

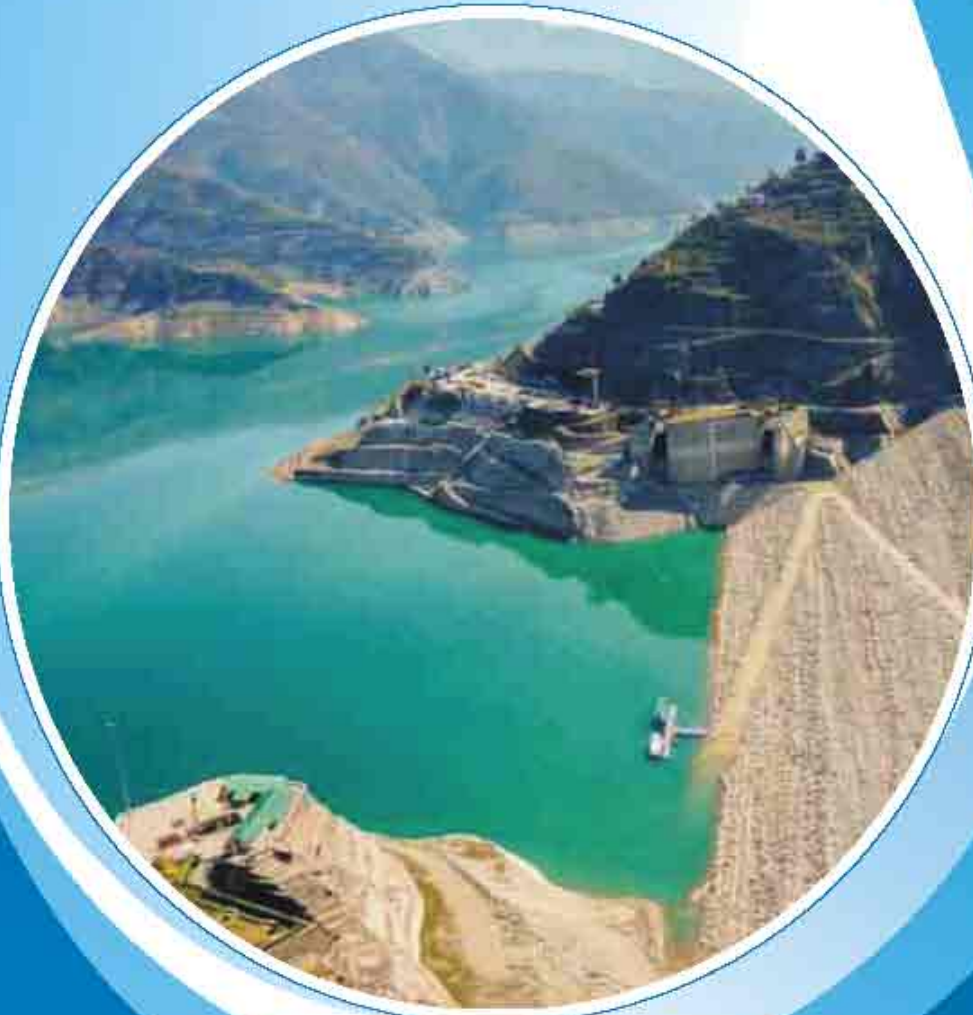
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टीएचडीसी इंडिया लिमिटेड
THDC INDIA LIMITED

" Integrity : A Way to Self Reliance "

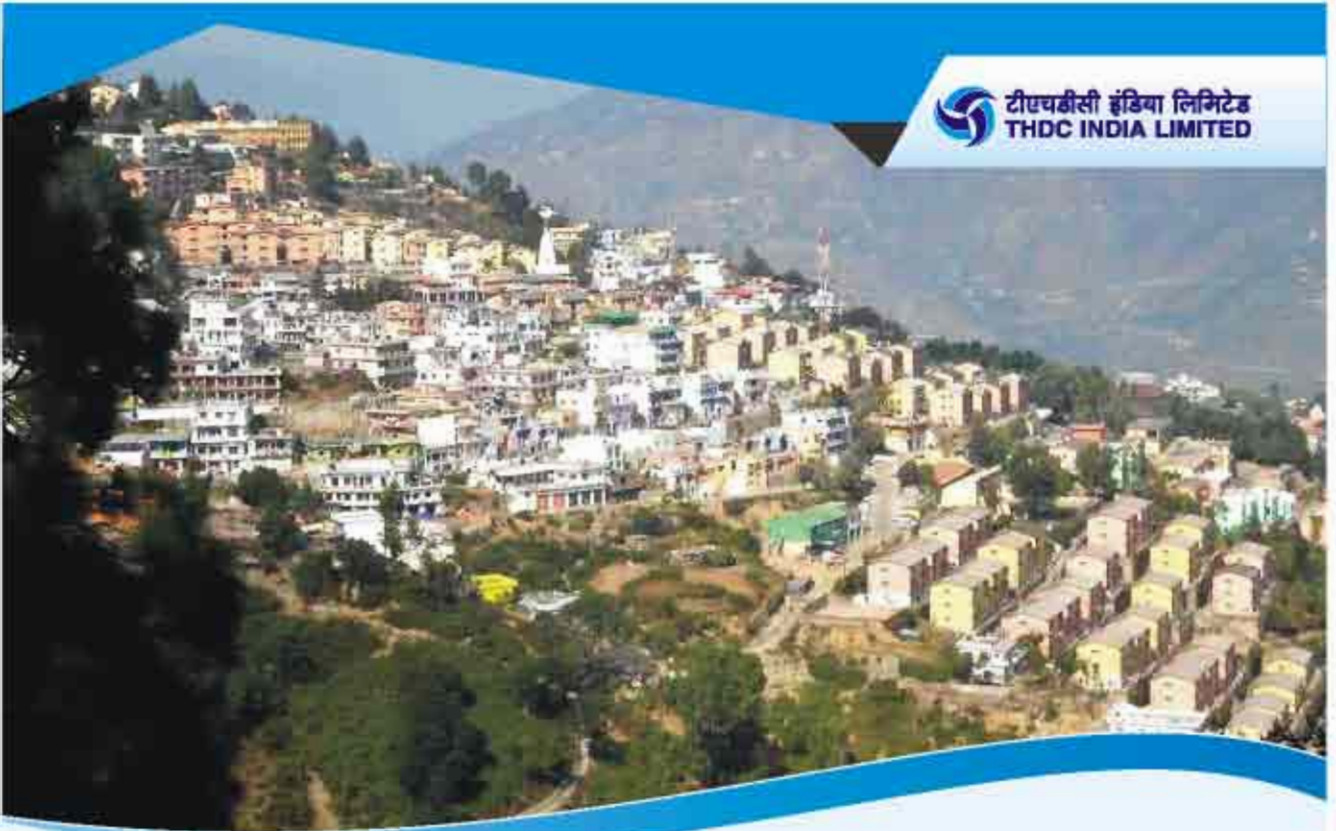
**A COMPILATION OF
'CASE STUDIES',
'SYSTEMIC IMPROVEMENTS'
AND 'RECENT CVC CIRCULARS'**



**VIGILANCE
DEPARTMENT**

THDC INDIA LIMITED

(Schedule-A, Mini Ratna, Government PSU)
Ganga Bhawan, Pragatipuram, Bye-Pass Road,
Rishikesh-249201- Uttarakhand



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.

VALUES

- Zeal to excel and zest for change.
- Integrity and fairness in all matters.
- Respect for dignity and potential of individuals.
- Ensure speed of response.
- Strict adherence to commitments.
- Foster learning, creativity and team work.
- Loyalty & pride in CPSE.



सत्यमेव जयते

राष्ट्रपति
भारत गणतंत्र
PRESIDENT
REPUBLIC OF INDIA

MESSAGE

I am happy to know that the Central Vigilance Commission is observing Vigilance Awareness Week on the theme "Independent India @ 75: Self Reliance with integrity; स्वतंत्र भारत @ 75: सत्यनिष्ठा से आत्मनिर्भरता" from 26th October to 1st November 2021.

As a nation, we have had a long and well-established tradition of integrity and ethics. It is our responsibility as citizens to re-affirm these ideals as we strive towards national development and self-reliance. It is the duty of all the citizens to be vigilant and combat corruption in every sphere of life.

I am happy to see that the Central Vigilance Commission is taking the necessary steps to bring the citizens together to strengthen our commitment towards progress and self-reliance while remaining rooted in our ideals.

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



(Ram Nath Kovind)

New Delhi
October 05, 2021



भारत के उपराष्ट्रपति
VICE-PRESIDENT OF INDIA



MESSAGE

I am pleased to learn that the Central Vigilance Commission is observing Vigilance Awareness Week this year from 26th October to 1st November, 2021.

The theme of this year's Vigilance Awareness week is "**Independent India @ 75: Self Reliance with Integrity; स्वतंत्र भारत @ 75: सत्यनिष्ठा से आत्मनिर्भरता**" which is in consonance with the journey that our country has had since its independence. A Self-reliant India is a dream for all her citizens and such a dream can only be fulfilled with the participation of all. I have faith that everyone would adopt integrity and ethics in their daily life as we move in our journey towards self-reliance.

I hope to see all citizens and stake holders collectively participate in large numbers in the fight against corruption. We need to come together to reiterate the ideals of integrity, transparency and accountability and strive towards embracing the values that have guided us in our journey so far.

On this occasion, I commend the Central Vigilance Commission for their efforts in combating corruption and convey my best wishes for the success of Vigilance Awareness Week, 2021.


(M. Venkaiah Naidu)

New Delhi
30th September, 2021



सत्यमेव जयते

प्रधान मंत्री
Prime Minister

संदेश

केन्द्रीय सतर्कता आयोग द्वारा 26 अक्टूबर से 01 नवंबर, 2021 तक सतर्कता जागरूकता समाह के आयोजन के बारे में जानकर प्रसन्नता हुई।

भारत की विकास यात्रा में देश के नागरिकों की मेहनत, सजगता और समाज व राष्ट्र के प्रति जिम्मेदारी के भाव की भूमिका अहम है। जन-भागीदारी और सामूहिकता की शक्ति से ऊर्जित देश आज बड़े संकल्प लेता है और उन्हें हासिल भी करता है।

भारत का जन-सामर्थ्य पूरी दुनिया में एक नया विश्वास भर रहा है। इस सन्दर्भ में आयोग द्वारा सतर्कता जागरूकता समाह के विषय के रूप में 'स्वतंत्र भारत @ 75: सत्यनिष्ठा से आत्मनिर्भरता' का चयन प्रशंसनीय है।

'सबका साथ, सबका विकास, सबका विश्वास, सबका प्रयास' के मंत्र के साथ देशगत 7 सालों से भ्रष्टाचार के खिलाफ जीरो टॉलरेंस की नीति के साथ तेजी से आगे बढ़ रहा है। समय और निरंतर प्रयासों से देश में एक विश्वास कायम हुआ है कि भ्रष्टाचार को रोकना संभव है।

आज समयानुकूल और शुचितापूर्ण व्यवस्थाएं लोगों की जिन्दगी को आसान बना रही हैं। देश के नागरिकों को सशक्त करने के लिए जिस तरह तकनीक और नागरिकों की सत्यनिष्ठा को ताकत बनाया गया है, उसने सामान्यजन का आत्मविश्वास और आत्मसम्मान बढ़ाया है।

आज देश में जो सरकार है, वह देश के नागरिकों पर भरोसा करती है। पारदर्शी और सहज व्यवस्थाओं के कारण देश के जन-जन में यह भरोसा भी कायम हुआ है कि अब भ्रष्टाचारी बच नहीं सकता।

आजादी के अमृतकाल में आत्मनिर्भर भारत के विराट संकल्पों की सिद्धि की तरफ देश बढ़ रहा है। अमृत काल में हम सभी को एक बात हमेशा याद रखनी है- राष्ट्र प्रथम। मुझे विश्वास है कि केन्द्रीय सतर्कता आयोग का यह आयोजन, एक बेहतर भविष्य के लिए जीवन में, विशेषकर सार्वजनिक जीवन में, सत्यनिष्ठा, पारदर्शिता और जवाबदेही को बढ़ावा देने में महत्वपूर्ण सिद्ध होगा।

केन्द्रीय सतर्कता आयोग को इस पहल और भविष्य के प्रयासों के लिए बहुत-बहुत शुभकामनाएं।

(नरेन्द्र मोदी)

नई दिल्ली
कार्तिक 03, शक संवत् 1943
25 अक्टूबर, 2021

आर. के. सिंह
R. K. SINGH



सत्यमेव जयते

विद्युत मंत्री एवं
नवीन और नवीकरणीय ऊर्जा मंत्री
भारत सरकार
Minister of Power and
Minister of New & Renewable Energy
Government of India



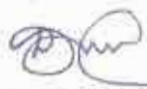
MESSAGE

I am pleased to learn that the Central Vigilance Commission is observing Vigilance Awareness Week this year from 26th October to 1st November, 2021 with the following theme:

"Independent India @ 75: Self Reliance with Integrity;
स्वतंत्र भारत @ 75 : सत्यनिष्ठा से आत्मनिर्भरता "

Corruption remains one of the obstacles to our country's development and progress. It gives me immense happiness to see the steps being taken by the Central Vigilance Commission to bring forth an environment that fosters transparency and accountability. The vision of a self-reliant India can be fulfilled when the ideals of integrity and ethics are ingrained into the daily lives of all the citizens and stakeholders.

I convey my best wishes for the team at Central Vigilance Commission in their efforts. I hope to see the participation of all stakeholders in large numbers and wish everyone associated with this endeavor the very best for the successful observance of Vigilance Awareness Week, 2021.


(R. K. Singh)

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डॉ. जितेंद्र सिंह

राज्य मंत्री (स्वतंत्र प्रभार),
विज्ञान और वैश्वेयिक संकलन,
दूरबी विज्ञान संकलन,
राज्य मंत्री प्रधान मंत्री कार्यालय,
कार्मिक, लोह, श्रमशाखा तथा पेंशन विभाग,
परमाणु ऊर्जा विभाग तथा अंतरिक्ष विभाग,
पारस संस्थान



सत्यमेव जयते

DR JITENDRA SINGH

Minister of State (Independent Charge),
Ministry of Science & Technology,
Ministry of Earth Sciences,
Minister of State, Prime Minister's Office,
Ministry of Personnel, Public Grievances and Pensions,
Department of Atomic Energy & Department of Space,
Government of India

MESSAGE

I am happy to know that the Central Vigilance Commission is observing Vigilance Awareness Week, 2021 on the theme **“Independent India @ 75: Self Reliance with Integrity; स्वतंत्रभारत @ 75: सत्यनिष्ठासेआत्मनिर्भरता”** from 26th October to 1st November.

Tackling corruption is one of the biggest challenges faced by this country. It gives me immense pleasure to see that several proactive initiatives are being undertaken by the Central Vigilance Commission in overcoming this hurdle. However, there is a need of collective effort that must be undertaken by all the citizens of the country to achieve the intended objectives.

I solicit the participation of all government officials, related stakeholders and citizens of this country to participate in this year's programme with whole-hearted enthusiasm. I extend my greetings to all those associated with the Central Vigilance Commission and wish the campaign every success.



(Dr. Jitendra Singh)

*MBBS (Stanley, Chennai)
M.D. Medicine, Fellowship (AIIMS, NDL)
MNAMS Diabetes & Endocrinology*

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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-10023
019/VGL/029

सं./No.....11.10.2021

दिनांक / Dated.....

MESSAGE

Vigilance Awareness Week (26th October to 1st November, 2021)

It is a matter of pleasure that during the current year the Commission has issued the guidelines for observing Vigilance Awareness Week from 26th October, 2021 to 1st November, 2021. The theme for the current year's Vigilance Awareness Week is as under:

“स्वतंत्र भारत @ 75: सत्यनिष्ठा से आत्मनिर्भरता”

“Independent India @ 75: Self-Reliance with Integrity”

Self-reliance and integrity are the two ideals which need focus as they are important for achieving all-round progress and development of the country. During the Vigilance Awareness Week there is an opportunity for all to re-affirm ourselves towards our collective duty and responsibility to ensure transparency and integrity in the systems and procedures.

This year a special initiative has been taken to create awareness for the complaint mechanism available under the Public Interest Disclosure and Protection of Informers (PIDPI) resolution. During the current year, all the organizations have also been requested to focus on improvements in internal processes and other house-keeping activities.

The Commission appeals to all the citizens of the country to come forward, during the 75th year of Independence, and support the drive to achieve self-reliance with integrity.

