of any society, bank or any other company which is required to be registered under the Companies Act or any other Act, or a cooperative society, for commercial purpose subject to exceptions, if any, provided in the Conduct Rules.
19. Do not be brash in telling 'no' to anybody for any undue request made by him/ her. Try to learn the art of saying 'no' politely, but firmly. A soft answer always turns away the wrath.
20. Never use your position or influence directly or indirectly to secure employment for any person related to you, whether by blood or marriage, or to your wife or husband, irrespective of whether such a person is dependent on you or not.
21. Always desist from dealing with any matter or sanction of any contract to any Company or to any person if any member of your family or any of your relatives is employed in that Company or under that person.
22. Do not fail to report to your Controlling/Competent Authority when you apply to be declared; or is adjudged, or declared insolvent by any court of jurisdiction.
23. Do not live beyond your means; it may be tempting, but dangerous.
24. Do not make any attempt to flout or circumvent or short-circuit the Rules or Regulations, to suit vested interests; it may cost you heavily in the long run.
25. Do not take any obligation in any form, from anyone; it may boomerang.
26. Do not lean too heavily on your superiors as also subordinates; it may prove costly.
27. Do not allow your family members to use your name for personal gains; it can ruin your reputation. Do not fail to remember reputation once gone is not retrievable.

28. Do not use your influence for securing any advantage for yourself or anyone related or known to you; it does not speak well of you.
29. Don't exceed your powers -financial and administrative, except in an emergency; it is irregular and gives rise to suspicion.
30. Avoid getting influenced by personal likes and dislikes, whims and prejudices while disposing of the files or cases.
31. Do not relax while you are on supervision duties; this may bring trouble for you and your Company.
32. Avoid misuse of the Corporation's property i.e. subletting of allotted houses, misuse of vehicles, telephones etc.
33. Do not take part in political activities, such as, (a) being an office bearer of a political party or an organization which takes part in politics; (b) to take part or assist, in any manner in any movement/agitation or demonstration of political nature (c) to take part in an election to any legislature or local authority; and (d) to canvas in any manner in any election to legislature or local authority.
33. Do not make any unauthorized communication directly or indirectly or part with any information to any other employee or person to whom you are not authorized to communicate or to part with such information, or which may be detrimental to the interests of the Company.
34. Do not accept or permit any member of your family or even a person acting on your behalf to accept any gift which includes free transport, boarding, lodging or other services or any other pecuniary advantage from a person other than a near relative or personal friend having no official dealings with the employee. Even in permitted situations, do not accept any gift in cash or kind, of more than the specified value.
35. Do not demand directly or indirectly from the parents or guardian of a bride as the case may be any dowry, either in cash or in kind or both.
36. Avoid habitual indebtedness.

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**Do's and Don'ts for Pre-award
activities in item rate packages
(Civil, Structural, Horticulture, etc.)**

CHAPTER - II

Do's and Don'ts for Pre-award activities in item rate packages (Civil, Structural, Horticulture, etc.).



DO's

1. Prepare estimates from drawings/sketches duly supported by calculations.
2. Take rates either from standard schedule (say DSR, CPWD, UKPWD, or UKID etc.) or analyse on the basis of market rates for preparation of estimates.
3. Consider adequate premium as per market conditions if old schedule of rates are considered.
4. Incorporate relevant and adequate specifications. Specifications/nomenclatures should be made in accordance with locally available material.
5. Mention various conditions of contract, such as, general conditions, technical specifications, special conditions etc. clearly, in as much details as possible.
6. Mention all Commercial Clauses including taxes, duties of all types, in detail.
7. Mention relevant IS Code references for the bid.
8. Obtain administrative approvals from Competent Authorities on the proposal containing detailed estimate which has been duly concurred by Finance.
9. Adopt suitable mode of tendering (open, limited or single) depending upon value, urgency and nature of the work and obtain prior approval for call of tenders from Competent Authority.
10. Follow limited or single tendering procedure in case of relatively urgent and smaller value of work, as per laid down guidelines of the company.
11. Record reasons for adopting single or limited tendering procedure.
12. The Procurement of Goods and Services through Gem will be mandatory for Goods and Services available on Gem.
13. For purchase, if any outside Gem, relevant THDCIL's " Policies and Procedures for Procurement of Goods and Works & Service" shall apply.
14. (a) Float press advertisements for open tenders as per Procurement Policy of THDCIL in local & national news papers of repute.
(b) As far as possible try to follow two bid system.
13. It is mandatory to publish all tender enquiries, corrigenda and details of bid awards on CPP Portal using e-publishing module.

14. Mention qualifying requirements clearly in the NIT.
15. Mention Sale period of tender documents clearly and provide sufficient sale period in the NIT (as per policy).
16. Mention date and time of submission of tender and tender opening clearly in the NIT.
17. Extend sale period, if adequate response is not received. Give adequate publicity to such extension.
18. Open the tender in CPP Portal in presence of authorised tender committee members from Contracts, Finance & Execution or as the case may be.
19. Open bids in presence of authorised representatives of bidders only.
20. Read out rates/conditions mentioned in bids that have financial implications.
21. Encircle each rate and put initials thereon.
22. Mention cuttings/over writings wherever they occur and also mention total no. of such corrections, at the bottom of each page, so as to avoid subsequent tampering. Any insertion or addition, if noticed, should also be initiated and dated at the time of opening bids.
24. Consider rates quoted in words when there is a discrepancy between rates quoted in figures and words.
25. Mention clearly all the technical/commercial conditions in the comparative statements (TC to check).
26. Effect suitable loading against conditions having financial implications (TC to check).
27. Ensure reasonability of rates/price by analysing and comparing the major items with market rates. (This exercise should be done by the Tender Committee).
28. Identify abnormally high and low-rated items. TC should identify and restrict/regulate such quantities for execution.
29. All the tenders, Open or Limited should be published and updated regularly on the web site of the THDC. The website should be in operation at all the time.
30. All the tender documents, whatever may be the volume should be available on the website so that parties can download these documents. It should be ensured that the parties making use of the facility from website should not be asked again to obtain some other documents from the THDC manually for the purpose of participating in the tenders. All the updated document should remain available on the web site and should be declared as legally valid for all purposes. If the Organisation fixes the price for the application form being downloaded from the web site, the bidding party can be asked to pay the price separately.



