VIGILANCE CIRCULAR No. 01/09 Date of issue: 28<sup>th</sup> February 2009.

**MECL, NAGPUR** 

<u>Sub</u>: <u>Initiative taken by Vigilance Department for eliminating corruption and enabling the complainant to lodge complaints easily.</u>

Complaints from public, various administrative authorities, NGOs etc. are important sources on information for identification of vigilance related issues in Government/Public Sector Organisations. The Central Vigilance Commission has laid down a complaint handling policy, a copy of which is enclosed as **Annexure – I.** In order to enable the complainant to lodge complaint easily through the Internet, the CVC has provided a web page for the same on its web site <a href="www.cvc.nic.in">www.cvc.nic.in</a>. Similarly, the Vigilance Organisation of MECL under the same policy, has provided a facility for lodging complaints to the Chief Vigilance Officer, MECL, through a web page available on MECL's web site <a href="www.mecl.gov.in">www.mecl.gov.in</a>.

The Government of India has authorized the Central Vigilance Commission as a designated agent to receive written complaints for disclosure on any allegations of corruption or misuse of office and recommend appropriate action. In this connection, a copy of the press release issued by the CVC and a public notice, on the subject of Government of India's resolution on Public Interest Disclosure and Protection of Informer is enclosed as **Annexure – II.** 

The above information may please be given wide publicity amongst officers and staff of MECL working under your control. A compliance report may please be sent to Vigilance by 20<sup>th</sup> March, 2009.

(UDAY BORWANKER) CHIEF VIGILANCE OFFICER

## CIRCULATION:

- 1. All HODs at CHQ, Nagpur.
- 2. Zonal Manager, MECL, Nagpur, Hyderabad, Ranchi.
- 3. Notice Board, MECL, Nagpur (CM(P&A) is requested to do the needful).

## Copy to:

- 1. APS to CMD
- 2. Sr. PA to D(P) For information of CMD, D(F) & D(T) respectively.

3. APS to D(T)

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## COMPLAINT HANDLING POLICY

- 1. The central Vigilance Commission (hereinafter referred to as the Commission) is constituted under the provisions of the Central Vigilance Commission Act of 2003 to exercise superintendence over vigilance matters and implementation of anti-corruption measures in the Central Government Departments and in their attached/subordinate offices, Government Company, Society and any local authority owned or controlled by the Central Government. The Commission has also been assigned superintendence over the functioning of the Central Bureau of Investigation in so far as it relates to offences alleged to have been committed under the Prevention of Corruption Act, 1988. It shall act as the designated agency for receipt of written complaints in allegation of corruption or misuse of office and recommend appropriate action under GOI Resolution "Public Interest Disclosure and Protection of Informer".
- 2. The prime objective of the Commission is to advise the different departments and the organizations/institutions mentioned in the foregoing para on vigilance related issues in respect of specific levels of officers falling within the jurisdiction of the Commission with regard to type of punishments etc. depending on the misconduct.
- 3. Complaint from public, various administrative authorities, NGOs etc. are generally one of the important sources of information for identification of vigilance related issues in the above mentioned organizations.

Complaints to the Commission are thus meant to result in punitive action against the erring public servant(s). Relief as such in the matter to the complaint is only incidental to the vigilance action. Redressal of grievances vis-à-vis Government organizations or public sector enterprises should not be the focus of complaints to the Commission.

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"As regards complaints against tenders, it may be clarified that while the Commission would get the matter investigated through the concerned CVO, it would not interfere in the tender processes. The intention is not to stop the work in the organization and, therefore, the processing of tender would continue. However, based on the report of the CVO, the Commission would take appropriate action in the matter."

- 4. The Commission has adopted BIS standard for the complaint handling policy. The objective of the complaint handling policy of the Commission as specified in the BIS Manual is to ensure timely and satisfactory redressal of every complaint. As per these standards, the complaint handling process in the Commission has to be audited once a year by an Auditor to be nominated by CVC. The standards also provide that the observations made by the Auditor are to be taken into consideration by the Management Review Committee for necessary corrective action.
- 5. Complaint can be lodged only against officials belonging to the organizations over which CVC has jurisdiction, namely:—
  - Central Govt. Ministries/Departments
  - Central Govt. Public Sector Undertakings
  - \* Nationalised Banks, Insurance Companies
  - \* Autonomous organizations like Port Trusts etc.
  - Centrally administered territories including Delhi, Chandigarh,
     Daman and Diu, Pondicherry etc.

The Commission has no jurisdiction over private individuals and State Governments. Therefore, please do not lodge complaints against officials of these organizations to the Commission.