(SURESH N. PATEL)
Central Vigilance Commissioner



Rajeev Kumar Vishnoi
Chairman & Managing Director
THDC India Limited

FOREWORD

I am extremely delighted to know that Vigilance Department is observing "Vigilance Awareness Week-2021" from 26th October to 1st November, 2021. The theme for Vigilance Awareness Week-2021 as given by CVC is "Independent India@75: Self Reliance with Integrity" (स्वतंत्र भारत @75: सत्यनिष्ठा से आत्मनिर्भरता), which is a very apt topic in today's context when the whole nation is celebrating 75th anniversary of our Independence as "Azadi ka Amrit Mahotsav" and is moving rapidly towards self-reliance with different initiatives of Govt. of India.

On this occasion, Vigilance Department is coming out with the new edition of Vigilance booklet 'Integrity: A Way to Self Reliance'. Recent CVC circulars, Case Studies and various "Systemic Improvements" suggested by Vigilance Department, new articles/poems from field executives & officials etc. have been compiled to provide a platform to create awareness amongst officials. The main motive of Vigilance Department is to lay stress on the efficacy of preventive vigilance in system improvement, curbing corruption and working collaboratively to accomplish the organizational goals as well as maintaining a sense of transparency and accountability across the departments.


At a time when the world is suffering from a deadly pandemic, Govt. of India has attempted to convert this crisis into an opportunity and strengthen its fight by becoming Aatmanirbhar or self-reliant. Self-reliance for an organization is a vision towards activities that are self-supporting in economic terms and indicate reliance on one's own resources. Self-reliance is surely the prime aspect to create prosperity and employment in our country and discourage the reliance on others. It is expected that each employee of the organization would adhere to the principles and values enshrined in the ethics policy of the organization. Maintaining integrity in our all official functions will help the organization to grow with continual improvement to accomplish the organizational objectives. In any Institution/Corporation, values of honesty, integrity and transparency are the main pillars on which business is to be carried out. If this habit is inculcated, each employee would act self-reliantly for effective and transparent functioning of the organization and such an organization becomes collective strength of the nation, in whole.

The principle of honesty, integrity, transparency, fairness and righteous action are the guiding lights for efficient and effective governance. In THDC India Limited, we are committed to ensure the adoption and implementation of highest standards of corporate governance. Vigilance Awareness Week gives us an opportunity to rededicate ourselves to the cause of eradication of corruption from our society and reinforcing the fact that the "Honesty is the best Policy".

I gratefully acknowledge the efforts of Vigilance Deptt. for system improvement during whole year and in getting this book published. On the occasion I extend my best wishes for successful celebration of Vigilance Awareness Week-2021.

Place: Rishikesh

Date: 11th October 2021


11/10/2021
(R. K. Vishnoi)

**B.P. Gupta, IFS
Chief Vigilance Officer**



PREFACE

Vigilance Awareness Week reminds us our responsibility to maintain integrity, transparency and accountability in our organization to create a corruption free environment. We are going to celebrate Vigilance Awareness Week this year from 26th October to 1st November, 2021 with the theme "**Independent India@75: Self Reliance with Integrity**" (स्वतंत्र भारत @75: सत्यनिष्ठा से आत्मनिर्भरता). The Central Vigilance Commission has rightly chosen this theme to commemorate diamond anniversary of India's Independence as well as our campaign of *Aatmanirbhar Bharat Abhiyaan* (Self-Reliant India Movement). This theme reaffirms our resolve to fight corruption and ensure integrity in public life to usher in a new era of Self Reliant India. We have to achieve the dream of Sardar Patel by making India prosperous and self-reliant with honesty and integrity.

Integrity is the key attribute of good governance that means the process of making good decision and their effective implementation. It is imperative that Integrity, Transparency and Accountability have to be inculcated into the governance to ensure the effective implementation of policies, procedures & rules of organization and to empower the general public. The campaign against corruption is not just a one-day or just a one-week affair. The participation of each and every employee of the Corporation to create awareness and their anti-corruption efforts throughout the year would certainly lead to eliminate corruption from organization and society. We should make efforts to build an honest and ethical system where the policies are based on integrity and ethical principles. There is a need to take all preventive measures and systemic reforms and also use IT & modern technology to combat corruption.

On the occasion of Vigilance Awareness Week, Vigilance Department is publishing a booklet titled "**Integrity: A Way to Self Reliance**", comprising some of the CVC guidelines & circulars, Case Studies, Systemic Improvement circulars issued by Vigilance Department along with relevant articles/poems for creating awareness amongst officials.

Let us all join hands and work untiringly for eradication of corruption from all spheres of life. I appeal to all to inculcate integrity as a way of life for the realization of the full potential of the individual and progress of the nation. Active participation of individual, who pledge to abide by principles of honesty and integrity, is of utmost importance in our fight against corruption.


(B. P. Gupta)

Place: Rishikesh
Date: 14-10-2021

स्वत्व त्याग/ Disclaimer

यह बुकलेट सामान्य मार्गदर्शन के उद्देश्य से प्रकाशित की गयी है एवं केवल सरकारी उपयोग के लिए है। इसे न तो किसी सरकारी सन्दर्भ में उपयोग किया जाए और न ही साक्ष्य हेतु न्यायालय में पेश किया जा सकता है। जहां कहीं इसका सन्दर्भ देना आवश्यक हो, उस विषय से सम्बंधित मूल आदेशों का ही दिया जाए।

This booklet 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.

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PART-I

PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMER (PIDPI) COMPLAINTS

GUIDELINES FOR LODGING PIDPI COMPLAINT

1. The complaint should be in a closed/ secured envelope and should be addressed to Secretary, Central Vigilance Commission. The envelope should clearly be inscribed with “Complaint under the Public Interest Disclosure” or “PIDPI”.
2. The complainant should give his/her name and address in the beginning or end of complaint or in an attached letter. The name and address should NOT be mentioned on the envelope.
3. Only complaints pertaining to employees 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 fall under the jurisdiction of the Commission. **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.**
4. Complaints should be sent via post only. Complaints received through emails, Complaint Management Portal or any other electronic medium will not be entertained.
5. 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.
6. The complaints should have vigilance angle and should not be for grievance redressal.
7. PIDPI complaints should not include details that identify the complainant. If the inclusion of such details is unavoidable then a normal complaint may be lodged in the CVC portal.
8. Previous circulars and letters on PIDPI are available on the website of the Commission and may be referred to for further details.

PUBLIC NOTICE

GOI Resolution on Public Interest Disclosure and Protection of Informer

1. 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 acknowledgment 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

VIGILANCE AWARENESS WEEK

सतर्कता जागरूकता सप्ताह

26th October - 1st November, 2021

INTEGRITY
IS DOING THE
RIGHT THING,
EVEN WHEN
NO ONE IS
WATCHING.

C.S. LEWIS

Independent India@75: Self Reliance with Integrity

स्वतंत्र भारत @75: सत्यनिष्ठा से आत्मनिर्भरता

सतर्कता विभाग, टीएचडीसी इंडिया लिमिटेड
Vigilance Department, THDC India Limited

PART-II

“CASE STUDIES” BASED ON INVESTIGATIONS CONDUCTED BY VIGILANCE DEPARTMENT

Case Study-1

A. Background:

Vigilance Department, THDCIL carried out the scrutiny of Internal Audit Report, wherein one of the Para was taken up for detailed investigation. The matter was regarding the Furniture advance & Computer advance to employees. Based on the investigation, some irregularities were observed.

B. Brief of Irregularities & Observations:

During investigation, it was observed that the THDCIL's Furniture advance, Clause no. 5.3 & Computer advance, Clause no. 8.4. were not complied within stipulated time. The employees who had obtained the Furniture advance & Computer advance, did not submit the necessary documents & hypothecation deed as per laid down provisions & rules of THDCIL's Furniture advance & Computer advance. On identifying & reminding to such employees by the concern department, the requisite documents were submitted.

C. Recommendations / Implementation:

- Based on the investigation done and anomaly observed, a Systemic Improvement was issued by Vigilance department.
- Inordinate delays for submission of necessary documents against the received Advances have been minimised. Strict Adherence to laid down provisions/rules/policies have been observed.

Case Study-2

A. Background:

Vigilance Department, THDCIL carried out the scrutiny of Internal Audit Reports, wherein one of the Para was taken up for detailed investigation. The matter was regarding the procurement of printing & stationary without tendering process. The material was procured on the basis of spot purchase, however, the payment was made to firm through RTGS mode. Based on the investigation, some irregularities were observed.

B. Brief of Irregularities & Observations:

During investigation, it was observed that the printing & stationary material was procured four times on the basis of spot purchase, however, the payment was made to firm through RTGS mode. The current stock position of items was not taken into account during preparation of proposal for procurement of printing & stationary material. The relevant documents & bills/ tax invoices were not verified by the concerned officer before submitting the bills to Finance deptt. for payment. The reference page nos. of Stock register were also not mentioned in the relevant documents while submitting the bills to Finance deptt. for payment. Total 03 Stock registers were found in which entries were made for purchases of printing & stationary material. However, it had been clarified by executing deptt. that the separate Stock registers were prepared due to transfer/ allocation of work of concerned officers.

C. Recommendations / Implementation:

- Based on the investigation done and anomaly observed, a Systemic Improvement was issued & circulated by Vigilance department. Vigilance deptt. suggested that the procurement of material should be in transparent manner wherein the relevant documents / invoices must be verified by concerned officer during processing of payment. In addition, the stock position in only single stock register should also be updated on the basis of receipt of material. On transfer/ allocation of work of concerned officer, the same stock register should be handed over to his successor.
- The frequent spot purchases of miscellaneous items have been minimized up to the possible extent. Subsequent to issue of the systemic improvement, strict adherence of laid down provisions/rules/policies have been observed.

Case Study-3

A. Background:

Vigilance Department, THDCIL carried out the scrutiny of Internal Audit Reports, wherein one of the Para with regard to inordinate delay in signing of contract agreements was taken up for detailed investigation. In some of the cases, the works were started after issuance of Letter of Award but contract agreements were not signed by the contractor within stipulated time. Signing of contract agreement is an important activity for the execution of works.

B. Brief of Irregularities & Observations:

During investigation, it was observed that the works were awarded without loss of time due to exigency of works. The execution of works was started but the signing of contract agreements within stipulated time were inordinately delayed even though the reasonable time were being given to the contractors. The practice of late signing of contract agreements was being followed. However, the delay in signing of agreement did not impede the execution of work and there was no delay in start & completion of the work by contractor, as per T&C of contract.

C. Recommendations / Implementation:

Based on the investigation done and anomaly observed, a Systemic Improvement was issued & circulated by Vigilance department. Vigilance deptt. suggested the following system improvements:

- It should invariably be ensured that once the offer is found techno-financially acceptable, the work is awarded without any loss of time. All the necessary documents should be kept ready beforehand. Further, to give the contract legal sanctity, a formal contract agreement containing all the requisite documents, forming part of the agreement should be signed within reasonable time schedule/ deadlines of letter of award.
- As the late submission of performance guarantee amounts to giving undue advantage to the contractor by way of saving bank charges, these practices should strictly be avoided.
- There should be a provision of levying a suitable penalty in the tender conditions for per day delay in signing of agreement on the contractor in case delay is attributable to him.
- The activity of signing of contract agreement should invariably be made part of KRA for executives of C&MM deptt./other deptts. signing the agreements vis-a-vis the reasonable time schedules/deadlines given by them in their letter of award(s). The same shall also be monitored by the HOP/GM concerned.
- This should be responsibility of officer(s) concerned to put up the monthly details of late signed agreements to the HOP as well as to Vigilance deptt. in such a way that it should reach by 7th day of every month.

Inordinate delays in signing of contract agreements have been minimised. In some of the cases, suitable penalties have been imposed on the contractors for attributed delay in signing of agreement.

Case Study-4

A. Background:

During the scrutiny of the Internal Audit Reports by Vigilance Department, THDCIL, it was observed that the Security Deposits were not released on time. Accordingly, the Para with regard to timely release of Security deposit(s) was taken up for further detailed investigation.

B. Brief of Irregularities & Observations:

During investigation, it was observed that there was delay in release of Security deposit(s) and consequently delay in issuance of work completion certificate vis-à-vis the provisions available in the contract agreements.

C. Recommendations / Implementation:

Based on the investigation carried out and anomaly observed, a Systemic Improvement was issued & circulated by Vigilance department. Vigilance deptt. suggested the following system improvements:

- Security Deposit (Initial Performance Security + Security deducted as retention money during execution of the work) post completion of work should be released to the contractor(s) timely in compliance to the provisions laid down under contract agreement.
- The successful work completion certificate should be issued timely on successful completion of the work in compliance to the provisions laid down under contract agreement.
- The Engineer-in-charge of the work will be responsible for delay in release of security deposit and delay in issuance of work completion certificate.

Inordinate delays in timely release of Security deposit(s) and issuance of work completion certificate have been minimised. Strict Adherence to laid down provisions under contract agreement has been observed.

VIGILANCE AWARENESS WEEK सतर्कता जागरूकता सप्ताह

26th October - 1st November, 2021



Independent India@75: Self Reliance with Integrity
स्वतंत्र भारत @75: सत्यनिष्ठा से आत्मनिर्भरता

सतर्कता विभाग, टीएचडीसी इंडिया लिमिटेड
Vigilance Department, THDC India Limited

PART-III

**SYSTEMIC
IMPROVEMENTS
SUGGESTED BY
VIGILANCE
DEPARTMENT**

Systemic Improvements Suggested by Vigilance Department consequent to observations made during Surprise Checks & Intensive Examinations during the period

- (i) Systemic Improvement in respect of use of official email IDs, issued on 16.11.2020.
- (ii) Systemic Improvement in respect of the expenditures in organizing Cultural programme/functions at Projects of THDCIL, issued on 27.11.2020.
- (iii) Systemic Improvement in respect of the submission of requisite documents after sanction of various advances to employees, issued on 18.01.2021.
- (iv) Systemic Improvement in respect of Performance Security/security Deposit against awards through Work Order(s), issued on 28.01.2021.
- (v) Systemic Improvement in respect of payment/reimbursement against monthly wages, EPF and GST, issued on 16.04.2021.
- (vi) Systemic Improvement in respect of properly maintaining and presenting the documents and appropriate consideration of all components of cost of work for award while seeking approval, issued on 09.06.2021.

(i) Systemic Improvement in respect of use of official email IDs.

The executives of Vigilance department are regularly conducting scrutiny of the Compliance report(s) on Audit Para as submitted by Finance department from Project sites as well as at other offices of THDCIL against the audits conducted by Internal as well as External Auditors as a part of Preventive Vigilance. Certain ambiguities have been observed in respect of not properly implementing use of official email Ids with @thdc.co.in by Vigilance Deptt. through Compliance Report received in replies made against Audit Para.

During examination in one of the cases, it is noticed that IT department has issued official email Ids with @thdc.co.in domain to all executives, supervisors and secretarial staff for doing the official communication within as well as outside the organization. Office Order in this regard has also been issued from the Corporate Policy department to use only official emails for all official communications but the same is not being implemented/ followed in letter and spirit.

In view of the above, it is to put on records that all the employees will be individually responsible, in case , he/she does not comply with the guidelines conveyed through office order of THDCIL. It is therefore requested that all HOPs/HODs at Corporate Office, projects and other locations direct all the employees for necessary compliance.

(ii) Systemic Improvement in respect of the expenditures in organizing Cultural programme/functions at Projects of THDCIL.

For the welfare of employees, Cultural programme/functions are organised every year at the projects. There is no doubt that organization of different cultural programmes/events is beneficial to the overall well being of the organization and contributes to the productivity & development of the organization, yet there should be proper guidelines/SOP/Policy for organising such activities and proper financial provisions to support different clubs/societies functional in the organization.

1. It has been observed that majority part of expenditure of any cultural event is borne by the management but shown to be organised by the club/society and the procurement is done by the Committee purchases/Spot purchases, which always have scope for financial irregularities. All expenses are being done in the garb of "established practice in the past".

2. It has been seen that while preparing the proposal for organizing such cultural programme/ events, Clause no. 1.1.1 & 4.1 of THDCIL Procurement Policy-2009 were mentioned. These clauses are related to procurement of goods and are not related to execution of cultural events, but the aforesaid clauses are being mentioned in the proposals to initiate the committee purchases with a reasoning that suitable clauses are not mentioned in THDCIL Procurement Policy-2009 and are being put up as per the "established practice in the past".