DON'Ts

1. Don't make vague estimates without adequate details. The vague and wrongly prepared estimates may lead to huge quantity deviations, creation of extra/substituted items. This may further give rise to doubts, show of favour and eventually may lead to increase in the overall project cost.
2. Don't take rates of previously awarded works for preparation of estimates.
3. Don't mention conflicting or erroneous conditions, technical specifications etc. in the bid document, as these lead to contractual complications, disputes, allegation of show of favours etc. subsequently.
4. Don't include such items or scope of work which are not needed in the work.
5. Don't resort to single or limited tender in normal circumstances, for, a single tender action without any urgency, shall amount to extending favour.
6. Don't keep the QR (Qualifying Requirement) conditions vague since vagueness may encourage incompetent parties.
7. Don't accept bids without earnest money. Don't entertain any unauthorised person during bid opening.
8. Don't process tendering action on single response against open tendering as a normal course or except in very specific unavoidable circumstances, and without keeping due record of such circumstances.
9. Don't issue limited tender papers to incompetent and non-enlisted agencies.
10. Don't bypass the lowest bidder on flimsy grounds.
11. 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). Such exceptional situations would include, procurement of proprietary items or in the case of items with limited source of supply.
12. Negotiations can be recommended in exceptional circumstances only after due application of mind and recording valid, logical reasons justifying negotiations. In case of inability to obtain the desired results by way of reduction in rates and negotiations prove infructuous satisfactory explanations required to be recorded by the tender committee who recommended the negotiations. The Tender committee shall be responsible for lack of application of mind in case its negotiations have only unnecessarily delayed the award of the work/contract.
13. Don't propose for award with unacceptable conditions offered by the bidder. Those should be withdrawn first.
14. Don't exceed the validity periods of offers during processing of tender. These should be invariably got extended before processing and expiry.
20. Don't fail to return the EMDs of unsuccessful bidders, once a contract is awarded at the earliest.
21. Don't include different works under one package, even sufficient quantities of items are available.
22. Don't sub-divide/ split a bigger work into smaller works just to bring it within the powers of a particular level/authority.
23. Don't resort to sub-division/splitting of an original package among several bidders, even though the higher bidders agree to work at the rate of the lowest bidder, except in specific unavoidable situations to be recorded.

**Do's and Don'ts for Post -award
activities in Civil, Structural,
Horticulture or any other
Item-rate Packages.**

CHAPTER - III

Do's and Don'ts for Post -award activities in Civil, Structural, Horticulture or any other Item-rate Packages



DO's

1. Read the conditions of contract carefully.
2. Study the drawings carefully and ensure execution of works as per drawings.
3. Plan and indent for owner issue material in advance (section wise for structural steel).
4. Follow the provisions already mentioned in the GCC in case discrepancy is noticed in the schedule of quantities, the specifications and/ or drawings.
5. Ensure timely release of fronts to contractors.
6. Ensure timely release of drawings from the concerned departments. Constant follow-up should be made with the concerned department.
7. Prepare drawings/ details as per site conditions. The design / Engineering Department should be aware of the site conditions.
8. Collect adequate technical data from the mechanical/ electrical suppliers regarding loading, so as to avoid frequent changes in the drawing, which not only leads to deviation, but leads to delay also.
9. Seek prior or concurrent approval of competent authority in case any deviation/ substitution/ occurrence of extra works/ variations are foreseen or noticed.
10. Ensure proper quality tests of materials, as per quality plan and specification.
11. Ensure quality of other materials/ work also, which are not mentioned in the quality plan. This can be achieved by getting samples tested as per the relevant IS code or test checks done as per nomenclature or technical specification.
12. Ensure cement and steel reconciliation, in every measured bill; Whether issued by department or procured by contractor.
13. Effect price adjustment, if any, promptly, for substandard but, otherwise acceptable material/work provided or done by the contractor.
14. Maintain a site order book to record daily instructions. This proves helpful for effective and smooth execution.
15. Maintain Hindrance Register for recording hindrances affecting the progress of work.