6. <u>As per CVC Act, 2003, the Commission can inquire or cause an inquiry against only certain categories of public servants posted in the organizations</u>

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specified above. At present, the Commission's jurisdiction over the employees of Ministries/Departments/PSUs/PSBs/Insurance Sector is as under:—

(1) Central Govt. Ministries/Deptts. Group 'A' officers and above Two level below the Board level (2) Public Sector Undertakings and above. (3) Public Sector Banks Officers of Scale V and above (4) Insurance Sector Assistant Manager and equivalent (5)**Autonomous Bodies** Officers drawing Basic pay of Rs. 8700/- and above Officers who are in pay of Rs. 10,750/-Port Trusts/Dock Labour Board (6) and above (Rs. 3,750/- and bove pre-revised.

- 7. The complainant should note –
- \* The Commission does not entertain anonymous/pseudonymous complaints.
- \* Wherever the complainant for valid reasons requests that his identity be withheld while processing the complaint, this will be ensured by the Commission.
- \* Complaints must be brief and contain factual details, verifiable facts and related matters. They should not be vague or contain sweeping general allegations.
- \* Complaint should be addressed directly to the Commission. Complaints marked to a large number of functionaries are not normally pursued by the Commission.
- Only those complaints which are against officials and organizations within the jurisdiction of the Commission and have allegations of corruption will be got investigated by the Commission through CBI or CVO of the organization concerned.
- \* Other complaints will either be filed or will be referred to the concerned CVO for necessary action.

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- \* Commission will acknowledge only thos letters which are being got investigated by it. A complaint number will be provided to the complainant and he can view the status of his complaint on the Commission's website.
- \* Commission will not entertain any further correspondence in the matter, but will ensure that the complaints are investigated and action taken to its logical conclusion.
- \* <u>Department-wise list of the complaints which are being investigated by/under the direction of the Commission will be displayed in the monthly bulletin.</u>
- \* Commission also accepts complaints under "Public Interest Disclosure and Protection of Informer Regulation" separately.

## LODGE COMPLAINT

### FAQ ON COMPLAINT HANDLING

# Q.1 How can we lodge complaint to CVC?

Ans. Complaints can be lodged to CVC by addressing the letter directly to the CVC and giving the specific facts of the matter relating to corruption. The complaints can also be lodged directly on CVC's web-site. However, before lodging the complaint please ensure that the organization and officials are under CVC's jurisdiction. Complaints can also be sent under "Public Interest Disclosure and Protection of Informer" Resolution.

- Q.2 Does CVC receive complaint against anybody?
- A. No. Commission accepts complaints only against specified categories of officers who are posted in organizations which are under Commission's jurisdiction.
- Q.3 What is the jurisdiction of CVC?
- A. Complaint can be lodged only against officials belonging to the organizations over which CVC has jurisdiction, namely:—
  - Central Govt. Ministries/Departments

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- Central Govt. Public Sector Undertakings
- Nationalised Banks, Insurance Companies
- Autonomous organizations like Port Trusts etc.
- Centrally administered territories including Delhi, Chandigarh, Daman and Diu, Pondicherry etc.

The Commission has jurisdiction over private individuals and State Governments. Therefore, please do not lodge complaints against officials of these organizations to the Commission.

- Q.4 Does Commission have jurisdiction over State Govt. employees?
- A. No.
- Q.5 What are the levels of public servants against whom CVC can inquire?
- A. As per CVC Act, 2003, the Commission can inquire or cause an inquiry against only certain categories of public servants posted in the organizations specified above. At present, the Commission's jurisdiction over the employees of Ministries/Departments/PSUs/PSBs/Insurance Sector is as under:—

(1) (2)	Central Govt. Ministries/Deptts. Public Sector Undertakings	Group 'A' officers and above Two level below the Board level and above.
(3)	Public Sector Banks	Officers of Scale V and above
(4)	Insurance Sector	Assistant Manager and equivalent
(5)	Autonomous Bodies	Officers drawing Basic pay of
(0)	, tatorio inicac Boardo	Rs. 8700/- and above
(6)	Port Trusts/Dock Labour Board	Officers who are in pay of Rs. 10,750/-
` ,		and above (Rs. 3,750/- and bove
		pre-revised).

- Q.6 Does CVC entertain anonymous/pseudonymous complaints?
- A. No.
- Q.7 Does CVC protect the identity of the complainants?
- A. The identity of all complainants who desire so or those who make complaints under "Public Interest Disclosure and Protection of Informer" Resolution is kept secret by the Commission. However, it is observed that the complainants tend to send copies of their complaints to various organizations like PMO, President Secretariat, Cabinet Secretariat, Ministries, PSUs etc. In such cases, it is not possible for the Commission to accept any responsibility for keeping the identity secret.