3. In this regard, it is advisable that suitable relevant clauses should be brought out explicitly in the proposal in line with laid down clauses of DOP & THDCIL Procurement Policy for arrangement/hiring of services to organize the cultural programme/function/event. The procurement entity may decide the appropriate mode of purchase depending on the nature of requirement, quantity, value and other requirements, etc. If the suitable clauses are not laid down in policies/rules of the corporation, the same may be incorporated in consultation with Management. An SOP in respect of arrangement/hiring of services to organize the cultural programme/function/event may be developed to avoid further ambiguity and subjectivity & to ensure transparency and accountability in the system.

4. It has also been observed in one case that the proposal to award the work/services to concerned L-1 firm was initiated on 05-11-2019 and the approval was accorded by Competent Authority on the same day i.e. 05-11-2019, and the work orders were issued to firm on 04-11-2019, one day prior to approval of the Competent Authority. This happening clearly reflects irregularity and malafide in the working. Even if there is urgency of the work, the post-facto approval may be sought with mentioning the appropriate facts in the proposal note. Such lapses must not be repeated in the system.

(iii) Systemic Improvement in respect of the submission of requisite documents after sanction of various advances to employees.

उपरोक्त विषयान्तर्गत अवगत कराना है कि सतर्कता विभाग हर साल आंतरिक लेखा परीक्षा रिपोर्ट की संवीक्षा करता है। टिहरी परियोजना, वर्ष 2018-19 की आंतरिक लेखा परीक्षण रिपोर्ट की संवीक्षा की गयी। संवीक्षा के दौरान स्थापना- मानव संसाधन के अंतर्गत दिये गए फर्नीचर अग्रिम तथा कंप्यूटर अग्रिम से सम्बंधित पैरा का निरीक्षण किया गया तथा निम्नलिखित त्रुटियों पाई गई :-

1. आंतरिक लेखा परीक्षा की अनुपालन रिपोर्ट एवं दस्तावेजों के परीक्षण के अनुसार, यह प्रकाश में आया कि कर्मचारियों द्वारा THDCIL के अग्रिम धनराशि प्राविधानों के अंतर्गत कंप्यूटर/ फर्नीचर/ घरेलू सामान खरीद के लिए अग्रिम धनराशि ली गयी परन्तु कर्मचारियों द्वारा प्राविधानों के तहत आवश्यक दस्तावेज-बीजक/ हाइपोथीकेशन डीड समय से जमा नहीं किये गये हैं। यद्यपि कार्मिक एवं प्रशासन विभाग द्वारा सम्बंधित कर्मचारियों को अनुस्मारक पत्र जारी होने के उपरान्त, कर्मचारियों द्वारा बीजक/ हाइपोथीकेशन डीड जमा कर दिये गये।
2. दस्तावेजों के परीक्षण के अनुसार यह प्रकाश में आया कि कर्मचारियों द्वारा THDCIL के अग्रिम नियम, फर्नीचर हेतु क्लॉज 5.3 तथा कम्प्यूटर हेतु क्लॉज 8.2 & क्लॉज-8.4 का अनुपालन समय से नहीं किया जा रहा है।

उपरोक्त बिन्दुओं का सन्दर्भ लेते हुए THDCIL के अग्रिम नियम, फर्नीचर हेतु क्लॉज 5.3 तथा कम्प्यूटर हेतु क्लॉज -8.2 & क्लॉज 8.4 का अनुपालन सभी अधिकारियों एवं कर्मचारियों द्वारा सुनिश्चित किये जाने हेतु प्रणालीगत सुधार (Systemic Improvement) प्रेषित है ताकि भविष्य में इसकी पुनरावृत्ति न हो।

(iv) Systemic Improvement in respect of Performance Security / Security Deposit against awards through Work Order(s).

The Executives of Vigilance Deptt. are regularly conducting Surprise Inspections and Intensive Examinations at Project Sites as well as in other offices of THDCIL as part of Preventive Vigilance. During Inspections, it is observed by Vigilance Deptt. that Project Authorities of THDCIL are awarding various works viz. civil works, engagement of man power, hiring of equipment etc., through work orders at the Project(s) level.

During examination in some of the cases especially engagement of Man-Power through local contractor(s), it was noticed that requirement of Performance Security / Security Deposit, as mentioned under Chapter-21 of THDC Procurement Policy-2009, is being over looked while issuing award of the work through Work Order(s). The work orders are found to have been issued by one deptt. merely by copying the work order issued by other deptt. for similar nature of work without any value addition.

Against observations of Vigilance Deptt. w.r.t. non-availability of certain important terms & conditions in work orders, generally the replies are received with excuses viz. work order is issued in parity with other such & such deptt. of the project/ this is a practice at the project/ this is a small value work/ this requirement is not written in the THDC Procurement Policy for Work Order etc.

As no allowance is found to have been mentioned / given in respect of exemption from taking Performance Security/ Security Deposit in cases of award through Work Orders under Chapter 21. In addition, it is to bring on records that Work order is basically a "Form of Contract" under specified condition and the THDC Procurement Policy, no where, stops / deny the right of Owner/ Principal Employer to take security against due Performance of the work. Taking Performance Security/ Security Deposit from the contractors even in the small contracts will not only protect THDCIL's Interests but keep the contractors aligned to work properly, rightly & ethically also.

In view of the above, it is requested that all departments of THDCIL be directed for strict compliance in respect of obtaining Performance Security / Security Deposit in all cases of awards through Work Orders.

(v) **Systemic Improvement in respect of payment / reimbursement against monthly wages, EPF and GST.**

The Executives of Vigilance Deptt. are regularly conducting Intensive Examinations and Surprise Inspections at Project Sites as well as at other offices of THDCIL as a part of Preventive Vigilance.

During inspection, following ambiguities have been observed in one of the case:

- During operation of the Contract Agreement, the minimum wages to the man-power deployed were paid for total number of days of whole of the month in violation to the terms of Memorandum issued time to time by Dy. Chief Labour Commissioner in respect of fixing rates of minimum wage for different category of Labour.
- During operation of the Contract Agreement, EPF was reimbursed without proper check of the documents submitted in support, availability of the Man-power and proper calculations.
- During operation of the Contract Agreement, GST on bought out Items was not considered appropriately at the applicable rates on the items and were paid on the basis of demand raised by the contractor only.

In this case, it was noticed that the memorandum issued time to time by Dy. Chief Labour Commissioner in respect of fixing rates of minimum wage for different category of Labour categorically states that **the minimum rates of wages include the Wages for weekly day of rest** but while making the payments against monthly RA Bills, this important condition was overlooked and payments for actual number of days of a months were made thereby resulting in extra payment to the contractor by the Execution Dept. These extra payments made have however been recovered from the contractor.

The reimbursement against EPF was also found to have been made without proper checks of the documents submitted by the contractor in support viz. attendance for availability of the man-power and proportionate calculations etc. Sometimes, one contractor may have different agreements for different locations or similar location/company. It is, therefore, mandatory that there should be proper check for manpower list for whom the EPF paid vis-a-vis the attendance as per attendance register used for deployment of man-power by the company. **Payment of extra salary on account of extra number of days may also add/contribute to the extra EPF reimbursement.**

It was also noticed that while reimbursing the payment against bought out items to the contractor as per terms of the contract agreement, neither the

proper bill was raised applying differential GST rates ranging from 0% to 18% on different category of items nor any percentage was mentioned while claiming lump sum GST amount. This has resulted in extra payments time to time. These extra payments have been recovered from Contractor on intervention of Vigilance Deptt. now Checking of the applicable rates on the items on proper bill is to be ensured by the officers initiating/approving/making payments.

It must be kept in mind that while making the payments against RA Bills, all documents necessary for making payments be mandatorily checked and the guidelines / directives applicable be essentially adhered to by the Engineer-In-Charge.

In view of the above, it is requested that all HOPs/ HoDs at Corporate Office, Projects and other locations may please direct all the officers and employees to apply due diligence while making payments /reimbursement in respect of Wages, EPF and GST etc.

(vi) Systemic Improvement in respect of properly maintaining and presenting the documents and appropriate consideration of all components of cost of work for award while seeking approval,

The Executives of Vigilance Dept. are regularly conducting Intensive Examinations and Surprise Inspections at Project Sites as well as at other offices of THDCIL as a part of Preventive Vigilance.

During inspection, following ambiguities have been observed-

- Improper maintaining and presenting the relevant documents important for reference and helpful in decision making process in the case file while putting the same for approval to Competent Authority.
- In addition, the cost of one component (H.S. Diesel) of work was found deliberately considered by execution in wrong way i.e. keeping responsibility of purchase of H.S. Diesel from market & delivery of the same to site on THDCIL's shoulder to make cost of H.S. Diesel an indirect component. This way, by separating the two costs i.e. cost of Hiring of Machine & cost of H.S. Diesel, the proposal was brought within the ambit of delegated power of the Competent Authority at the Project. No attention was paid to this important aspect that by such manipulation the indirect cost of transportation of H.S. Diesel to the site which was around 20 Km. from the H. S. Diesel dispensing point and around 30 Km from Project Office will cost dearly to company.

In this case, it was noticed that NOC issued by State Govt., which was carrying very vital/important communications w.r.t type of machines to be deployed, scope of work and the authority designated to execute that work etc., was not presented in the concerned case file while seeking approval of the Competent Authority. Against this very important observation of Vigilance Deptt, an excuse was made in the reply by the Execution Deptt. that all the relevant documents were maintained separately and were placed before the Competent Authority in decision making process. This is not the correct way of work. The case file must be complete in all respect while seeking approval of the Competent Authority and further checks by Audits/ Vigilance.

The matter of not considering the cost of H.S. Diesel as an integral part of cost of work of 'Hiring of Heavy Earth Moving Machines from Market' was then referred to the Company Secretary for necessary clarification. It was clarified by the Company Secretary that for such proposal(s), the cost of hiring and cost of H.S. Diesel to be incurred for operation of hired machine will be the cost of work. Vigilance observed that the proposal should have accordingly been put up to the competent authority for approval as per delegation allowed under DOP but the same had not happened.

In view of the above, it must be kept in mind that while preparing the files for approval of the Competent Authority, all documents necessary for decision making be mandatorily placed with proper reference in file and the communication made in the important documents be essentially brought out in the proposal and consideration of cost of all components of work essential for award should be appropriately considered before referring the appropriate delegation under DOP.

In view of the above, it is to put on records that in case(s) of hiding / not properly presenting documents, which may affect decision making by Competent Authority as well as consideration of all costs of component of work for award, are not found appropriately considered and not referred with correct delegation of the Competent Authority, the officer(s) concerned will be held responsible

In view of the above, it is requested that all HOPs/HoDs at Corporate Office, Projects and other locations may please direct all the officers and employees to apply due diligence in processing & putting up the file(s) before Competent Authority for approval.

PART-IV
RECENT
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. 020/VGLJ023/466958

दिनांक / Dated. 23.11.2020

Office Order No. 17/11/2020

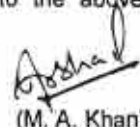
Subject: Filing of Immovable/Movable Property Return by officers/officials

Timely filing of property return by the officials of Ministries/ Departments/ Organisations is one of the mandatory requirement under Conduct Rules. Property returns are also a good tool for CVOs to detect the source of funding of the assets of the officials and to find out whether these have been acquired through legal means. Non-filing of property returns constitutes good and sufficient reasons for instituting disciplinary action against the delinquent officials.

2. While examining the reports submitted by some of the CVOs, the Commission has observed that in most of the organisations, many of the officers/officials are yet to file their Annual Immovable/Movable Property Return (IPR/MPR) for the previous year i.e. 2019. In most organisations, the last date for filing of return is 31st January. Almost nine months have since lapsed and the organisations are yet to secure 100% compliance in this regard.

3. The Commission has expressed its deep concern at such a prolonged delay in filing of IPR/MPR by the officers/officials of organisations and has directed to complete the exercise latest by 30th November, 2020 to achieve 100% compliance. Those officers/officials who do not file their IPR/MPR by 30.11.2020, appropriate disciplinary action may be initiated against them.

4. All CVOs/Administrative authorities should ensure strict compliance to the above instructions under intimation to the Commission.



(M. A. Khan)

Officer on Special Duty

To:

1. All Secretaries of Ministries / Departments of Govt /CMDs/Chief Executives/ Heads of CPSEs / PSBs / PSICs / FIs / Autonomous Organisations, etc.
2. All Chief Vigilance Officers of Ministries / Departments /CPSEs /PSBs /PSICs /FIs / Autonomous Organisations, etc.

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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
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सं./No.....No. 000-VGL-18 - 469044

दिनांक / Dated.....14.12.2020

Circular No.18/12/20

Subject: Timely finalization of Departmental Inquiry Proceedings-improving vigilance administration.

Ref: (i) Commission's Circular No. 8(1)(g)/99(2)	dated 19.02.1999
(ii) Commission's Circular No. 8(1)(g)/99(3)	dated 03.03.1999
(iii) Commission's Circular No. 3(v)/99(7)	dated 06.09.1999
(iv) Commission's Circular No. 000/VGL/18	dated 23.05.2000
(v) Commission's Office Order No. 51/08/2004	dated 10.08.2004
(vi) Commission's Circular No. 02/01/2016	dated 18.01.2016

The Central Vigilance Commission as part of its functions of exercising superintendence over the vigilance administration of the organizations covered under its advisory jurisdiction and for bringing about improvement and efficiency in the same, has been emphasizing on timely initiation and completion of the disciplinary proceedings, wherever required. The Commission is of the view that any delay in initiation or finalization of the disciplinary action is neither in the interest of the organization, nor that of the official concerned.

2. Guidelines have been issued by the Commission in this regard, defining the time limits for various stages of disciplinary proceedings, in order to ensure that there is no undue delay on the part of the concerned authorities/officials. However, it is observed that despite clear guidelines issued by the Commission and Department of Personnel & Training (DoP&T), the authorities/officials concerned are not adhering to the prescribed time-limit and the disciplinary proceedings in some cases take much longer time, which leads to unwarranted delay in finalization of disciplinary case. Any unexplained, undue delay may also be a cause of unnecessary litigation and provide undue advantage/harassment to the charged officer. Such delays on one hand help in evading penalty on guilty officials, while prolonging the agony of the officials who may have been charge-sheeted wrongly in few cases and are finally exonerated.

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-2-

3. The delay in completion of departmental proceedings on the part of the organization concerned has also attracted adverse comments from the Hon'ble Supreme Court of India in Civil Appeal No. 958 of 2010 Prem Nath Bali Vs. Registrar, High Court of Delhi & Anr in its judgment dated 16.12.2015.

4. In continuation of CVC's guidelines dated 23.05.2000 and DoPT OM dated 14.10.2013, the Commission therefore, to ensure prompt/timely action in disciplinary matters where major penalty proceedings have been initiated/are to be initiated, the following time limit may be adhered to: -

Sl. No.	Stage of disciplinary action	Time Limit
1.	Issue of Charge Sheet to the stage of appointment of IO and PO	All the required actions may be completed within a period of 02 months from the date of issue of First Stage Advice of the Commission.
2.	Conducting departmental inquiry and submission of report by the Inquiry officer (I.O.)	The inquiry report should be submitted within 6 months from the date of appointment of inquiry officers
3.	Overall additional time for all/any of the above stages of disciplinary proceedings, due to some unavoidable/unforeseen circumstances	In addition to the above time limit, a period of 1 more month may be taken, if required.

5. The Commission desires that the above time limit should be adhered to strictly by the authorities in the organisations concerned. Since initiation and conduct of disciplinary proceedings is within the domain of the disciplinary authority concerned, the CVOs may bring the above guidelines of the Commission to the notice of the competent authorities for compliance.


(Rajiv Varma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of GoI
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iv) Website of CVC

Copy to:

Department of Personnel & Training [Shri Lok Ranjan, Additional Secretary, DoP&T], North Block, New Delhi-110 001 for information and necessary action.

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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
020/MS/028

सं./No.....

दिनांक / Dated 22.12.2020

Circular No. 19/12/20

Subject: Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Supreme Court of India.

Ministry of Law and Justice, vide their Office Memorandum No. N-17/10/2018-NM dated 13.06.2018 have brought to notice, the judgement dated 28.03.2018 of the Hon'ble Supreme Court in the above cited Criminal Appeal. Copy of O.M. dated 13.06.18 of Ministry of Law and Justice is enclosed.

2. As pointed out by Ministry of Law and Justice, in the judgement dated 28.03.2018, Hon'ble Supreme Court had ordered for limiting the period of stay granted by a court of law to six months, except in exceptional circumstances. The Commission has desired that the orders dated 28.03.2018 may be kept in view, while handling/examining court matters in the organisations. In respect of those court cases, where stay was granted by a trial court more than six months ago and also in cases based on CBI's investigation, which have been kept in abeyance due to court's orders, the issues may be examined in the light of the aforementioned judgement of the Hon'ble Supreme Court. Appropriate and immediate steps may also be taken, in consultation with the organization's counsels/Legal Branch to ensure that the stay, if granted by a court of law, is vacated within six months' period and court proceedings are commenced.