16. Exercise random and surprise checks of quality of work (for senior site officials).
17. Ensure adequate use of costly material under contractor's scope. This is possible if separate Consumption Register is maintained by the department.
18. Ensure proper quality of costly material under contractor's scope, such as, synthetic enamel paint, water proofing cement paint, aldrin, sanitary fittings, wood, marble, granite, vineratex etc. because the possibilities of compromising on quality cannot be ruled out.
19. Mention retentions in the MBs due to substandard work, by giving details and amounts thereof. It should not be vague.
20. Analyse extra/substituted items, strictly as per the provisions of contract.
21. Be watchful on the quantities of higher rated items. Mention locations of execution work in the MB clearly, especially for road work, horticulture work etc. which are stretched over a larger area. Such identification of location will eliminate all possibilities of overlapping of areas.
22. Ensure implementation of conditions such as deployment of specialists, experts, engineers, etc. strictly as per contract.
23. Ensure proper classification of rocks and soils during execution. This should be done at senior level.
24. Maintain account of usable rocks.
25. Ensure removal of substandard material from site. To implement this, joint record should be maintained by the executing Department and the QC Deptt.
26. Maintain record of dismantled serviceable material.
27. Avoid the practice of issuing material beyond the scope of contract.
28. For plant package, execute the work according to handing over schedule of fronts to structural/mechanical/electrical erection departments.
29. Contractors letters seeking claims must be replied promptly by Engineer-in-charge or his immediate subordinate.

HORTICULTURE WORK

30. Since without proper landscape plan, haphazard plantation is bound to take place, prepare landscape for horticulture works.
31. Mention various names or species of trees to be planted, alongwith their respective nos, in tender documents.
32. Maintain proper record of area wise plantation, indicating varieties of trees, location etc.
33. Effect deductions for trees, shrubs, flower-beds etc. that are planted inside a lawn area against payment for making lawn.
34. Maintain uniform rates of items for different horticulture packages being awarded at the same time in a project.
35. While considering DSR items, the complete nomenclature provided in the DSR should be mentioned.

36. Effect proper deductions say, 8% and 20 % for farmyard manure and good earth, respectively.
37. Ensure proper protection of afforestation. Trees or plants should be protected from being felled or destroyed by cattle.
38. Mention quantities of materials, such as bone meal, murate and other manure/ fertilizers clearly, in the contract.
39. Ensure proper selection of plants, depending upon the soil and climatic conditions of the site.
40. Ensure strict supervision, especially in respect of digging of pits, providing manure in the pits, quality of tree-guard, maintaining distances between plants, mobilisation of listed tools and tackles, maintenance of records of plant mortality etc.



DON'Ts

1. Don't resort to modification of payments terms or any modification having financial implication, unless it is a last resort to enable the work being carried out. This should not provide any undue benefit to the contractor.
2. Don't increase the quantities of higher rated items, unless such increase is very much warranted, on technical considerations.
3. Don't decrease/delete or substitute the quantities of the lower rated items, unless specific field conditions warrant this.
4. Don't grant time extension, without valid reasons based on Hindrance Register.
5. Don't make payment for secured advance for excess quantities.
6. Don't execute totally new and different works, under a particular package, even though, quantities are available in the package.
7. Don't grant advance payments beyond the scope of contract.
8. Don't issue owner's material beyond projected requirement.
9. Don't pay more than 75% of the estimated cost for quantity variations and extra items pending administrative approval.
10. Don't change the specifications or technical specifications at your level. Any modification having financial implication has to be carried out judiciously after obtaining approval of competent authority, in consultation with head of the project finance. This should be done, only as a last resort, to enable work being carried out.
11. Don't delay in checking and passing contractor's bills.
12. Don't delay in giving decisions, because, delay in decision shall ultimately lead to delay in progress and other contractual complications, besides creating suspicions of all kinds.
13. Don't delay in settling rates for extra/substituted items.
14. Don't delay in identifying substandard works and directing the contractor to rectify the same at the agency's risk and cost.
15. Don't overlook stipulated deductions, such as deduction against accommodation, electricity, hiring charges of company equipments, store, sheds etc.
16. Don't fail to get the bank guarantee extended, if the purpose for which it was furnished by the contractor, is not fulfilled till the date of its expiry.

HORTICULTURE WORK

17. Don't ignore or condone penalty clause for non-deployment of equipment as per contract, such as water tanker, tractor with trolley etc.
18. Don't keep different provisions of man-power requirement etc. for similar type of horticulture contracts being undertaken in the plant or township at the same time.

19. Don't process for tendering action of horticulture works on single tender basis by projecting the urgency due to ensuing monsoon. Such works could always be planned in advance and competitive rates ensured by call of tenders.
20. Don't divide an otherwise big work into smaller work packages just to bring it within the powers of a particular authority.
21. Avoid cutting/overwriting in labour attendance Register/Mustroll.

**Do's & Don'ts for
Execution stages of
Supply-cum-Erection Contracts**

CHAPTER - IV

Do's & Don'ts for Execution stages of Supply-cum-Erection Contracts



DO's

1. Do read the letter of award alongwith all its enclosures religiously.
2. Do make note of salient features in your field diary about release of advances, payment terms, facilities to be extended by the owner and facilities to be arranged by the contractor thoroughly.
3. Do report any mismatch between technical specification and the drawings released for construction, to appropriate authority/concerned deptt. for timely action.
4. Do check the bank guarantees submitted by vendors for their completeness.
5. Do release advances on the basis of valid and current bank guarantees and ensure recovery as per agreed norms in the contract.
6. Do release advances against machinery/equipment after ensuring their worthiness in service, the screening of dispatch documents, ownership title etc. The various dispatch documents should be cross checked for any inconsistency.
7. Do release secured advance against consumables after ensuring the shelf life of the items under question.
8. Do release mobilisation advances after ensuring the release of payment against valid and current Bank Guarantee and the deployment of material, manpower and equipment.
9. Do ensure stipulated recoveries from each bill being paid to the contractor as per the agreed conditions.
10. Do obtain approval of Competent Authority, in case of urgencies arising out of cash flow problems on the part of the contractor, for payment of wages, before releasing the adhoc advances. Do effect recoveries in the next bill.
11. Do check for the quantities claimed by the contractor in the unmeasured bills and measured bills for actual quantity executed, on regular basis.
12. Do release adhoc payments with utmost caution without jumping/diluting the authority competent to do so.
13. Do read the Field quality plan thoroughly for customer hold points and clearance norms. Ensure conductance of all the tests, as per norms of the agreed FQP.

14. Do ensure that waiver of inspection has been done by the Competent Authority who had approved the plan.
15. Do maintain the records as per Q.C. properly, indicating the date of tests, the results achieved and the operation covered. Also record the tests though stipulated but not conducted, indicating reasons thereof.

As an example :-

If hydro test is agreed for section wise during erection, it has to be conducted in the same spirit and not postponed for the check of the total network, which runs into kilo meters and becomes unpracticable later.

16. Do maintain record of the Radiography joints for easy identification of the joints radiographed.
17. Do record non-release of joints during erection, the dates and the areas, in the Hindrance Register kept at site in the erection office for assessment of LD/extra claim etc. at later stages.
18. Do issue any item extra to the agreed norms, with the concurrence of proper authority as defined in the DOP/ Works and Procurement/Purchase Policy.
19. In case of hiring of equipments, when equipment hired out to the contractor is outside the terms of the contract, please follow the prevailing norms of the Co./ CWC and take the approval of Competent Authority before hiring out.
20. Make prompt recovery on account of hire charges, from the bills released to the contractor, on regular basis.
21. Make timely reconciliation for the items issued to the contractor.
22. Do issue main items like cement and steel limited to the actual execution/fabrication being carried out. Excess issue has to be kept under strict vigil.
23. Do record the field measurements, duly, in the field book and later on, transfer them as an abstract in the main MB properly.
24. Do maintain the field books from which the readings have been abstracted like an MB.
25. Do ensure Test checks, as per the norms, conducted on the entries of the MB, with specific recording of the quantities checked and the quantities claimed with due initials and complete date.
26. Do ensure approval of extra items of the works, before execution, from the competent authority. In case of exigencies of work, ensure earliest regularisation through post-facto approval, but keep it to the minimum only.
27. Do ensure checking of the executed works at remote area/ inaccessible area/ location of the project which is normally avoided. This is to ensure the erected quantities/ workmanship. At the start of the contract, the items brought by the contractor within the plant premises may be documented and at the time of his exit, after the completion of the contract, be cross checked with the items which he had brought at the time of starting of contract.
28. Do check for additional items while issuing gate pass for such items and move the competent authority for approval.

29. Do ensure compliance to the agreed contract with respect to operation of equipments/machines/plant during erection/ commissioning stage. In the case of deviations, there should be listed protocols prepared duly signed by the vendor and maintained for proper action as per the contract. The terms and conditions of the contract have to be strictly taken note of, while screening the contractor's bill for the release of payments.
30. Do avoid relaxation of agreed tests conditions/results without the sanction of competent authority.
31. Do ensure the actual consumption of owner issued materials and effect recovery in case the materials required by the contractor and issued by the owner, are beyond the scope of the owner.
32. Be fair and frank in the assessment of works/erection of works through proper quality assurance; accurate measurements etc., as per the contract conditions.
33. Do not hesitate to report to higher authority in case of any deviation.
34. Do be fair to the contractor, but, avoid temptations/ favours.
35. Do release timely payments to the contractors for the accepted executed work done by them.
36. Do avoid creation of bottlenecks/ stoppage of work by the agencies, for creation of urgency etc. later on.
37. Do inform the lapses of the vendor, if any, during contract performance, to the Contracts Deptt. for needful reference for the future contracts.



DON'Ts

1. Don't forget to record in your notebook the crucial activities in the performance of the contract which have got financial implications.
2. Don't forget to report the mismatch/contradiction between any of the execution documents to the proper authority in time.
3. Don't release any advance without obtaining proper approval and without ensuring submission of valid and current security i.e., B.G., Indemnity Bond etc. for the same.
4. Don't take into account the release of secured advance against consummables of perishable nature, i. e. electrodes, rubber items, etc., whose shelf life is already exhausted.
5. Don't forget to effect due recoveries from each running bill, being paid to the contractor, without obtaining approval to do so from the Competent Authority; otherwise the recoveries could accumulate to the dis-advantage of the Company.
6. Don't fail to cross- check quantity execution in the measured and unmeasured bills.
7. Don't fail to report and record the tests not conducted though stipulated, to the proper authority.
8. Don't allow the contractor to create conditions of urgency when he resorts to non-performance according to the Schedule.
9. Don't fail to record facts, i.e., any obstruction in the work due to non- release of front, labour problem, non-receipt of material, stoppage of work inspite of material being available, front being available; in the Hindrance Register maintained at the site erection office.
10. Don't fail to report, in time, the recorded observations in the Hindrance Register.
11. Don't encourage the contractor to postpone the works/ tests etc. on flimsy grounds.
12. Don't fail to record any transaction i.e. non-availability of the fronts, non-conductance of a test, non-conductance or postponement of radiography test etc. in the proper format/ proper register and due reporting of the same to Competent Authority, as these have financial implications.
13. Don't encourage issuance of company material to the habitual non-performing contractor.
14. Don't give equipment, T&P, machinery without realising hire charges, if it pertains to the scope of the contractor.
15. Don't delay the recoveries on the above account.
16. Don't issue material to the contractor during the stoppage of work or non-execution.
17. Don't make overwriting, cuttings in the entries of MB.
18. Don't make entries for the items not executed on a particular point of time.