3. The above position may also be brought to the notice of the Chief Executive and Legal Branches of the organisations concerned for keeping the Supreme Court's orders in view, while handling Legal/ Court matters.

4. Complete judgement of the Hon'ble Supreme Court may be accessed from the Supreme Court's website through the link https://scoi.gov.in/supremecourt/2011/27580/27580_Judgement_28-Mar-2018.pdf.

5. It may be noted for compliance with immediate effect.

(Rajiv Verma)
Officer on Special Duty

All Chief Vigilance Officers

Encls: As above.

File No: N-17/10/2018-NM
Government of India
Ministry of Law and Justice
Department of Justice

Jaisalmer House
26, Mansingh Road, New Delhi-110011
Dated: the 13th June, 2018

OFFICE MEMORANDUM


Subject: Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon'ble Supreme Court of India.

Sir,

This Department has received a copy of Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon'ble Supreme Court of India, through the Office of Hon'ble Prime Minister for forwarding to all concerned

The implication of the aforesaid judgment is that where any action by a development agency or an enforcement agency, as the case may be, was stayed by a court of law, the same shall stand vacated automatically at the expiry of 6 months from the date of the order i.e. 28.03.2018, unless the same is extended by a speaking order. Further, the judgment casts a responsibility on the court granting stay that the speaking order must show that the case was of such exceptional nature that continuing the stay was more important than having the trial finalized. Also, in such cases where the stay is extended, the trial court has been directed to fix a date not beyond six months of the order of stay so that on expiry of period of stay, proceedings can commence.

The judgment of Hon'ble Supreme Court can be accessed at https://sci.gov.in/supremecourt/2011/27580/27580_Judgement_28-Mar-2018.pdf.


(Giridhar G. Pai)
Director
Ph. 23072145

Secretary
Department of Atomic Energy
Anushakti Bhavan, Chatrapathi Shivaji
Maharaj Marg, Mumbai - 400001

Copy to - Under Secretary (JI), Department of Justice for uploading on portal w.r.t
PMO ID No. 4827311/PMO/2018-Pol dated 24.04.2018.

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CENTRAL VIGILANCE COMMISSION



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020/MSC/036

सं./No.....

दिनांक / Dated..... 30.12.2020

Circular No. 20/12/20

Subject:- Disposal of old pending cases.

Central Vigilance Commission, as part of its functions of exercising superintendence over Vigilance Administration of the organizations under its advisory jurisdiction has been emphasizing on timely completion of action in vigilance related matters. Any delay in finalization of such matters is neither in the interest of the organization nor that of the employee concerned. Undue delay on one hand provide prolonged opportunities to a corrupt public servant to indulge in inappropriate activities. On the other hand, any unwarranted delay in conclusion of vigilance related matters is detrimental for an honest public servant, who may have got involved in a vigilance case, due to various reasons.

2. In order to ensure that a vigilance related matter is taken to its logical conclusion within a reasonable time frame, the Central Vigilance Commission has issued guidelines, time and again, specifying the time limit for each stage involved in a vigilance case. However, it has been observed that some cases are not brought to logical conclusion in a timely manner and remain pending in the organizations for unduly long period of time, due to variety of reasons.

3. The Commission, vide Circular No. 18/12/20 dated 14.12.2020 (available in downloadable form on Commission's website, www.cvc.gov.in) has prescribed time limit for various stages of disciplinary action, as tabulated below:-

Sl. No.	Stage of disciplinary action	Time Limit
1.	Issue of Charge Sheet to the stage of appointment of IO and PO	All the required actions may be completed within a period of 02 months from the date of issue of First Stage Advice of the Commission.
2.	Conducting departmental inquiry and submission of report by the Inquiry officer (I.O.)	The inquiry report should be submitted within 6 months from the date of appointment of inquiry officers
3.	Overall additional time for all/any of the above stages of disciplinary proceedings, due to some unavoidable/unforeseen circumstances	In addition to the above time limit, a period of 1 more month may be taken, if required.

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-2-

4. The Commission is regularly reviewing old pending cases with the respective organizations and has appreciated the efforts of the organizations in bringing most of the old cases to a logical conclusion. On a review of cases, it is observed that a limited number of cases, which originated in the period of 01.01.2011 to 31.12.2018, are pending in some organizations for various reasons, some of which are listed below:-

- (i) Stay granted by a court of law;
- (ii) Case pending in a court of law;
- (iii) Case kept in abeyance as the official had been terminated from service in another case;
- (iv) Although, the officer was working with the Central Govt. at the time of commission of misconduct, but the Disciplinary Authority, i.e., the State Govt. is yet to furnish its views/recommendations;
- (v) The misconduct was committed in an organization where the official was on deputation/posted earlier and later on, he, either reverted back to his parent organization or was transferred to another organization and there was difference of opinion between the authorities concerned in the two departments.

5. The Commission has directed that in respect of those organizations where a few old cases are still pending, the Chief Executive and the Chief Vigilance Officer of the organization should ensure that the vigilance cases initiated between the period 01.01.2011 to 31.12.2018 must be finalized latest by 31.05.2021. The organizations may take all necessary steps and may follow up the pending cases with the authorities concerned, within the organization and outside too, if required, to ensure timely action in these cases.

6. As regards the cases pending in a court of law for a long time, it may be noted that the Commission vide its Circular No. 19/12/20 dated 22.12.2020 has already drawn the attention of the organizations to the judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Supreme Court of India (https://sci.gov.in/supremecourt/2011/27580/27580/Judgement_28-Mar-2018.pdf), in which the Supreme Court had ordered for limiting the period of stay granted by a court of law to six months, except in exceptional circumstances. The organizations may take necessary and appropriate action in respect of those cases where stay has been granted by a lower court, in view of the aforementioned judgement of the Supreme Court.

7. The progress made in taking the old pending cases to their logical conclusion may be intimated to the Commission by the CVOs concerned.

8. The above time schedule may be noted for strict compliance.



(Rajiv Verma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of GoI
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iv) Website of CVC

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केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



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

स. / No.....014/VGL/061.....
08.03.2021
दिनांक / Dated.....

Circular No. 02/03/21

Subject:- Second stage consultation with the CVC in disciplinary cases involving consultation with UPSC.

Reference:-

- (i) Commission's Circular No. 17/12/12 issued vide letter No. 010/VGL/095 dated 07.12.2012.

Central Vigilance Commission attaches utmost importance to timely finalization of disciplinary proceedings and has taken all possible steps to ensure that once the disciplinary proceedings are initiated against a government official, the same are taken to logical conclusion, after following due procedure, within the timeline prescribed under various guidelines issued by this Commission and Department of Personnel and Training. The importance of timely finalization of departmental proceedings has also been highlighted by Hon'ble Supreme Court of India in Civil Appeal No. 958 of 2010, Prem Nath Bali Vs. Registrar, High Court of Delhi & Anr. in its judgment dated 06.12.2015.

2. As per mandate given in Section 8(1)(g) of CVC Act 2003 and the laid down procedure, the authorities concerned are required to approach this Commission for advice at two stages, in respect of officers who are covered under the advisory jurisdiction of this Commission. However, in respect of officers of All India Services and other officers, wherein original order imposing any of the penalty is to be issued by the President, Union Public Service Commission is also required to be approached by the government, to decide about the quantum of penalty to be imposed on such officers.

3. Hence, with a view to avoid delay arising out of duality of authority, this Commission vide its Circular No. 17/12/12 dated 07.12.2012 had dispensed with the 2nd stage consultation with Central Vigilance Commission, in respect of those cases, where consultation with UPSC is also required, before deciding about the quantum of penalty. However, it has been observed that this step has not obtained the desired result. Considerable delay has been noted in finalization of disciplinary proceedings in those cases also, where the proceedings were initiated on the advice of Central Vigilance Commission, but 2nd stage consultation with UPSC was required and UPSC's advice was obtained by the authorities concerned.

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:: 2 ::

4. One of the reasons noticed for delay in such cases is that while approaching UPSC for advice about the quantum of penalty on the Charged Officer concerned, the fact that disciplinary proceedings were initiated on the advice of Central Vigilance Commission in that particular case, is not highlighted by the organizations.

5. Therefore, it is desired that the authorities concerned, at the time of approaching UPSC for advice, in respect of those cases, where this Commission's First Stage Advice was sought and obtained, must highlight the fact that the particular case was based on the First Stage Advice given by the Central Vigilance Commission, so that the cases receive due attention with the authorities in UPSC and its advice is tendered on priority basis. It may be done by superscribing the file cover of cases being referred to UPSC with the words "Vigilance Case" on a Red Sticker, similar to the process being followed in respect of important files pertaining to other urgent/time bound Parliamentary matters and Lok Sabha/Rajya Sabha questions etc.



(Rajiv Verma)
Officer on Special Duty

To,

- (i) The Secretaries of Ministries/Departments of Government of India.
- (ii) The Chief Secretaries to Union Territories.
- (iii) All Chief Vigilance Officers of Ministries/Departments of Government of India

Copy for information:-

- (i) The Secretary, Union Public Service Commission.
- (ii) The Secretary, Department of Personnel & Training.
- (iii) The Director, Central Bureau of Investigation.

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सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
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स./No. 020-VGL-054-48007

दिनांक / Dated: 05.04.2021

Circular No. 03/04/21

Subject:- Transfer of officers/officials working in Vigilance Unit of the organization-
reg.

Ref: (i) Commission's Circular No. 98/VGL/60 dated 15.04.1999
(ii) Commission's Circular No. 98/VGL/60 dated 02.11.2001
(iii) Commission's Circular No. 17/4/08 dated 01.05.2008
(iv) Commission's Circular No. 02/01/12 dated 04.01.2012
(v) Commission's Circular No. 03/09/13 dated 11.09.2013

Central Vigilance Commission, as part of its function of exercising supervision over vigilance administration of the organizations under its advisory jurisdiction, has issued guidelines, as referred to above, relating to transfer of officials working in Vigilance Units of the organizations. The Commission has already identified posting in Vigilance Units/departments as 'sensitive posting'. It has been observed that undue long stay of an official in such a sensitive post at one place, has the potential of developing vested interests, apart from giving rise to unnecessary complaints/allegations etc. In order to emphasize on the importance of the issue and to ensure transparency, objectivity, and uniformity in approach, the Commission has decided to modify its earlier guidelines. The Commission would now direct as under:-

- (i) The tenure of personnel in vigilance unit at one place including PS/PA and lower level functionaries, should be limited to 'three years' only. Such personnel who have completed three years in Vigilance Units can be given another tenure of three years in vigilance unit, in continuation of earlier tenure, but at a different place of posting. It would mean that the personnel can have two continuous postings in Vigilance Units, at two different places of posting, each running into a maximum of three years.
- (ii) In case of personnel presently working in Vigilance Units of the organizations concerned, who have worked for more than three years, the exercise of transferring them out of the present place of posting may be started in phases, with priority to be given to shift/transfer personnel who have served for the maximum period in Vigilance Unit. The personnel, who have completed more than five years in Vigilance Units at same place,

should be shifted on top priority basis. In first phase, atleast 10% of the persons (minimum of one person), who have worked beyond three years, should be shifted in sequential order, without exception, i.e., on the basis of first come first go principle. An illustrative example of the manner in which the exercise is to be conducted is given below: -

Name of the organization- 'X'

1	2	3	4	5
No. of officials posted in Vigilance Units	No. of officials working for >3 years	No. of officials to be posted out in first phase	Out of column (3), no. of officials working for >5 years	No. of officials working between four and half years to five years
86	41	4 (10% of column 2)	3 (to be posted out in first phase)	1 (to be posted out in first phase)

- (iii) In case, a personnel has served at one place in Vigilance Unit for more than three years, his tenure at the next place (if posted in Vigilance Unit) may be curtailed to ensure that the combined tenure at two places is limited to six years only.
- (iv) After transfer from Vigilance Unit, a compulsory cooling off period of three years should be observed before a person can be considered again for posting in Vigilance Unit of the organization concerned.
- (v) A person, after completion of three years in Vigilance Unit of an organization may be considered for transfer on deputation basis, in the Vigilance Unit of another organization, subject to the policy of the organizations and/or authorities concerned, on the subject.
- (vi) In case of transfer on deputation basis and/or transfer to another unit in the same organization, priority/preference should be given to those personnel who have sought transfer or applied for deputation on the basis of posting of their spouse.
- (vii) Induction training of preferably seven days should be given to the personnel, at the time of their posting in Vigilance Unit and further training at regular interval may be given, so as to enable them to function smoothly and efficiently. A hybrid model for the training may be developed, which may include online training.

2. The first phase of transfer/posting of minimum of 10% of the personnel [as indicated in para 1 (ii) above] may be completed by 31.05.2021. Further, it may be ensured that the exercise of transferring all the personnel who have worked for more than 3 years at one place is completed by 30.06.2022.

3. In the organizations where there is a vigilance cadre, the vigilance personnel may be transferred to other place/station in Vigilance unit after completion of tenure of three years at one place/station in the vigilance unit of the organisation concerned.
4. The details regarding transfer of personnel to and from Vigilance Units should be provided to the Commission by the CVOs concerned in para 9 of the Quarterly Performance Report being submitted by them to the Commission.
5. The guidelines for transfers/postings in view of COVID-19 pandemic to be kept in view while effecting transfers/postings.
6. The above instructions may be noted for strict compliance.



(Rajiv Varma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of GoI
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
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CENTRAL VIGILANCE COMMISSION



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सं./No.....005/CRD/19/480241

दिनांक / Dated.....06.04.2021.....

Circular No. 04/04/21

Subject: Transparency in Works/Purchase/Consultancy contracts awarded on nomination basis.

Reference:

- | | | |
|-------|---------------------------------------|------------------|
| (i) | Commission's Circular No.15/05/06 | dated 09.05.2006 |
| (ii) | Commission's Office Order No.23/07/07 | dated 05.07.2007 |
| (iii) | Commission's Office Order No.19/05/10 | dated 19.05.2010 |
| (iv) | Commission's Circular No.18/12/12 | dated 11.12.2012 |
| (v) | Commission's Circular No.06/07/18 | dated 11.07.2018 |

Central Vigilance Commission, as part of its drive to ensure transparency, to promote healthy competition and to provide fair and equitable treatment to all interested parties in matters of public procurement, has issued guidelines from time to time emphasizing on the need to adopt tendering process as a basic requirement, before award of contract to any party.

2. Tendering process or public auction is a basic requirement for award of contract by any Government agency. Any other method, especially award of contract on nomination basis would amount to a breach of Article 14 of the Constitution guaranteeing right to equality which implies right to equality to all interested parties. The award of contracts/projects/procurements on nomination basis without adequate justification amounts to restrictive practice eliminating competition, fairness and equity. Hence, award of contracts through open competitive bids should remain the most preferred mode of tendering.

3. However, in some exceptional and inevitable circumstances, the contracts may be awarded on nomination basis; for instance, during natural calamities and emergencies declared by the Government; where procurement is possible from a single source only; where the supplier or contractor has the exclusive rights in respect of the goods or services and no reasonable alternative or substitute exists; where the auction was held on several dates but there were no bidders or the bids offered were too low etc.[Ref: SPL(Civil)No. 10174 of 2006 in case of Nagar Nigam, Meerut Vs A1 Faheem Meat Export Pvt Ltd.].

4. But, it has been observed that in some cases, the guidelines issued by the Commission are not being adhered to by the organizations. Therefore, the Commission would reiterate its earlier guidelines and direct that:

- (i) All works/purchase/consultancy contracts awarded on nomination basis should be brought to the notice of following authorities for information:
 - a) the Secretary, in case of the ministries/departments;
 - b) the Board of Directors or equivalent managing body, in case of Public Sector Undertakings, Public Sector Banks, Insurance Companies, etc.;
 - c) the Chief Executive of the organization where such a managing body is not in existence.
 - (ii) The report relating to such awards on nomination basis shall be submitted to the Secretary/Board/Chief Executive/equivalent managing body, every quarter.
 - (iii) The audit committee or similar unit in the organization may be required to check at least 10% of such cases.
5. Details of all tenders awarded on nomination basis shall be posted on website of the organization concerned, in public domain, along with brief reasons for doing so.
6. The above guidelines may be noted for strict compliance.


(Rajiv Varma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of GoI
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector banks/ Public Sector Insurance Companies/Autonomous Bodies etc.
- (iv) Website of CVC

Most Immediate

**No 021-AIS-1(2)
Central Vigilance Commission**

Satarkta Bhavan
New Delhi
19th April, 2021

OFFICE MEMORANDUM

Subject: Expeditious disposal of complaints received against employees, having bearing on Vigilance Clearance - Suitable monitoring mechanism - Reg

With reference to the subject mentioned above, it has been observed from the proposals being received by the Commission for the purpose of vigilance clearance that complaints received against an employee gets registered/received and stays in the vigilance profile of the employee for a very long time.

Commission has noted with concern that the end result on these complaints is that there is a) no action for a long time or b) the action not being taken to its logical conclusion or c) the action taken not being updated in the records. This has led to a situation where the vigilance clearance is being delayed / denied for no fault of the employee.

2. In this context, attention is invited to Para (3) of DoP&T OM No 104/33/2005-AVD-I dated 29.10.2007 for members of All India Services and DoP&T OM No 11012/11/2007-Estt (A) dated 14.12.2007 for members of Central Civil Services/ Central civil posts, which is reproduced below for ready reference:

"In cases where complaints have been referred to the state / administrative authority concerned, and no substantive response has been received from such state / administrative authority concerned within three months from the date on which the reference was made, the Cadre Controlling Authority / Disciplinary Authority may provide a copy of the complaint to the officer concerned to seek his comments. If the comments are found to be prima facie satisfactory by the Competent Authority, vigilance clearance shall be accorded."

3. Despite these provisions, vigilance clearance is being with-held because of delay in disposal of the complaints received against the employees. To streamline the process, it has been decided that the following procedure shall be adopted while handling the complaints received against an employee in an organization, including the complaints sent by CVC for 'necessary action':

- (i) All anonymous/ pseudonymous complaints must be filed in compliance of DoP&T OM no 104/76/2011-AVD-1 dated 18.10.2013 and 18.06.2014 (https://documents.doptcirculares.nic.in/D2/D02ser/104_76_2011-AVD-1-31032015.pdf) and Commission's circular no. 07/11/2014 dated 25.11.2014 (<https://cvc.gov.in/sites/default/files/anps25112014.pdf>) and circular no. 12/09/20 dated 24.09.2020. (<https://cvc.gov.in/sites/default/files/98DSP009.pdf>), as amended from time to time.
- (ii) Action on the remaining complaints against the employees must be taken to the logical conclusion **within 3 months** of the date of receipt of the complaint. Logical conclusion here implies that the decision shall be taken by the organization to either (a) file the complaint or (b) register a vigilance case for further investigation or (c) register a non-vigilance/ administrative action case for further investigation. This is in partial modification of Commission's circular no 000/VGL/18 dated 23.05.2000. (<https://cvc.gov.in/sites/default/files/0000vgl18.pdf>).
- (iii) At the end of the third month from the date of receipt of complaint against the employee and after deciding on the course of action as mentioned in Para 3 (ii) (b) and 3 (ii) (c) above, a copy of the complaint shall be made available to the concerned employee, **within 15 days** through speed post, wherever the name of employee is mentioned in the complaint. In cases where the employee's name is not explicitly mentioned in the complaint, copy of the complaint shall be made available to the concerned employee at the stage of registration of vigilance/non-vigilance case against the said employee. The purpose is to inform the employee that the complaint is being examined by the organization. The employee shall also be informed that full opportunity would be given to him during examination. In case of decision to file the complaint as in Para 3 (ii) (a) above, no further action is required.
- (iv) Once a decision has been made to take up the matter as a vigilance case as in Para 3 (ii) (b) above, the organization shall send its inquiry report to the

Commission /CVO seeking First Stage Advice **within 3 months** of registration of such regular case. This timeline shall strictly be adhered to.

- (v) Once a decision has been made to take up the matter as a non-vigilance/ administrative action case as in Para 3 (ii) (c) above, the organization must follow the relevant guidelines/instructions issued by DoPT from time to time.
4. CVOs shall submit the following information in the QPRs being submitted online to the Commission:
- Number of complaints pending for more than prescribed time limit, yet to be made available to the employee concerned, as in Para 3 (iii) above;
 - Number of complaints pending for more than prescribed time limit, yet to be closed or registered as a vigilance/non-vigilance case, as in Para 3 (ii) above;
 - Number of cases pending for more than prescribed time limit, yet to be sent for FSA as in Para (iv) and (v) above;
 - Number of cases under process within the prescribed time limit.

Illustration

Complaints pending with an Organisation as on 31.12.2020	10	
Anonymous Complaints filed immediately	2	
Pseudonymous complaints filed after complainant verification	2	
Remaining 06 complaints on which decision taken as per Para 3 (ii)	Filed	01
	Vig case	03
	Non Vig Case	02
In 05 complaints, copy of complaint has to be shared with the concerned employee within 1 week of arriving at the decision as per Para 3(ii) (b) and (c)		
In Vig cases, inquiry report to be submitted to CVO/CVC for FSA within 3 months as per Para 3 (iv)		
Non Vig cases as per Para 3 (v) to be governed by relevant DOPT guidelines		

5. As a pilot to begin with, the backlog complaints received till 31.12.2020 shall be disposed off as per the guidelines issued in this circular and compliance reported by 31.05.2021.

6. All the Head of Ministries/ Departments/ Organisations and their CVOs to ensure strict compliance to the above-mentioned guidelines with respect to the disposal of complaints. The status of complaints received after 01.01.2021 shall be reported through the online QPRs with effect from the 3rd Quarter of 2021. Necessary modifications to the QPR format will be made in this regard.

7. These instructions/guidelines shall be applicable to the category of complaints which are taken cognizance by the organization while issuance of vigilance clearance of employees, for any purpose.


(Sudhir Kumar)
Additional Secretary

To

- (i) The Secretaries of all Ministries / Departments of GoI
- (ii) All Chief Executives of CPSUs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
- (iii) All CVOs of Ministries / Departments of GoI / CPSUs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
- (iv) Website of CVC

Copy to

The Chief Secretaries of all States and UTs for information and necessary action on the complaints pertaining to All India Service Officers.


(Sudhir Kumar)
19/9/2024

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केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
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सं./No.....021/VGL-032.....

दिनांक / Dated.....06.05.2021.....

Circular No. 05/05/21

Subject: Revised Standard Operating Procedure to deal with Intensive Examination carried out by Chief Technical Examiners' Organization.

Ref: Commission's guidelines on Intensive Examination of Procurement & Other Contracts 2014

Central Vigilance Commission has revised the Standard Operating Procedure (SOP) to deal with Intensive Examination carried out by Chief Technical Examiners' Organization. The revised Standard Operating Procedure is enclosed as **Annexure-I**.

2. The Commission has directed that the procedure and time limit as prescribed in the revised SOP should be strictly adhered to by the authorities in the organisations concerned. The CVOs may bring the above SOP to the notice of the competent authorities for strict compliance.

(Rajiv Varma)
Officer on Special Duty

Encls: As above.

To

- (i) The Secretaries of all Ministries/Departments of Gol
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of Gol/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iv) Website of CVC

Annexure-I

Revised Standard Operating Procedure to Deal With Intensive Examination Carried Out by Chief Technical Examiners' Organization

Central Vigilance Commission has considered and revised Standard Operating Procedure (SOP) to deal with Intensive Examinations carried out by Chief Technical Examiners' Organization (CTEO). The revised Standard Operating Procedure would constitute of the following:-

- (i) Proposal containing procurement contracts of various Organizations to be taken up for Intensive Examination will be put up by Chief Technical Examiners through the Secretary, CVC for approval of the Commission.
- (ii) On approval of the proposal by the Commission, intimation will be sent to the Chief Vigilance Officers (CVOs) of respective Organizations for submission of relevant documents/details/information to the CTEO for study, before taking up Intensive Examination. Dates of Intensive Examination will be communicated to CVOs of the Organization concerned, who will be responsible for ensuring availability of all concerned persons, documents, testing equipments etc. during Intensive Examination.
- (iii) All necessary documents/information will be collected by the CTEO's team carrying out the Intensive Examination during the period of Intensive Examination itself. CVO of the Organization concerned shall be responsible for making such documents/information available during intensive examination to the CTEO's team.
- (iv) Samples collected during Intensive Examination will be handed over to the CVO of the organization concerned or his/her representative during Intensive Examination exercise itself alongwith a letter for the Laboratory (National Test House). Other reputed laboratories should be considered for the tests, where NTH does not have testing facility.
- (v) CVO of the Organisation concerned will ensure expeditious payment to the Laboratory towards testing charges for the above said samples.
- (vi) Within 15 days of the completion of the Intensive Examination exercise, a draft report containing various observations /paras will be prepared by the CTEO.
- (vii) A presentation will be made by CTEO before the Secretary, CVC within 15 days of completion of the Intensive Examination exercise. The presentation will be attended by the Additional Secretary and the Branch Officer concerned, besides the CVO of the Organization concerned. CMD/CEO of the Organisation concerned may also be invited to the presentation, if felt necessary by the Secretary, CVC.
- (viii) The Commission, depending upon its convenience, may like to attend the above presentation.

- (ix) After the presentation and based on the discussions during the presentation, a tabular statement of the observations will be prepared by CTEO, wherein various observations will be categorized as under-
- (a) Observations having prima facie vigilance angle;
 - (b) Observations requiring recovery to be effected from the contractor;
 - (c) Observations requiring rectification of defects/quality compromises;
 - (d) Observations requiring systemic improvement(s); and
 - (e) Miscellaneous observations
- (x) In case of observations/paras having prima facie vigilance angle, proposal will be put by the Branch Officer concerned through the Additional Secretary concerned to the Secretary, CVC for Commission's approval within 7 days, before sending the case to the CVO of the Organization concerned for Investigation & Report. There may be some cases where instead of Investigation & Report, a factual report could be sought from the CVO, depending upon the gravity of the issues. While time for Investigation & Report will be 12 weeks, Factual Report will be required to be submitted by the CVOs within one month.
- (xi) Draft Intensive Examination Report containing all the observations including the observations prima facie having vigilance angle, along with above discussed tabular statement will be put up to the Secretary by the respective CTE for approval. The Intensive Examination Report will also contain observations/paras having prima facie vigilance angle, which will be distinctly marked as vigilance paras. The vigilance paras will be dealt separately on Branch file. While dealing with Investigation Report of the CVO on these para, comments of CTEO will also be obtained.
- (xii) On approval of the Intensive Examination Report, the same will be forwarded to the CVO of the Organization concerned for submitting Action Taken Report in respect of non-vigilance paras to the CTEO.
- (xiii) Copy of the Intensive Examination Report will also be forwarded to the CMD/CEO of the Organization concerned as well as to the Secretary of the Administrative Ministry/Department for necessary action at their end.
- (xiv) The Intensive Examination Report besides being sent in hard copy, will also be sent through the official email of the Technical Examiner concerned.
- (xv) CVOs will be required to submit the action taken report in respect of non-vigilance observations to the CTEO within one month from the date of issue of Intensive Examination Report. CVOs will be required to send their categorical and comprehensive recommendations on each observation/para without leaving any scope for further query from the CTEO.

- (xvi) CVO of the Organization concerned may take up any observation/para of the intensive examination report for vigilance investigation, with the approval of the Secretary, CVC through CTEO.
- (xvii) Notwithstanding the above, an observation can also be categorized as having vigilance angle on receipt of the action taken report/clarification from the CVOs. A call in this regard will be taken by the Secretary, CVC with the approval of the Commission.
- (xviii) Each non- vigilance observation/para will be concluded/closed with the approval of Secretary, CVC on the proposal of CTEO.
- (xix) Overall time limit for conclusion of the intensive examination case shall be six months from date of issue of Intensive Examination Report.
- (xx) Final closure of the Intensive Examination case will be with the approval of the Secretary, CVC. While putting the case for closure to the Secretary, CVC, CTEO will also put up updated tabular statement of observations highlighting the action taken in respect of each observation/para.
- (xxi) Timelines for various activities have been prescribed in the annexure to this SOP. Overall, one month bonus time will be available to deal with any eventuality in concluding the Intensive Examination cases.
- (xxii) If, any Intensive Examination case is not concluded within the prescribed time limit then such case will be put up to the Commission for review and further action as felt appropriate by the Commission.

Annexure

Time Schedule For Various Activities

Activity	Time Allowed
Period of Intensive Examination exercise	7 days
Preparation of Draft Report and Presentation before Secretary, CVC OR the Commission after completion Intensive Examination exercise	15 days
Finalization of the Intensive Examination Report including statement of observations/para after the above said presentation	7 days
Approval of the Intensive Examination Report by Secretary CVC	7 days
Issue of the final Intensive Examination Report	3 days
Processing of the case for approval of the Commission regarding vigilance para by the Branch Officer and issue of OM to the CVO of the Organization concerned by the Branch Officer after the presentation	7 days
Submission of Reply /Clarification /Action taken Report in respect of non-vigilance para by the CVO to the CTEO	One Month
Further query, if any, by CTEO on the Reply /Clarification /Action taken Report of the CVO with the approval of the Secretary, CVC.	One Month
Reply by the CVO to the CTEO on such query/queries raised by CTEO	One Month
Scrutiny of the final Reply/Clarification/Action Taken Report from the CVO by CTEO and submission of the case for approval of the Secretary, CVC	One Month

Submission of Investigation Report in respect of vigilance para by the CVO to the Secretary, CVC	Three Months
In case, decision is taken by Secretary, CVC to call for Factual Report from CVO of the Organization concerned, instead of Investigation & Report, on some observation(s)/para	One Month
If, vigilance angle is detected in some observation /para on scrutiny of the Reply /Clarification /Action taken Report received from the CVO, then with the approval of the Secretary, CVC, such observation(s)/para covering the issues comprehensively will be transferred to the Branch Officer concerned. Who, in turn, will put the same for Commission's approval through Additional Secretary concerned and Secretary, CVC. On approval of the same by the Commission, CVO will be required to submit Investigation Report on such observation(s)/para.	Three Months

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सं./No..... 015/VGL/091


दिनांक / Dated..... 03.06.2021

Circular No. 06/05/21

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

The Commission has reviewed the Standard Operating Procedure (SOP) for adoption of Integrity Pact (IP) by all Government Organizations, Public Sector Enterprises, Public Sector Banks, Insurance Companies, other Financial Institutions and Autonomous bodies etc. A copy of the revised SOP is enclosed, which would be applicable for adoption and implementation of the IP by the organizations concerned.

2. The present SOP would replace the earlier SOP issued vide Circular No. 02/01/2017 dated 13.01.2017.


(Rajiv Varma)
Officer on Special Duty

Encl: As above.

To

- (i) All Secretaries of Ministries/Departments. **(The revised SOP may also be shared with the existing IEMs in the organizations concerned)**
- (ii) All CMDs/Head of CPSUs/Public Sector Banks/Organizations. **(The revised SOP may also be shared with the existing IEMs in the organizations concerned)**
- (iii) All CVOs of Ministries/Departments/CPSUs/Public Sector Banks/Organizations. **(The revised SOP may be brought to the notice of the Chief Executive of the organization concerned)**
- (iv) All Independent External Monitors.

STANDARD OPERATING PROCEDURE FOR ADOPTION OF INTEGRITY PACT

1.0 BACKGROUND

1.1 In order to ensure transparency, equity and competitiveness in public procurement, the Commission recommends adoption and implementation of the concept of Integrity Pact (IP) by Government organizations, Public Sector Enterprises, Public Sector Banks, Insurance Companies, other Financial Institutions and Autonomous Bodies etc.

1.2 Vide Circular No. 02/1/2017 dated 13.01.2017, the Commission issued a Comprehensive Standard Operating Procedure (SOP) for adoption and implementation of Integrity Pact.

Further, vide Circular no. 15/10/20 dated 20.10.2020, the eligibility criteria for consideration for empanelment as Independent External Monitor (IEM) was reviewed and revised.

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.

Any violation of Integrity Pact would entail disqualification of the bidders and exclusion from future business dealings, as per the existing provisions of GFR, 2017, PC Act, 1988 and other Financial Rules/Guidelines etc. as may be applicable to the organization concerned.

- 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 completion of contract. After award of work, the IEMs shall look into any issue relating to execution of contract, if specifically raised before them. As an illustrative example, if a contractor who has been awarded the contract, during the execution of contract, raises issue of delayed payment etc. before the IEMs, the same shall be examined by the panel of IEMs.

However, the IEMs may suggest systemic improvements to the management of the organization concerned, if considered necessary, to bring about transparency, equity and fairness in the system of procurement.

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.