19. Don't fail to test check occasionally and report your findings to the concerned authority.
20. Don't fail to ensure the compliance of mutually agreed works/ tests once they were held up due to any reason and not done at subsequent stage.

**Do's & Don'ts for
Execution of Electrical works at site**

CHAPTER - V

Do's and Don'ts for execution of Electrical Works at site



DO's

1. Do ensure the clarity & completeness in preparing Technical specifications for procuring spare parts of electrical equipments & general consumables.
2. Do ensure that specifications in the indent match with the specifications of the same item, with those of an item of a certain firm/ manufacturer, till it is declared as a PAC item.
3. Do define the job content, while preparing specification of elect, overhauling break-down contract, on the basis of the operations to be carried out rather than in terms of man hours.
4. Do check the attendance of deployed manpower for the annual rate contract where payment norms are based on man power deployment.
5. Do ensure the execution (laying & termination) of armoured cable only where it is specified armoured cable.
6. Do ensure approval of competent authority in case of execution of armoured cables, when unarmoured cables were specified.
7. Do ensure that tags with proper information punched on them are put along the cable, as per specifications. Recommend for recovery & non-acceptance of work to competent authority in case of non-compliance.
8. Do ensure usage of proper size of conduits for the specific cable size and no. of cables.
9. Do ensure properly fastened (clamped) cable conduits, as per specifications.
10. Do ensure the execution of cleating of cables when necessary. Recommend withholding/recovery of payments for non-compliance.
11. Do ensure the smooth movement of cable, in the process of cable laying on sharp corners, by deploying rollers; and avoid release of payment for non-compliance when specified to do so.
12. Ensure performance of high voltage test and satisfactory results on bruised cables due to faulty execution.
13. Do ensure that valid life cable jointing kits be used for cable jointing.
14. Do ensure execution of contract with only specified material & operations.

15. Do accept earthing of electrical equipments from two independent sources.
16. Do ensure that earthing pit has been prepared as per specifications.
17. Do ensure cable trench is provided with concrete slabs and inside provided with angle iron support of proper size and dimensions duly painted with proper, specified paint.
18. Do bring out in the contract documents, the cabling in the scope of contractor, indicating terminal points.
19. Do ensure the cable routing as per schedule. In case of deviation, ensure approval from competent authority well in time. Payment for executing such work should be released on actual basis.
20. Do specify scope of vendor in contract documents regarding the transport of material from the main store to the actual site and return of scrap material to proper yard/ store.
21. Do ensure in the case of cable laying, compliance of execution with the proper length of cable from one point to another point, avoiding joints.
22. Do ensure the approval of competent authority for omitting any defect listed for electrical equipment/system under commissioning.



DON'Ts

1. Don't accept earthing of any electrical equipment, if the dimensions of earthing strip used, are not as per specifications.
2. Don't accept both body earthings looped together, and connected to one earthing source.
3. Don't accept cable trench offered for cabling, unless made of proper depth and different layers of sand, gravel etc. as per specifications.
4. Don't accept cabling work without proper dressing with proper cable dressing material, as per specifications.
5. Don't encourage local cash purchases. Indents should be raised well in advance, so that, spares are available at the time of any requirement.
6. Don't make cash purchases from petty shops, if reputed authorised dealers are offering the same product.
7. Don't accept critical items like motor bearings, in emergency work, while making on-the-spot cash purchase from authorised dealers, unless quality or genuineness is verified/ certified by manufacturer's authorised representative who should put Company's seal and his signature on the sealed packings.
8. Don't decide quantity of a certain item in the indent, unless the available quantity lying in Central Stores and also the quantities in the pipeline through phased deliveries, as per procurement order, are taken into consideration. Further, consumption pattern during the previous period should also be taken into consideration.
9. Don't sign final clearance papers regarding commissioning of a certain electrical equipment/system unless all the defects are attended by the concerned contracting agency to the satisfaction of concerned Engineer In-Charge.
10. Don't accept any equipment of a certain component of any electrical system, which is a substitute as per bill of material, unless Competent Authority has approved it.
11. Don't raise indents on PAC basis, except in cases where only particular make is the requirement and no other make would do so.

**Do's & Don'ts for dealing
with Arbitration matters
relating Contracts**

CHAPTER - VI

Do's & Don'ts for dealing with Arbitration matters relating Contracts

1. Do always keep in mind that a good contractor always reads in between the lines of the contract clauses. As such always ensure that a contract agreement is duly vetted by Company's legal experts.
2. Do remember that every clause of a contract has its meaning. Fulfillment of each contract conditions is binding on both the parties.
3. Be careful that contracts which are interrelated or Turnkey Contracts i.e. where two different contracts are awarded to same party (eg Supply & Erection of Transformers etc.); the contractor tries to complete the supply portion in time but tries to avoid the erection part, as such, we must not give any room for 'non availability of complete site, undue delay in payments or similar type of faulty statements which could later result in untimely completion of the entire work and also one of reason for arbitration.
4. Do reply to all the letters of the contractor particularly in which he has asked to clarify the position. The letters must be signed by the Engineer-in-charge or his authorized Officers only.
5. Do not try to oblige the contractor by giving 'Certificates of 'Partial Completion' because these certificate may rebound.
6. As an Engineer-in-charge of the work, do see that contractor gets its due payments in time.
7. Do not delay in deciding the rates for the extra items. In one of our contracts this delay was more then 8 years and for which company had to pay huge sum as 'Interest' itself.
8. Do have a proper co-ordination amongst Contracts, Execution and Planning & Finance Departments because generally only these departments are responsible for going the contractors for arbitration.
9. Do not hesitate in giving written warnings/notices to contractors for their short comings.
10. Do not allow 100% payment for an incomplete work under the belief that contractor would complete in due course of time.
11. Do not over prolong a contract.
12. Do remember to raise proper counter claims on the contactors towards their unfinished works.
13. Do try to engage only that arbitrator who has time to study & doing justice with our case.