In case, any individual organization desires to lower the threshold value, they may do so with the approval of the competent authority of the organization.

Procurements/contracts would cover procurement of works, goods and services by the organization concerned.

- 3.2 The above provision is also applied for procurements/contracts made by autonomous bodies for which the Administrative Ministry/Department concerned should decide the type of procurement activities and the threshold value above which the Integrity Pact would be applicable.

The procurements/contracts would cover both purchases and works/services contracts being entered into by the organization concerned.

- 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 In all tenders covered under the Integrity Pact, particulars of all IEMs, including their email IDs, should be mentioned, instead of mentioning details of a single IEM.
- 3.5 The Purchase / procurement wing of the organization would be the focal point for the implementation of IP.
- 3.6 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.
- 3.7 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.
- 3.8 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.
- 3.9 In case of a joint venture, all the partners of the joint venture should sign the Integrity Pact. In case of sub-contracting, the Principal contractor shall take the responsibility of the adoption of IP by the sub-contractor. It is to be ensured that all sub-contractors also sign the IP.
- 3.10 A summary of procurement/contract awarded, which are covered under the IP shall be compulsorily shared with the IEMs on quarterly basis, during the meeting. Based on the specific requirement of the organisations and the no. of tenders floated, the meetings may be held on monthly or bi-monthly basis, instead of quarterly periodicity.

- 3.11 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 be provided access to all documents/records pertaining to the contract for which a complaint or issue is raised before them, as and when warranted. However, the documents/records/information having National Security implications and those documents which have been classified as Secret/Top Secret are not to be disclosed.
- 4.2 It would be desirable to have structured meetings of the IEMs with the Chief Executive of the Organisation on a half yearly basis to discuss / review the information on tenders awarded during the preceding six months' period. 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 in case of suspicion of serious irregularities requiring legal/administrative action. Only in case of very serious issue having a specific, verifiable Vigilance angle, the matter should be reported directly to the Commission. IEMs are expected to tender their advice on the complaints, within 30 days.
- 4.4 For ensuring the desired transparency and objectivity in dealing with the complaints arising out of any tendering process or during execution of contract, the matter should be examined by the full panel of IEMs jointly, 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 Organization.

- 4.6 The advisory role of IEMs is envisaged as that of a friend, philosopher and guide. The advice of IEM would not be legally binding and it is restricted to resolving issues raised by a 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 / her 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 IEMs 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.

- 4.13 All the deliberations during the IEMs' meetings should be minuted and in the next meeting, the IEMs should confirm the recorded minutes of the previous meeting.

5.0 APPOINTMENT OF IEMS

- 5.1 The IEMs appointed should be eminent personalities of high integrity and reputation. A periodical notice inviting applications from eligible persons will be published on the Commission's website. After due scrutiny and verification of the applications and accompanying documents, as may be deemed appropriate by the Commission, the name(s) would be included in the panel for consideration for nomination as IEM.

All applications received after due date of notice issued by the Commission, shall be considered alongwith applications received in response to the subsequent notice.

- 5.2 The zone of consideration of eminent persons for empanelment as IEMs would consists of:-
- (i) Officer who have held the post of Secretary to Govt. of India or were in equivalent pay scale, at the time of retirement.
 - (ii) Officer who have held the post of Chief Secretary of any state of Union of India or were equivalent pay scale, at the time of retirement.
 - (iii) Officers who have held the post of Director General of Police or were in apex pay scale, at the time of retirement.
 - (iv) Persons who have held the post of CMD of Schedule 'A' Public Sector Enterprise and were equivalent to Additional Secretary to Govt. of India, at the time of retirement.
 - (v) Persons who have held the post of CMD/MD and CEO of Public Sector Banks, Insurance Companies and other Financial Institutions, at the time of retirement.
 - (vi) Chief Executive Officer of an organization [other than listed above and were equivalent to Secretary to Govt. of India, at the time of retirement.

- (vii) Officers who were in the apex pay scale at the time of retirement in Central Government/State Government/Forest Service.
 - (viii) Officers in the apex pay scale in all three Armed Forces.
- 5.3 The Commission would not include a retired person in the panel being maintained by it for consideration for nomination as IEM, if that retired person had accepted a full time assignment, post retirement, either in government sector or private sector or elsewhere. All those empanelled persons have accepted full time employment elsewhere, would cease to remain on the panel, from the date on which they have accepted the said assignment.
- 5.4 The Commission would nominate IEMs for an organization, from the panel of IEMs maintained by it.
- 5.5 The Commission would not consider the name of a retired officer/executive for nomination as IEM in a particular organisation, in case that person has retired from the same organization or has conflict of interest in any form.

However, in case the person being appointed as IEM in a particular organization has a conflict of interest, which may have gone unnoticed, despite best efforts, he/she should inform the Appointing Authority about the same at the time of offer of appointment being given to him/her and should not accept the offer for appointment as IEM in that particular organization.

- 5.6 Three IEMs shall be nominated for appointment in Maharatna and Navratna PSUs and two IEMs shall be nominated in all other organizations.
- 5.7 A person may be appointed as an IEM in a maximum of three organizations at a time.
- 5.8 An empanelled person cannot be appointed in one organization for a period of more than three years.

- 5.9 Age should not be more than 70 years at the time of appointment.
- 5.10 In any organization, the IEMs shall be paid per sitting a fees of Rs. 25,000/- or fees as payable to Independent Board Members, whichever is less. However, in case, in any organization, the fee payable to Independent Board Members is less than Rs. 25,000/-, the organization concerned may, after due deliberation increase the fees payable to IEM, subject to the ceiling of Rs. 25,000/- per sitting.

However, the maximum amount payable to IEMs in a calendar year shall not exceed Rs. 3,00,000/- with respect to sitting fees.

Expenses on travel and stay arrangement of IEMs shall be equal to that of Independent Board Member of that organization.

- 5.11 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.
- 5.12 At the time of appointment of an IEM, a copy of SOP should be made available to the person being appointed by the organizations concerned. A copy of Commission's guidelines on "Illustrative check points for various stages of public procurement", available on Commission's website, i.e., www.cvc.gov.in, under CTE's corner may also be provided to the IEMs at the time of their appointment, for guidance purpose.
- 5.13 In the event of any dispute between the management and the contractor relating to those contracts where Integrity Pact is applicable, in case, both the parties are agreeable, they may try to settle dispute through mediation before the panel of IEMs in a time bound manner. If required, the organizations may adopt any mediation rules for this purpose.

In case, the dispute remains unresolved even after mediation by the panel of IEMs, the organization may take further action as per the terms & conditions of the contract.

The fees for such meetings shall be same as fee payable to IEMs otherwise and in addition to the fees for the regular meeting of IEMs, to be held otherwise and over and above the ceiling of Rs. 3,00,000/- annually, to be calculated as per financial year. The travel and stay arrangement for such meetings shall be equal to that of Independent Board Member of the organization concerned. However, not more than five meetings shall be held for a particular dispute resolution. The fees/expenses on dispute resolution shall be equally shared by both the parties.

- 5.14 The names of all the IEMs of the organization should be available on the website of the organization concerned.

6.0 REVIEW SYSTEM

- 6.1 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.
- 6.2 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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सं./No..... No.020-VGL-045.....

दिनांक / Date:.....18.06.2021.....

Circular No. 08/06/21

Subject:- Procedure for handling references received from Lokpal of India.

Under the provisions contained in Lokpal and Lokayuktas Act, 2013, Lokpal of India has the mandate to inquire into allegations of corruption against certain public functionaries and for matters connected with them.

2. As per provisions contained under Section 20 (1) (b) of the Lokpal and Lokayuktas Act, 2013, complaints in respect of public servants belonging to Group A, B, C or D are referred by Lokpal to Central Vigilance Commission for preliminary inquiry. The Commission forwards such references to the Chief Vigilance Officers concerned for preliminary inquiry and report.

3. It may be noted that as per provisions contained under Section 20(2) of the Lokpal and Lokayuktas Act, 2013, a report is to be submitted within a period of sixty days and for reasons to be recorded in writing, within a further period of sixty days from the date of receipt of the complaint.

4. The Commission has directed that the Chief Vigilance Officers should ensure that the investigating officer, who is entrusted with preliminary inquiry of any Lokpal referred complaint, should have an uninterrupted tenure of minimum of 04 months in Vigilance Units/Organization concerned in order to ensure continuity and timely completion of such complaints.

5. The above instructions may be noted for strict compliance.

(Rajiv Verma)
Officer on Special Duty

To

- (i) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (ii) Website of CVC

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सं./No..... 021-VGL-036.....

दिनांक / Dated..... 23.06.2021.....

Circular No. 10/06/21

Subject:- Reporting of cases of deviations from the Central Vigilance Commission's advice-reg.

Reference:- (i) DoPT's OM No. 118/2/78-AVD(I) dated 28.09.1978
(ii) DoPT's OM No. 119/2/2019-AVD-III dated 02.09.2019

Central Vigilance Commission, in accordance with the provisions contained under Section 8(1) (g) of CVC Act, 2003, tenders advice to the organisation concerned on matters referred to it.

2. In respect of those cases where Commission's advice has been obtained by the organizations concerned, the competent authority is required to proceed further in the matter, in accordance with the advice tendered by the Commission. However, there are occasions when the Disciplinary Authority concerned takes a view which is different from the advice tendered by the Commission in a particular case. All cases of disagreement/deviation from the Commission's advice are presently reported by the Chief Vigilance Officers concerned in Para 5(C) of Quarterly Performance Report (QPR) being submitted online by the CVOs, under the head "Non-Acceptance/Deviation of CVC advice".

3. Department of Personnel and Training (DoPT), vide their O.M. dated 29.09.1978, reiterated vide O.M. dated 02.09.2019 (as referred to above) has issued guidelines, providing for consultation with DoPT regarding those cases where the authorities concerned propose to disagree with the advice of the Commission, in respect of officers for whom the appointing authority is the President. No such procedure has been defined in respect of Non-Presidential Appointees.

4. In respect of officers belonging to Ministry of Railways/Railway Board, separate instructions have been issued by DoPT, vide their O.M. No. 119/16/2014-AVD-III (Pt.) dated 05.02.2016, defining procedure for handling cases of disagreement/deviation from

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Commission's advice. Later on, DoPT, vide their O.M. No. 23/34/2018-EO (ACC) dated 02.08.2019, constituted a committee to revisit the existing instructions relating to the settlement of cases of disagreement between Ministry of Railways/Railway Board and Central Vigilance Commission. The report of the committee is awaited. During the pendency of the report of the committee, a system of reporting of cases of disagreement/deviation from Commission's advice, to the Commission through the Chairman and CEO, Railway Board has been adopted by Ministry of Railways/Railway Board.

5. The Commission has directed that for the sake of uniformity, all such cases of disagreement/deviation from Commission's advice (in respect of Non-Presidential Appointees), which, presently are not being referred to DoPT by the authorities concerned, shall be reported by the CVOs of the Ministry/Department concerned to the Secretary of that Ministry/Department.

6. In respect of Central Public Sector Enterprises/Public Sector Banks/Insurance Companies/Financial Institutions and other organisations, such cases of disagreement/deviation from Commission's advice, in respect of Non-Presidential Appointees, shall be reported to the CVO of the administrative ministry/department concerned, through the Chief Executive of the organisation. The CVO of the administrative ministry shall put up all such cases to the Secretary of the administrative ministry/department concerned. A confirmation in this regard shall be sent to the Commission by the CVO of the administrative ministry/department.

7. All actions regarding reporting of cases of disagreement/deviation from Commission's advice in respect of Non-Presidential Appointees, to the Secretary of the administrative ministry/department should be completed within a period of two months from the date of issue of orders by the Disciplinary Authority concerned.

8. The above instructions may be noted for strict compliance.



(Rajiv Verma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of GoI
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iv) Website of CVC
- (v) The Secretary, DoPT, with reference to Para (4), to request to inform the status of the report of the Committee.



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-10023

सं./No.....021-AIS-1(2).....

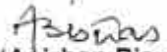
दिनांक / Dated.....03.09.2021.....

OFFICE MEMORANDUM

Subject:-Revised Proforma for furnishing details of the officers by the Cadre Controlling Authorities while seeking vigilance clearance - reg.

Please find enclosed revised proforma, approved by the Commission, for furnishing details of the officers by the Cadre Controlling Authorities while seeking vigilance clearance from the Commission.

2. All the Cadre Controlling Authorities are requested to furnish the same in the revised proforma (S. No. 1 to 13 in two separate sheets) to enable processing from Commission's side in a smooth manner.


(Anirban Biswas)
Under Secretary

Encl. As above

All Cadre Controlling Authorities of Ministries/Departments

PARTICULARS OF THE OFFICERS FOR WHOM VIGILANCE COMMENTS/CLEARANCE BEING SOUGHT

(To be furnished and signed by the CVO or HOD)

1. Name of the Officer (in full) :
2. Father's Name :
3. Date of Birth :
4. Date of Retirement :
5. Date of Entry into Service :
6. Service to which the officer belongs :
including batch/year cadre-etc
wherever applicable
7. Positions held :
(during the ten preceding years)

S.No	Organization (Name in full)	Designation & Place of posting	Administrative/nodal Ministry/Deptt. concerned (in case of officers of PSUs etc.)	From	To

VIGILANCE PROFILE OF OFFICERS FOR WHOM VIGILANCE COMMENTS/CLEARANCE BEING SOUGHT

(To be furnished and signed by the CVO or HOD)

8. Whether the officer has been placed on the "Agreed List" or "List of Officers of Doubtful Integrity".
(If yes, details to be given) :
9. Whether any allegation of misconduct involving vigilance angle was examined against the officer during the last 10 years and if so with what result (*):
10. Whether any punishment was awarded to the officer during the last 10 years and if so, the date of imposition and details of the penalty (*):
11. Is any disciplinary/criminal proceedings or charge sheet pending against the officers, as on date. [if so, details to be furnished – including reference no., if any, of the Commission] :
12. Is any action contemplated against the officer as on date [if so, details to be furnished] (*):
13. Whether any complaint is pending against the officer [if so, details to be furnished]. :

DATE:

(NAME AND SIGNATURE)

(*) If vigilance clearance had been obtained from the Commission in the past, the information may be provided for the period thereafter.



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-10023
015/VGL/091
सं./No.....
दिनांक / Dated. 14.09.2021


CORRIGENDUM

Circular No. 17/09/21

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

Reference is invited to Commission's Circular No. 06/05/21 dated 03.06.2021 on the aforementioned subject.

2. In Para 5.13 of the above cited circular the words 'financial year' may be read as 'calendar year'. The relevant sentence may be read as "*The fees for such meetings shall be same as fee payable to IEMs otherwise and in addition to the fees for the regular meeting of IEMs, to be held otherwise and over and above the ceiling of Rs. 3,00,000/- annually, to be calculated as per calendar year*".


(Rajiv Verma)
Officer on Special Duty

To

- (i) All Secretaries of Ministries/Departments.
- (ii) All CMDs/Head of CPSUs/Public Sector Banks/Organizations.
- (iii) All CVOs of Ministries/Departments/CPSUs/Public Sector Banks/Organizations.
- (iv) All Independent External Monitors.



सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarakta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-10023
021/VGL/036
सं./No.....
दिनांक / Dated..... 15.09.2021

Circular No. 16/09/21

Subject:- Reporting of cases of deviations from the Central Vigilance Commission's advice-reg.

Reference:- (i) DoPT's OM No. 118/2/78-AVD(I) dated 28.09.1978
(ii) DoPT's OM No. 119/2/2019-AVD-III dated 02.09.2019
(iii) Commission's Circular No. 10/06/21 dated 23.06.2021

Central Vigilance Commission, vide its Circular No. 10/06/21 dated 23.06.2021 has issued guidelines for reporting of cases of deviations from Commission's advice. As per para (5) and (6) of the circular, cases of deviations from Commission's advice, in respect of Non-Presidential Appointees, are to be reported by the CVO of the ministry concerned to the Secretary of his ministry/department. In respect of PSUs, Banks and other organizations, all such cases of deviation from Commission's advice in respect of Non-Presidential Appointees, are to be reported to the CVO of the administrative ministry through the Chief Executive of the respective organization. The CVO of the administrative ministry is required to submit all such cases to Secretary of his/her ministry and a confirmation in this regard is also to be sent to the Commission.

2. The above guidelines of the Commission are reiterated herewith and all organizations are advised to strictly adhere to the same and inform the *administrative ministry* about cases of deviation from Commission's advice, without exception. As already stated in Para (7) of the Circular No. 10/06/21 dated 23.06.2021, all actions are to be completed within a period of two months from the date of issue of order by the competent authority.