14. Do try to see that Arbitrators are chosen from related fields only because by virtue of his experience he would appreciate the case more effectively.
15. Do not try to oblige the contractor by showing him Company's files and internal notings therein. Surprisingly in one of the cases contractor produced even a copy of Company's IOM and got benefit therefrom.
16. Do remember that once a case is under arbitration, the correspondence with contractor must be under the knowledge of Company's legal department.
17. Do remember to keep minutes of the meeting held with the arbitrators and also with Company's advocates.
18. Do try to review the 'Award' of Arbitrators & do not hesitate in going for an appeal.
19. Do try to overcome the shortcomings in future contracts which have gone in favour of the contractor.
20. Do give due importance to the on going arbitration cases and put up their progress before the Competent Authority from time to time to seek their instructions on the subject, if necessary.

CHAPTER - VII

Systemic Improvements Issued by Vigilance

Sub. - 1

Systemic Improvement in respect of Pre-dispatch Inspection & Issuance of Final Installation & Commissioning Report for any System.

The detailed investigation of an installed & commissioned System was conducted by Vigilance deptt. Following points for Systemic Improvement in respect of Pre-dispatch Inspection & Issuance of Final Installation & Commissioning are suggested by Vigilance deptt.

1. Whenever any equipment/system is imported from any firm, it must be ensured that entire system is procured from the Original Equipment Manufacturer (OEM), for ensuring compatibility of the system. If for some reason or the other, some of the accessories of the equipment/system are to be procured indigenously, then the compatibility of these accessories with the equipment/system must be ensured prior to placement of order. The onus shall be on the OEM to make the system functional/operational. It will be the responsibility of the OEM to rectify faults/problems faced during the Warranty period. Suitable provisions in this regard may be incorporated in the Purchase Order / Agreement conditions.
2. The Pre-dispatch inspection should be strictly carried out in compliance to the technical specifications/Part numbers provided in the Purchase Order. Any deviation from the Purchase Order should not be accepted.
3. It is advised to strictly adhere to the terms & conditions of the Purchase Order. Final Installation & Commissioning Report of any System should not be issued before fulfilling all the terms & conditions of the Purchase Order. Before issuing the Final Installation & Commissioning Report for any System, approval of Competent Authority incorporating all the facts may be taken.

This issues with the approval of the Competent Authority.

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Sub. - 2

Compliance through Systematic Improvements in case of Ayurvedic Treatment

Vigilance Department while conducting investigation in one of the case of THDCIL employee observed certain issues of concern regarding Ayurvedic Treatment being taken from Govt. Ayurvedic Hospital, Rishikesh. The observations are as under:-

1. Most of the prescriptions for Ayurvedic medicines have been written by Pharmacists in place of Doctor, of Govt. Ayurvedic Hospital. Medicine on Prescription slips may be permissible on the consultation of Pharmacists in absence of doctor with a condition that prescribed medicine purchased from chemist is physically verified by doctor after checking manufacturing date, expiry date and batch no. But medicines procured by patient and his dependent were not verified from Doctor of Govt. Ayurvedic Hospital.
2. The medicine prescribed for number of days by the Doctors have been tampered and were made to look like 15 days in place of 5 days. On Physical verification in Govt. Ayurvedic Hospital, doctor conveyed that medicine can be prescribed generally for 3 to 5 days to the patient and maximum 15 days in the case of sugar patient on requirement basis of the patient.
3. Two costly medicines (Yogendra Ras & Hira Bhasm) appear to have been written by the claimant by self in number of cases of treatment.
4. It has been observed that the medical bills for Ayurvedic medicines of Chemists were Fake/ forged which have been confirmed during verification by the Chemists. It was noticed that bills of some Chemists who were even not authorized to sell the Ayurvedic Medicines have been submitted.
5. A red flag should invariably be issued by the Finance Deptt. in the cases where medical reimbursements jumps the threshold of 30% amount of Employee Salary.

Vigilance is of the view that the laid down Govt. guidelines for Ayurvedic Treatment prescription should be complied with, mechanism be devised in respect of verification of bills for Ayurvedic treatment and while signing the claim, it should also be ensured by the signing authority that the bills have been issued from authorized medical shops/ Chemists only.

It is: therefore, requested that necessary instruction may be issued in order to avoid such re-occurrence.

Dated 20.09.2018

Sub. - 3

Notice inviting tenders-regarding

A complaint regarding cancellation of NIT was received in the Vigilance Dept. It was noticed that an NIT for Open Tender was published on three occasion. It was cancelled on all the three occasions. Reasons for cancellation was mentioned as additions in BOQ i.e. increase in man Power. Cancellation of tender on three occasions could have been avoided, had the executing unit prepared the estimate after conducting proper exercise.