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3. It is also clarified that the existing procedure of reporting of cases of deviation directly to the Commission will continue and the procedure as stated in Para (1) and (2) above, is in addition to the existing procedure.
4. A confirmation regarding compliance of the aforementioned guidelines may also be sent to the Commission at quarterly intervals.



(Rajiv Verma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of GoI
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iv) Website of CVC.



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-10023

सं./No..... 000/VGL/018
06.10.2021

दिनांक / Dated.....

Circular No. 19/09/21

Subject:- Timely finalization of Departmental Inquiry Proceedings -improving vigilance administration.

Reference: -

(i) Commission's Circular No. 8(1)(g)/99(2)	dated 19.02.1999
(ii) Commission's Circular No. 8(1)(g)/99(3)	dated 03.03.1999
(iii) Commission's Circular No. 3(v)/99(7)	dated 06.09.1999
(iv) Commission's Circular No. 000/VGL/18	dated 23.05.2000
(v) Commission's Office Order No. 51/08/2004	dated 10.08.2004
(vi) Commission's Circular No. 02/01/2016	dated 18.01.2016
(vii) Commission's Circular No. 18/12/20	dated 14.12.2020

The Central Vigilance Commission in order to bring about efficiency in vigilance administration and to ensure timely initiation and completion of the disciplinary proceedings, has issued guidelines from time to time, specifying the time limit for completion of inquiry proceedings, so that no undue delay takes place in disciplinary matters.

2. In this regard, Central Vigilance Commission, in continuation of its guidelines dated 23.05.2000 and DoPT's OM dated 14.10.2013, had issued Circular No. 18/12/20 dated 14.12.2020, prescribing the time limit for action in disciplinary matters where major penalty proceedings have been initiated/are to be initiated. The time limit prescribed by the Commission is as under: -

Sl. No.	Stage of disciplinary action	Time Limit
1.	Issue of Charge Sheet to the stage of appointment of IO and PO	All the required actions may be completed within a period of 02 months from the date of issue of First Stage Advice of the Commission.
2.	Conducting departmental inquiry and submission of report by the Inquiry officer (I.O.)	The inquiry report should be submitted within 6 months from the date of appointment of inquiry officers
3.	Overall additional time for all/any of the above stages of disciplinary proceedings, due to some unavoidable/unforeseen circumstances	In addition to the above time limit, a period of 1 more month may be taken, if required.

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3. The Commission has observed that in some cases, the above time limit is not being adhered to by the authorities concerned. The inordinate delay in completion of departmental proceedings on the part of the organization concerned has also attracted adverse comments from the Hon'ble Supreme Court of India in Civil Appeal No. 958 of 2010, Prem Nath Bali Vs. Registrar, High Court of Delhi & Anr in its judgment dated 16.12.2015. Hence, the above guidelines are reiterated and the Commission desires that the same should be adhered to strictly by the authorities in the organisations concerned.

4. Due to the situation arising out of severity of COVID-19 pandemic and related issues, Commission has given a special dispensation for completion of the pending inquiry proceedings with a fresh timeline. In those cases where initiation of Major Penalty Proceedings was advised by the Commission on or before 31.12.2020, inquiry proceedings by the Inquiry Officers should be completed latest by 31.03.2022. In respect of those cases where Commission's advice for initiation of Major Penalty Proceedings was tendered between 01.01.2021 to 30.09.2021, inquiry proceedings by the Inquiry Officers should be completed latest by 30.06.2022.

5. Since initiation and conduct of disciplinary proceedings is within the domain of the disciplinary authority concerned, the CVOs may bring the above guidelines of the Commission to the notice of the competent authorities for strict compliance.



(Rajiv Verma)
Officer on Special Duty

To

- (i) The Secretaries of all Ministries/Departments of GoI
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
- (iv) Website of CVC

VIGILANCE AWARENESS WEEK

सतर्कता जागरूकता सप्ताह

26th October - 1st November, 2021

HONESTY GIVES YOU HONOUR



Corrupt man has price, Honest man has VALUE

Independent India@75: Self Reliance with Integrity

स्वतंत्र भारत @75: सत्यनिष्ठा से आत्मनिर्भरता

सतर्कता विभाग, टीएचडीसी इंडिया लिमिटेड

Vigilance Department, THDC India Limited

PART-V

लेख / रचनाएं

कोरोना - भ्रष्टाचार - नैतिकता

कोरोना काल के चरम में बहुत से लोगों ने इंसानियत की मिसालें पेश की हैं, अपनी जान की परवाह न करके कई जानें बचाई हैं। जान-पहचान के लोगों की तो हम सब मदद कर देते हैं लेकिन महामारी के चरम में लोगों ने अनजानों की भी आगे बढ़ कर मदद की है। लेकिन ये भी एक दुखद सच है कि कुछ लोगों ने कोरोना के पहले और दूसरे चरण में भ्रष्टाचार की सारी पराकाष्ठाएँ भी पार की हैं। खाने के दाम, रहने के दाम, दवाइयों के दाम, इंसान की जरूरत की सारी चीजों के दाम इस तरह से बढ़ाए हैं कि आम आदमी को महामारी के साथ साथ बहुत कुछ सहना पड़ा है। प्रस्तुत रचना कोरोना काल में हुए भ्रष्टाचार के संबंध में है जो कि न सिर्फ यह बताती है कि महामारी के समय भी इंसान ने कई मौकों पर इंसानियत को भुला दिया, बल्कि यह भी बताती है कि इंसान के अंदर कितनी पाखंडता (hypocrisy) भरी पड़ी है और वह किस तरह उच्च नैतिक मानदंड और व्यवहार का ढोंग रचता है।

आज मरने से सबको डर लग रहा है,
लेकिन सबका लालच वहीं का वहीं है।
कहने को इंसान, इंसान के लिए दुआ मांग रहा है,
लेकिन इंसानियत अभी जगी नहीं है।
ज्यादातर लोग तो हो गए हैं मौकापरस्त।
ज़रूरत के सारे सामान के बढ़ गए हैं दाम।
इसलिए शायद अभी भी एक चीज़ सस्ती ही है,
वो कुछ और नहीं, वो है गरीब आदमी की जान।
फिर भी कुछ लोग लगे हुए हैं बचाने को इंसानियत,
पर कमाल ये है कि उनका नाम कहीं नहीं हैं!
आज मरने से सबको डर लग रहा है,
लेकिन सबका लालच वहीं का वहीं हैं।
सबको पता है कि पैसा यहीं का यहीं रह जाना है।
फिर भी ग़लत तरीके से पैसा तो सबको कमाना है।
और फिर मंदिर में चढ़ावा चढ़ाना है, गंगा नहाना है।
पाप-पुण्य के समीकरण में हेरफेर करके पुण्य बढ़ाना है।
आने वाले कल के लिए नैतिकता है ज़रूरी,
यह जान के भी सोच वहीं की वहीं है।
कहने को इंसान, इंसान के लिए दुआ मांग रहा है,
लेकिन इंसानियत अभी जगी नहीं है।

भावना रावत (प्रबंधक)
नियोजन विभाग, टिहरी।

सत्यनिष्ठा से आत्मनिर्भरता

एक शहर में एक जौहरी रहता था। उसने अपने कारोबार के लिए एक ऊंट पाल रखा था। उसी शहर में एक किसान भी रहता था। जौहरी बहुत ही चालाक व तेज था तथा अपने व्यापार के लिए ऊंटों का प्रयोग करता था। एक दिन उसने देखा कि उसका ऊंट कमजोर हो गया है और वह उसके किसी काम का नहीं रहा, तो उसने उसे बेचने की सोची। अनेक लोग उसे खरीदने के लिए पहुंचे, किसान ने सोचा कि क्यों न अपने कार्यों के लिए ऊंट खरीद लिया जाए, किसान ने भी ऊंट के रेट लगाए तथा जौहरी से बड़ी जद्दोजहद के बाद किसान ने ऊंट खरीद लिया, हालांकि किसान को इसे खरीदने में ज्यादा पैसे देने पड़े, लेकिन उसने किसी से पैसे उधार लेकर ऊंट को जैसे तैसे खरीद लिया। उसके बाद किसान ऊंट को घर लेकर आया जौहरी ने ऊंट के ऊपर की बिछावन भी छोड़ दी, क्योंकि वह खराब हो चुकी थी उसने सोचा मैं इसका क्या करूंगा, किसान जैसे ही ऊंट को लेकर घर पहुंचा तो उसने अपने नौकर से ऊंट की साफ-सफाई करने को कहा। नौकर उसकी साफ-सफाई में लग गया। तो उसने देखा कि ऊंट की बिछावन में एक हीरों की थैली है। वह उसे लेकर किसान के पास पहुंचा। किसान ने देखा तो उसने कहा कि कोई बात नहीं मैं इसे जौहरी को वापस दे आऊंगा। नौकर ने कहा मालिक यह तो हमें ऊंट के साथ मिली है। हम क्यों इसे वापस करें, इसमें तो हम अपना आगे का जीवन सुधार सकते हैं। हम यह शहर छोड़ कर अन्यत्र चले जाएंगे और आगे का अच्छा जीवन जिएंगे नौकर की बात सुनकर किसान बोला "नहीं हमने केवल ऊंट खरीदा है, यह हीरे हमारे नहीं हैं, हम क्यों इन्हें लें"। वह उस थैली को लेकर जौहरी के पास पहुंचा और उसे वापस करने लगा। जौहरी उसे देखता रहा उसने सोचा कि क्या कोई व्यक्ति मिली हुई इतनी संपत्ति को वापस कर सकता है? उसे याद आया कि कैसे उसने उस व्यक्ति से ऊंट का मोल भाव किया? पहले पैसे लेकर ही ऊंट को ले जाने दिया। जौहरी ने किसान का धन्यवाद किया और उसे कुछ रत्न उपहार में देने का प्रयास किया लेकिन किसान ने लेने से मना कर दिया जौहरी रत्न देने की जिद करने लगा तो किसान ने कहा कि "जौहरी जी मैंने इसमें से दो रत्न अपने पास रख लिए हैं। अतः आप इन सभी को अपने पास रख लो" जौहरी आश्चर्य से उसे देखने लगा, उसे लगा कि उसने कहीं कीमती रत्न तो नहीं रख लिए उसने पूछा बताओ कि आपने कौन से रत्न रख लिए किसान ने पहले तो मना किया फिर जोर देने पर उसने कहा "जौहरी साहब मैंने अपनी ईमानदारी व सत्यनिष्ठा को अपने पास रत्न के रूप में रखा। यह दोनों रत्न जब तक मेरे पास हैं तब तक मुझे किसी अन्य रत्न की आवश्यकता नहीं है। मैंने आपके रत्न वापस किए क्योंकि यह मेरे रत्नों जितने कीमती नहीं हैं। अतः आप इन्हें अपने पास रखो"। यह बात सुनकर जौहरी को शर्म आ गई। उसने किसान से कहा "असली धनवान तो आप हैं जो आपके पास अत्यंत बहुमूल्य रत्न हैं और जिस व्यक्ति के पास जब तक इन रत्नों का खजाना रहेगा तब तक उससे धनवान कोई नहीं होगा"। हमें अपने पास ईमानदारी एवम् सत्यनिष्ठा जैसे रत्न रखने चाहिए जिनकी बदौलत हम आत्मनिर्भर बन सकते हैं एवं अपना जीवन सफल बना सकते हैं।

शीला देवी

उप अधिकारी (संविदा), ऋषिकेश

॥ सत्यनिष्ठा से आत्मनिर्भरता - मेरी जिम्मेदारी ॥

व्यवस्था में व्याप्त भ्रष्टाचार पर आँसू बहाना छोड़ दो,
कुछ नहीं कर पाओगे, ये बेबस तराना छोड़ दो।
आज भी अपने बूते हमारी विरासत, हजारों साल से ज़िंदा है जो,
उसके लिए यूँ बेवजह, मातम मनाना छोड़ दो।
मानता हूँ पेट की भाषा, ज़रूरी है मगर,
पेट के खातिर, हृदय को चुप कराना छोड़ दो।
कमज़ोर तुम होगे, मेरी संस्कृति, अभी भी बलवान है,
बारह बैसाखियों की बात, लाना छोड़ दो।
तेरी कमी, उसकी कमी ढूँढने से बड़ा ये देश है,
राष्ट्रहित के लिए, यूँ चिढ़ना-चिढ़ाना छोड़ दो।
हर नये परिवेश में, नूतन कलेवर लेंगे हम,
तुम इस पुरातन भ्रष्टाचारी व्यवस्था में, बँधना-बँधाना छोड़ दो।
हिन्दोस्तां में आज, सत्यनिष्ठा-युक्त आत्मनिर्भरता, पंख फैलाने को तैयार है,
राष्ट्रहित की राह में अपने कर्तव्यपालना से, केवल बचना-बचाना छोड़ दो।

एस. के. सक्सेना,
उप महाप्रबंधक (सतर्कता),
वी०पी०एच०ई०पी०, पीपलकोटी

ईमान

चलो खुद से आज मुलाकात करें
दूसरों की बहुत सुनी आज खुद से कुछ बात करें
अब तक सुनते कहते आये, जो सुननी थी सबको
अब चलो कहे वो, जो कहनी है हमको
जीवन के समर पथ पर, मिले जीवन में सीख कई
तकलीफें सही भले ही हमने, नहीं अपनायी रीत नई
मूल्यों से समझौता, कर लो ऐसा कहा सभी ने
तकलीफें, दर्द मिलेंगी है चुनी राह जो हमने
कहा, राह वही चुनो जो लोग हैं अब तक हैं चुनते आये
कहो, करो वही, जो सरकार को भाए
ठोकर खाओगे, गिर जाओगे लोग हसेंगे
कहता था मान लो बात ताने कसेंगे
पर अंतरात्मा की आवाज सुननी भी जरूरी थी
संस्कारों, मूल्यों से बंधा यह मेरी भी मजबूरी थी
घायल हुआ, ठोकर खाई पर हिम्मत न हारा
मिला कुछ नेक दिलों का इस संघर्ष में सहारा
कहते हैं हर एक रात की सुबह होती है
होता अंत में वही जो नियति होती है
सच के पथ पर कई अडचनें, कई परेशानी
पर गिरता संभालता खड़ा देख हुयी हैरानी
है राह मुश्किल सच की, इसमें तपन बहुत हैं
पर इसमें संतोष, सुकून और जतन बहुत हैं
इस राह में लोगों की भीड़ भी कम है
पर चंद अपनों के साथ से आँखें मेरी नम है
कुछ गुजर गया कुछ गुजर जाये, बस यही दुआ है
सच का साथ न छोड़ें कोई, क्योंकि अक्सर यही हुआ है
दूसरों से ईमान की यूँ तो चाह, पर अपनी नियत साफ नहीं
खौफ खा कि मालिक को भी ऐसी बेईमानी माफ नहीं
जो लोग ईमान वाले हैं, जिन्दगी में अक्सर रोते हैं
पर यह भी सच है कि आखिर में वो ही चैन से सोते हैं।

आशुतोष कुमार आनंद
वरिष्ठ प्रबंधक (मानव संसाधन - नीति), ऋषिकेश

बदलेगा आवाम

देना नया स्वरूप आज प्रातः व शाम को।
बदलना जरूरी हो गया भारत के आवाम को।
विश्वास की मशाल हो, संकल्प का हो भास।
जहां राजा हो दूसरा कृष्ण और बच्चा -बच्चा नया सुभाष।
अब कोने-कोने तक फैलायेंगे भारत के स्वाभिमान को।
बदलना जरूरी हो गया भारत के आवाम को।

सपना जो क्रांति-वीरों का, स्वदेशी राज्य का।
अरविन्द के दिव्य भारत, गाँधी के रामराज्य का।
पानी पिलवा देंगे, एक ठो सिंह और श्वान को।
बदलना जरूरी हो गया भारत के आवाम को।

भय, भूख, भ्रष्टाचार, और आतंक मिटाकर।
सभ्यता, शिष्टाचार, सदाचार सिखाकर।
लायेंगे स्वदेशी राज के सुंदर विधान को।
बदलना जरूरी हो गया भारत के आवाम को।

अपनी भाषामें हो शिक्षा, तकनीकी और विज्ञान की।
अपनी हो चिकित्सा, व्यवस्था व न्याय के विधान की।
गर बदलना पड़े, बदलेंगे संविधान को।
बदलना जरूरी हो गया भारत के आवाम को।

अपनी सभ्यता संस्कृति का यही अर्थ है।
विदेशी वस्तु प्रेम, भाषा-भूषा, व भोजन सब व्यर्थ है।
अब समझो और समझाओ अपने हिंदुस्तान को।
बदलना जरूरी हो गया भारत के आवाम को।