The CVC vide officer Order No. 15/3/05 dated 24 March, 2005 (Copy enclosed), had issued instructions with regard to rejection/recall of tenders on the file. It is therefore requested that instructions may please be followed in letter and spirit.

16.02.2018

Sub. - 4

**Systemic Improvement in respect of compliance of
TA/DA Rules/Maintenance of log book.**

On the basis of observations made during an investigation following points of concern are being suggested for compliance by all executives and employees:

1. TA/DA Claim

- (i) While claiming the bills against Official Tour, Hotel bills if any should necessarily be made part of the TA claim, even in case when payment of Hotel bills have been made by the Corporate Office.
- (ii) Rate of DA for tour should be clearly mentioned by the Officer concerned & strictly claimed as per entitlement.
- (iii) The TA Bill submitted without above information or any other information required as per TA/DA rules may be sent back to concern official/PS for furnishing the same.
- (iv) Most Executives seems to be claiming full DA against MAP plan, which is not in conformity with the extent TA rules. So clear directions may be issued about the DA admissible against MAP plan. Appropriate decision may also be taken with regard full DA claimed against MAP by the Executive in the past.
- (v) In case the transportation, boarding & other essential daily requirements are arranged by Liaison Offices or Corporate Office, the payment against these will be made by the respective offices and debited in the name of concern employee as tour advance which will be settled against his/her TA bills.
- (vi) Henceforth OOO may be held responsible for payment that are not in conformity with TA/DA rules.

2. Maintenance of Logbook of official vehicles.

It has been observed that log books of the Official vehicles has not been maintained. Instructions may please be issued to all concerned to update and maintain the log books regularly. OPE vide OM No. 2(23)/H-DPE(WC)-GL-V/13 Dated 21 January 2013 have issued instruction regarding Private use of staff Car by Board level Executives. Instruction may please be issued for recovery of given amount for use of staff Car for Private use.

3. Follow up with Banks.

Bank may be advised for better control over transfer of fund and certificate issued. Regular preferably monthly, reconciliation of account with the Banks may be undertaken.

Sub. - 5

System Improvement in respect of adherence to Policies & Procedures for Procurement of Goods and Works & Services as laid down in THDCIL.

During the Intensive Examination of one of the work where Limited Tender amongst eight Prospective local contractors was done, it has been observed that the credentials in respect of Work Experience & Financial Strength of the bidders were neither evaluated before calling of bids nor in the tendering phase.

The Techno-commercial documents in respect of work experience and financial capabilities of the bidders are required to be evaluated after opening of Techno-commercial bids to see the capabilities of the bidders, which is of vital importance. It was overlooked by the Tender Committee. Thus, the very purpose of two part bid system of tender process was defeated. Guidelines laid down under Policies & Procedures for Procurement of Goods and Works & Services in respect of Limited Tender has not been adhered to.

It is requested that all departments of THDCIL may follow Policies & Procedures for Procurement of Goods and Works & Services as laid down by THDCIL for all mode of tendering.

Sub. - 6**System Improvement in respect of Deployment of Man-Power in line with Contractual Provisions.**

During inspections/examinations, it has been observed that requirement of deployment of Qualified Man-Power (Engineers/Surveyors etc.) as per laid down provisions of the contract agreement has not been adhered to. Since all services which are part of agreement bears direct or indirect cost component, the adherence to Contract Provisions is of vital importance.

In view of the above, it requested to take appropriate steps to improve the system so those further occurrences of this type of deviations are not repeated.

Sub. - 7**Systemic Improvement regarding - Irregularities observed in plying of hired taxis during the Surprise Inspection.**

During surprise inspection of plying of hired taxis certain observations have been noticed. It has been felt imperative to intimate these observations for the benefit of all concerns as a Preventive vigilance measure so that such lapses are not repeated in future. The observations are as under:-

1. The work was completed without signing of Contract Agreement.
2. The work of plying of hired taxis was awarded to contractor on the basis of documents of taxi which was already plying in other project. One taxi was plying on two different routes at the same time. Contractor concealed the fact deliberately and submitted the documents in respect of the same vehicle to take the work of plying of taxi.
3. The allotted/awarded taxi was not plying and execution deptt. permitted another taxi in place of taxi mentioned in LOA to be utilised on the route. Log books of the taxis were not maintained.
4. The Contractors had also concealed important facts and deployed vehicles other than the designated one.

विषय : विभिन्न कार्यों में लेबर (Workmen's Compensation Act.) एवं पब्लिक लाइबिलिटी (Public Liability Insurance) इन्शुरेंस से सम्बंधित GCC clause-17.4 & 35 के अनुपालन के सम्बंध में

सन्दर्भ: 1. टीएचडीसी/अभि/सतर्कता/F-82/2015/ 26 दि: 13/01/2015;

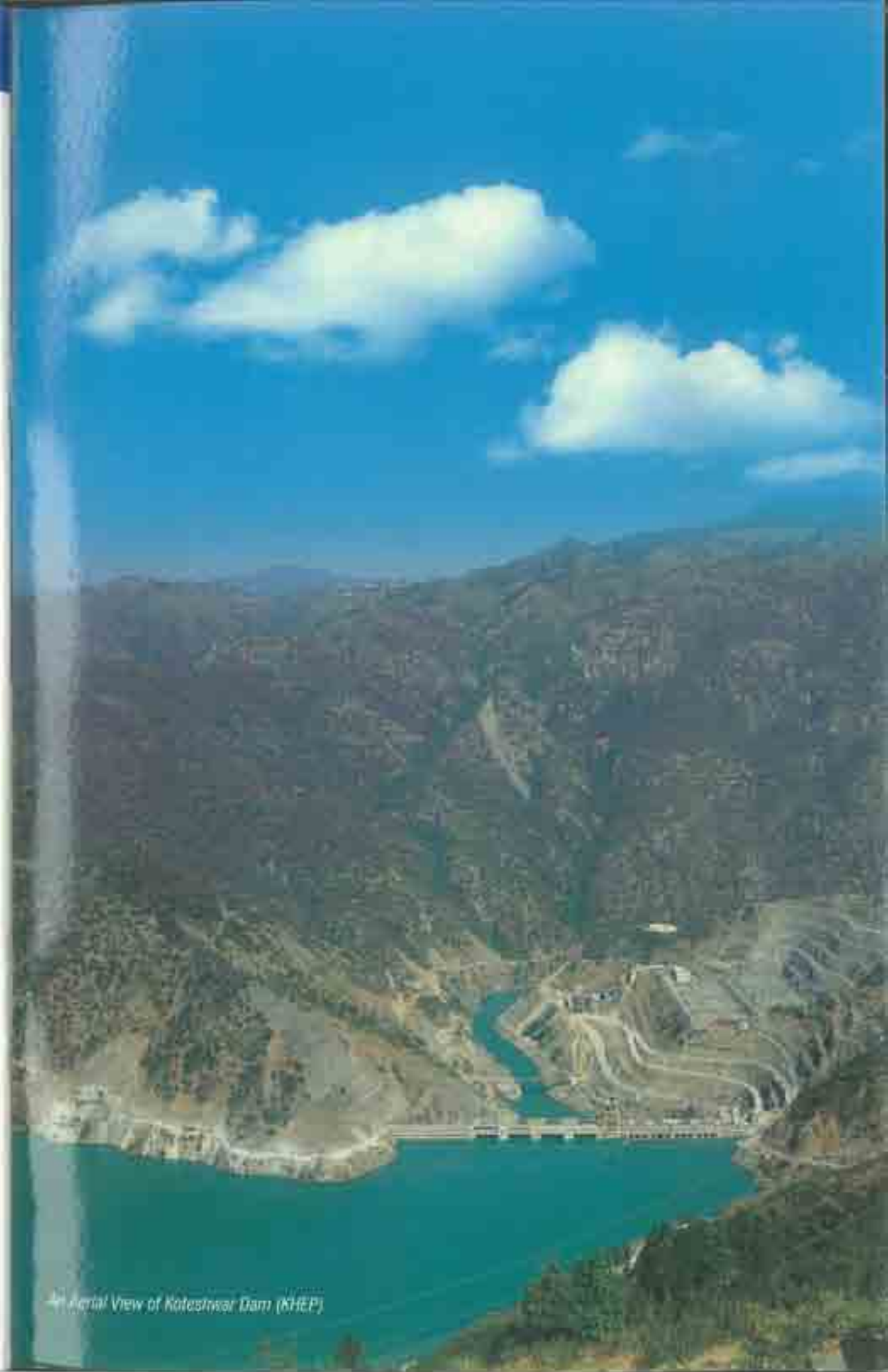
2. टीएचडीसी/अभि/सतर्कता/F-82/2015/ 38 दि: 21/01/2015.

1- उपरोक्त विषयक सम्बन्धी सन्दर्भित पत्रों का अवलोकन करने का कार्य करें। इस सम्बन्ध में अवगत कराना है की सतर्कता विभाग द्वारा समय समय पर विभिन्न प्रोजेक्ट्स/विभागों में कार्यों का निरीक्षण किया जाता रहा है तथा निरीक्षण उपरोक्त पायी गई त्रुटियों को सुधार हेतु समय समय पर प्रणालीगत सुधारालम्ब (Systemic Improvement) बिन्दुओं के अनुपालन हेतु पत्र प्रेषित किये जात रहे है।

2- इसी क्रम में अवगत कराना है की समय समय पर सतर्कता विभाग द्वारा की गई आपत्ति/टिप्पणी के बाद भी GCC clause-17.4 एवं 35.0 का पालन नहीं हो रहा है। जिसमें ठेकेदारों द्वारा लेबर (Workmen's Compensation Act.) इन्शुरेंस एवं पब्लिक लाइबिलिटी (Public & Property Liability Insurance) इन्शुरेंस या तो नहीं कराये जा रहे हैं या विलम्ब से कराये जा रहे हैं, जो कि किसी भी दुर्घटना की स्थिति में बचाव/क्लेम हेतु आवश्यक रूप से होने चाहिए। पब्लिक लाइबिलिटी (Public & Property Liability Insurance) इन्शुरेंस कार्य प्रारम्भ तिथि से डिफेक्ट लाइबिलिटी (Defect Liability Period) की तिथि तक तथा लेबर (Workmen's Compensation Act.) इन्शुरेंस कार्य प्रारम्भ तिथि से कार्य समाप्ति तक के लिए होनी चाहिए।

3- यदिथा में उक्त बिन्दुओं के अनुपालन न होने की स्थिति में सम्बंधित कार्य के Engineer-In-Charge पूर्ण रूप से जिम्मेवार होंगे।

अतः उपरोक्त बिन्दुओं का सन्दर्भ लेते हुए अनुपालन सुनिश्चित करवाने हेतु प्रेषित।



An Aerial View of Kateshwar Dam (KHEP)



टीएचडीसी इंडिया लिमिटेड
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