पांचजन्य बज उठा कृष्ण का, निश्चय तमिर हरण होगा।
भ्रष्टाचार के महाभारत का अंतिम आज चरण होगा।
मधुसूदन अब बैठ गए हैं सारथी के धाम को।
बदलना जरूरी हो गया भारत के आवाम को।

बी पी डोभाल
अभिलेख अधिकारी
मुख्य अभिलेख कार्यालय, ऋषिकेश

स्वतंत्र भारत@75: सत्यनिष्ठा से आत्मनिर्भरता

एक नागरिक के रूप में हमारा आचरण, दृढ़ इच्छाशक्ति और संकल्प ही स्वतंत्र भारत का सुनहरा भविष्य निश्चित कर नए भारत की दिशा तय कर रहा है। जीवन में ईमानदारी और सत्यनिष्ठा व्यक्ति के जीवन को बदल देने की क्षमता रखती है। किसी देश के आयात उसके निर्यात से कम होने चाहिए तभी हम कह सकते हैं कि वह देश आत्मनिर्भर है। स्वतंत्रता प्राप्त के बाद भारत ने हर क्षेत्र में विकास के पथ पर अपने छोटे-छोटे कदम बढ़ाने शुरू कर दिए। हर क्षेत्र में विदेशों पर अपनी निर्भरता को खत्म करने के उद्देश्य से भारत को आत्मनिर्भर भारत बनाने की तरफ अपने कदम बढ़ा दिए हैं, जिसकी बुनियाद सत्यनिष्ठा एवं नैतिक मूल्यों पर आधारित कार्य शैली है। कहावत है कि "अपने मरे ही स्वर्ग मिलता है" यदि आपको किसी काम का असली अनुभव ज्ञात करना है तो वह काम आपको पहले स्वयं करना होगा। सत्यनिष्ठा से अपने कथनों एवं कृत्यों में ईमानदारी व सुसंगति बनाए रखना है किसी व्यक्ति के न केवल नैतिक सिद्धांतों और मूल्यों के बीच सुसंगति होनी चाहिये, बल्कि उसके नैतिक सिद्धांतों और व्यवहारों के बीच भी सुसंबद्धता होनी चाहिये। अगर कोई व्यक्ति अपनी छिपाई जा सकने वाली गलती को उजागर कर उसके प्रति क्षमाप्रार्थी होता है, तो यह उसकी सत्यनिष्ठा है। जीवन के हर क्षेत्र में सफल होने के लिए ईमानदारी और सत्यनिष्ठा बहुत ही आवश्यक है।

महात्मा गांधी आत्मनिर्भरता को राजनैतिक स्वाधीनता की कुंजी कहते थे। उनका मानना था कि अधिकाधिक लोगों के द्वारा किये गये उत्पादन से आर्थिक आत्मनिर्भरता के रास्ते हमें आगे बढ़ायेगें। राज्यतंत्र के आत्मनिर्भर होने का उद्देश्य और अर्थ, लोकतंत्र के बहुसंख्यकों (किसानों और मजदूरों) के आत्मनिर्भरता से ही मुमकिन है। इसीलिए आत्मनिर्भरता के लिए अनिवार्य है कि किसानों और मजदूरों को पहले आत्मनिर्भर बनाने की दिशा में कदम बढ़ाया जाए और इसके लिए जरूरी है कि राज्य उनके लिए वो साधन और संसाधन सुनिश्चित करे, जिसे पाकर वो अपने परिवार और समुदाय को आत्मनिर्भर बनाने की दिशा में स्वतंत्र रूप से आगे बढ़ा सकें।

आत्मविश्वास से ही विचारों की स्वाधीनता प्राप्त होती है और इसके कारण ही महान कार्यों के सम्पादन में सरलता और सफलता मिलती है। इसी के द्वारा आत्मरक्षा होती है। जो व्यक्ति आत्मविश्वास से ओत-प्रोत है, उसे अपने भविष्य के प्रति किसी प्रकार की चिन्ता नहीं रहती। आत्मनिर्भर व्यक्ति में दूसरों से ज्यादा आत्मविश्वास होता है। आत्मनिर्भर शब्द का अर्थ है किसी कार्य के लिए स्वयं पर (अपने आप पर) निर्भर होना है।

छोटे बड़े जानवरों या पक्षियों को भी देखें तो हमें पता चलता है कि वे सभी आत्मनिर्भर हैं उन्हें अपने भोजन के लिए किसी दूसरे पर आश्रित रहने की आवश्यकता नहीं पड़ती। खिलाड़ियों को जीत का स्वाद चखने के लिए स्वयं खेलना पड़ता है।

मेक इन इंडिया के द्वारा सरकार ने विदेशी कंपनियों को भारत में आकर निवेश करने के लिए आमंत्रित किया। इस तरीके की नीतियां बनाई गई, इसका एक और उद्देश्य यह भी है कि कंपनियों को बढ़ावा दिया जाना है तथा भारत के अंदर बढ़ने वाली बेरोजगारी, साक्षरता, भ्रष्टाचार, गरीबों का और गरीब होना आदि बातों को ध्यान में रखा गया। लक्ष्य को पाने के लिये भारत के युवाओं में प्रचुर मात्रा में योग्यता, कौशल, अनुशासन और प्रतिबद्धता है। देश में निर्मित और अपने आसपास बनी हुई चीजों का ज्यादा से ज्यादा प्रचार करें। हमें दूसरे देशों में बनाई हुई चीजों का सहारा ना लेना पड़े। यह जितनी सरकार की जिम्मेदारी है उतनी ही नागरिकों की भी जिम्मेदारी है।

दिनेश चन्द्र भट्ट
वरिष्ठ प्रबन्धक (विद्युत), टिहरी

'भ्रष्टाचार मुक्त भारत'

भ्रष्टाचार की समस्या बढ़ती जा रही है,
यह आंतरिक रूप से हमारे देश को खा रही है।
जब तक नहीं होगा इस समस्या का एहसास,
तब तक नहीं हो पाएगा इस देश का विकास,
आओ एक जुट होकर करें इस पर प्रहार,
तभी होगा भ्रष्टाचार मुक्त भारत का सपना साकार।
अगर भ्रष्टाचार को हराना है,
तो शिक्षा को हथियार बनाना है।
जब हर बच्चा स्कूल जा पाएगा
तभी देश में बदलाव ला पाएगा।
काला धन कम कराना है,
तो दंड को और सख्त बनाना है।
जो रिश्वत लेते हुए काँपे हाथ,
ऐसा तभी होगा जब देंगे सब साथ।
रिश्वत की रीत पुरानी है,
फिर क्यों इसे मिटाने में आनाकानी है।
हम ये रीत मिटायेंगे,
सच्चाई की नींव जगाएंगे।
आओ मिलकर लेते हैं, संकल्प,
भ्रष्टाचार के लिए नहीं रहेगा कोई भी विकल्प,
ये बदलाव आज ही से लाना है।
भारत देश को महान बनाना है।

नाम - श्रीमती रमा उनियाल
पति का नाम - श्री विनोद उनियाल
टीएचडीसी आई०एल०, ऋषिकेश

भारत में ही क्यों फैला है इतना भ्रष्टाचार

अपने मन से मैं अक्सर सवाल करता हूँ
भारत में ही क्यों फैला है इतना भ्रष्टाचार

सारे भ्रष्टाचारी हो गए मालामाल,
मेहनतकश और सत्यनिष्ठ बने रह गये कंगाल ।

देश में करता है हर कोई यही पुकार,
भारत में ही क्यों फैला है इतना भ्रष्टाचार ।

धर्म अनेक है, भाषा अनेक है, एक है भारत देश,
हिन्दु- मुस्लिम में ही क्यों फैला इतना द्वेष ।

मैंने गरीबी से लड़ते देखा है ईमानदारों को
मैंने माल-मलाई खाते देखा है भ्रष्टाचारियों को।

इंसानियत को बिकते देखा बीच बजारों में,
बेईमानों का नाम लिखे देखा है पुरस्कारों में।

अपने मन से मैं अक्सर सवाल करता हूँ,
भारत में ही क्यों फैला इतना भ्रष्टाचार ।

आमजन क्यों हो गया रिश्वत देने को लाचार
आज के दौर में रिश्वतखोरी बन गया है व्यापार

भारत में ही क्यों फैला इतना भ्रष्टाचार ।

राजेन्द्र सिंह
पदनाम वरिष्ठ तकनीशियन
बी.आर.एम.,टीएचडीसी इंडिया लि०, टिहरी

स्वतंत्र भारत@75 सत्यनिष्ठा से आत्मनिर्भरता पर कविता

अष्टाचार की फैली महामारी है,
सतर्क रहने की बारी है
कब होगा देश अष्टाचार मुक्त
चलें सब मिलकर हो जाए एक जुट
रिश्वतखोरी में लिप्त दुनिया सारी है,
सतर्क और जागरूक रहने की बारी है।
एक कदम मैं चलूं एक कदम तू चल
जाति धर्म पंथ को भूलकर,
एक कदम चल कर देख सतर्कता के उसूल पर ।
सतर्क प्रहरी हम भारत के भारत का गौरव बढ़ायेंगे
फिर से नया सवेरा होगा सोने की चिड़िया फिर बन जाएंगे।
अष्टाचार को जड़ से मिटाना होगा
सतर्क और समृद्ध भारत बनाना होगा।
अष्टाचार की हर जंजीर तोड़ो
देश को तुम विकास की ओर मोड़ो।
हर नागरिक को बनाना होगा अब जिम्मेदार
तभी खत्म होगा ये फैलता अष्टाचार।
अष्टाचार को रोकने का संदेश फैलाओ
सतर्क और ईमानदार बनकर भारत को समृद्ध भारत बनाओ।
जो खाली रह गया इनका पेट, नरभक्षी भी बन जाये,
इस देश की है बीमारी, देखो इनकी गद्दारी,
धरती माँ का सौदा कर, उसको भी नोच खाते ये,
इस देश की है बीमारी, ये भूखे अष्टाचारी।
हर घर तक सतर्कता फैलाना है,
भारत देश को समृद्ध बनाना है।
समृद्ध भारत की एक नयी गुहार
हर भारत वासी सतर्क रहे और करे देश का उद्धार
सतर्कता को अपनाएँ
भारत देश को समृद्ध बनाएँ।

दिलीप कुमार द्विवेदी
वरिष्ठ प्रबंधक

(मानव संसाधन-आई आर एण्ड वेलफेयर), ऋषिकेश



प्रखर आनंद पुत्र श्री आशुतोष आनंद, वरिष्ठ प्रबंधक
(मानव संसाधन - नीति), टीएचडीसी आईएल, ऋषिकेश

VIGILANCE AWARENESS WEEK

सतर्कता जागरूकता सप्ताह

26th October - 1st November, 2021



“सत्यनिष्ठा”

‘सत्यनिष्ठा: स्वयं के प्रति, व्यक्ति के प्रति, समाज के प्रति,
प्रतिष्ठान के प्रति, राष्ट्र के प्रति।’

Independent India@75: Self Reliance with Integrity

स्वतंत्र भारत @75: सत्यनिष्ठा से आत्मनिर्भरता

सतर्कता विभाग, टीएचडीसी इंडिया लिमिटेड
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VIGILANCE AWARENESS WEEK

सतर्कता जागरूकता सप्ताह

26th October - 1st November, 2021



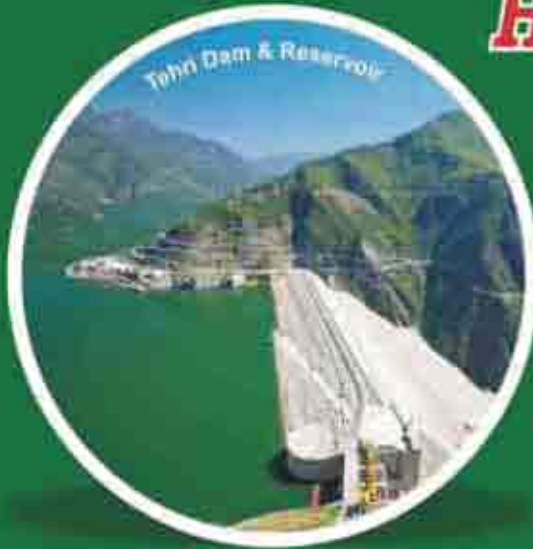
Independent India@75: Self Reliance with Integrity

स्वतंत्र भारत @75: सत्यनिष्ठा से आत्मनिर्भरता

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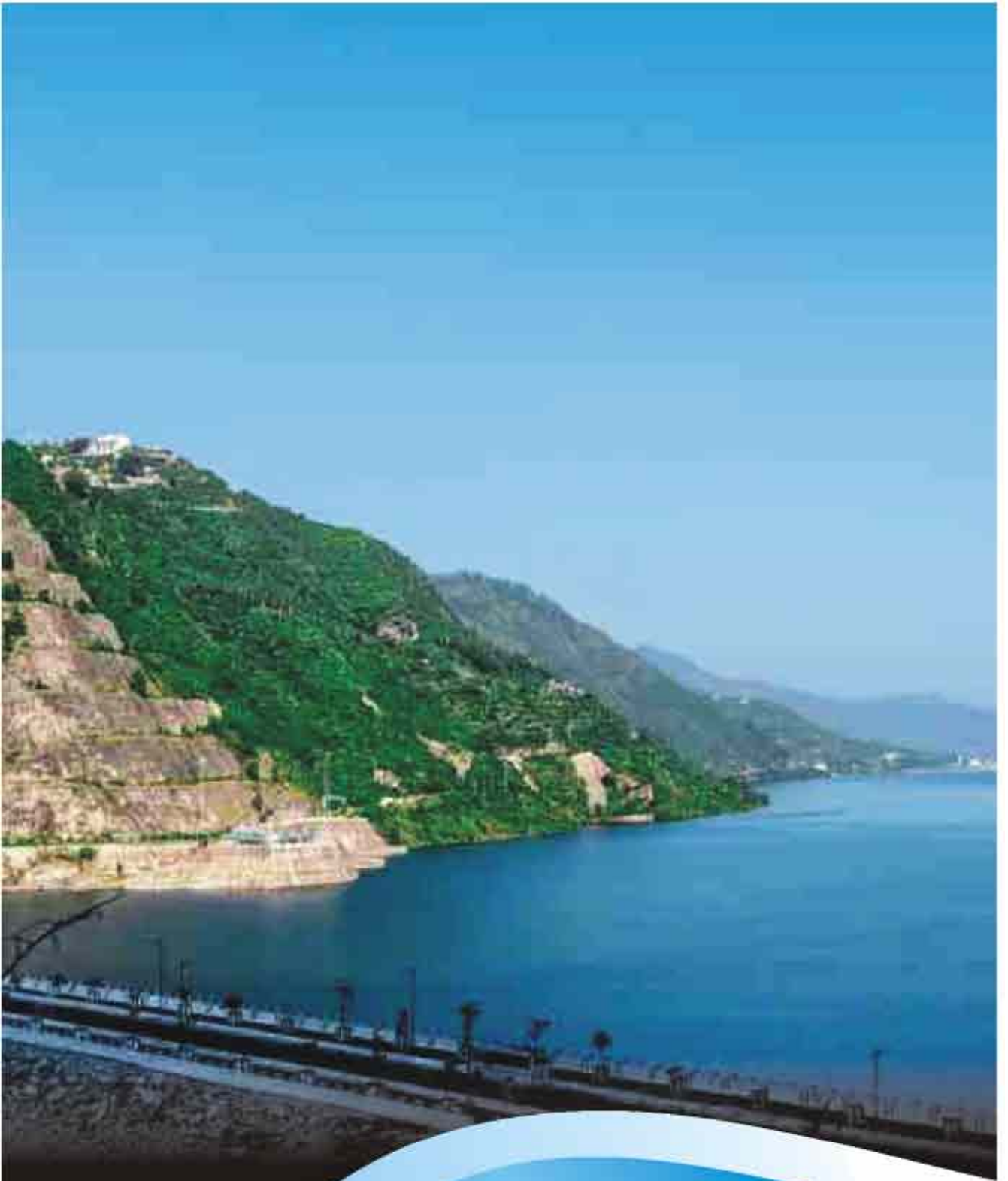
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(इस पत्रिका में प्रकाशित लेखों/रचनाओं में व्यक्त किये गये विचार लेखकों के अपने हैं,
और उनसे टीएचडीसी इण्डिया लिमिटेड प्रबंधन का सहमत होना आवश्यक नहीं है।)