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- Q.8 How can the complaint be lodged under the "Public Interest Disclosure and Protection of Informer" Resolution?
- A. Complaints under "Public Interest Disclosure and Protection of Informer" Resolution can be made only by post. The envelope should be superscribed "PIDPI" or "Whistle Blower". The complainant should refrain from giving his name on the body of the letter. The personal details should separately given or given at the top or end so that they can be easily blocked out.
- Q.9 If a person is victimized on account of his making the complaint, does he have any recourse?
- A. If any person is aggrieved by any action on the ground that he is being victimized due to the fact he had filed a complaint or disclosure, he may file an application before the Commission seeking redressal in the matter, wherein the Commission may give suitable directions to the concerned person or the authority after inquiry into the matter.
- Q.10 If a person makes motivated or vexatious complaint does the person complained against have some recourse?
- A. In case the Commission finds the complaint to be motivated or vexatious, it shall be at liberty to take appropriate steps.
- Q.11 Is there any inquiry which CVC does not entertain?
- A. The Commission shall not entertain or inquire into any disclosure in respect of which a formal and public inquiry has been ordered under the Public Servants Inquiries Act, 1850, or a matter that has been referred for inquiry under the Commissions of Inquiry Act, 1952.
- Q.12 Does Commission acknowledge the complaints?
- A. While Commission would like to acknowledge each and every complaint but due to sheer volume of the job and to save precious resources the Commission acknowledge only those complaints which it finds could be referred for necessary action to organization concerned or which are taken up by the Commission for inquiry and report. No acknowledgement is sent for complaints which are filed.
- Q.13 Can the complainants get to know the status of their complaints?
- A. For complaints sent for investigation & report, the Commission conveys a key number to the complainant by which he/she can see the status of his complaint on the web-site. However, while seeing the status on the web-site, the complainant should keep the following time frame in mind:—

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"Generally reports on the complaints sent by the Commission for investigation, are expected by the Commission within a period of three months. Subsequent disciplinary action by the concerned Disciplinary authority takes around six months. Imposition of penalty takes a further period of three to six months. Commission will not entertain further correspondence in the matter, but will ensure that the complaints are investigated and action taken to its logical conclusion."

Complaints which are sent for necessary action can be followed-up by the complainant with the respective organizations. CVC does not deal with such complaints further.

- Q.14 Can complaints to CVC give relief to the complainant?
- A. Complaints to the Commission are meant to result in punitive action against the erring public servant(s). Relief as such in the matter to the complainant is only incidental to the vigilance action. Redressal of grievances vis-à-vis Government organizations or public sector enterprises should not be the focus of complaints to the Commission.
- Q.15 Can tenders be stopped on making complaint to CVC?
- A. As regards complaints against tenders, it may be clarified that while the Commission would get the matter investigated through the concerned CVO, it would not interfere in the tender processes. The intention is not to stop the work in the organization and, therefore, the processing of tender would continue. However, based on the report of the CVO, the Commission would take appropriate action in the matter, if there had been any serious lapse on the part of the public servants.
- Q.16 What information does the Commission provide on its website regarding complaint?
- A. Vide its monthly press note, Commission gives the number of complaints received by it and number of complaints on which action has been taken. It also gives department-wise list of complaints which are being investigated by/under the direction of the Commission.
- Q.17 Does Commission handle grievances?
- A. The Central Vigilance Commission does not entertain complaints which are of the nature of grievances –
- Grievances relating to Banking and Insurance should be sent to the respective Ombudsman. However, grievances particularly relating to the

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Life Insurance Corporation of India may be referred to their grievance cell at the following link:

Website: <a href="http://licindia.com/grievances.htm">http://licindia.com/grievances.htm</a>

 Grievances relating Government of National Capital Territory of Delhi should bereferred to their grievance cell at following link:

Website: http://delhigovt.nic.in

 Complaints regarding sexual harassment should be referred to the National Commission for Women at the following address:

National Commission for Women 4, Deen Dayal Upadhayaya Marg

New Delhi – 110 002 Tel.: 91-11-23237166 91-11-23236988

Fax: 91-11-23236154

Complaints Cell: 91-11-23219750

Email: <a href="mailto:ncw@nic.in">ncw@nic.in</a>

Website: <a href="http://ncw.nic.in">http://ncw.nic.in</a>

 Complaints on frauds by private individuals or other frauds may be referred to serious Fraud Office for speedy action at the following address:

Serious Fraud Investigation Office Paryavaran Bhavan, 2<sup>nd</sup> Floor, CGO Complex, Lodhi Road, New Delhi – 110 003

Tel.: 91-11-24369244, 24369245, 24369246

Email: sfio@nic.in

Website: http://sfio.nic.in

 Complaints regarding black money/tax evasion may be sent to the DG Revenue Intelligence at the following address:

Directorate of Revenue Intelligence

I.P. Bhawan, D-Block, 7<sup>th</sup> Floor, I.P. Estate New Delhi – 110 002 Website: http://dri.nic.in

 Complaints relating to illegalities in foreign exchange may be sent to the Enforcement Directorate at the following address:
 Director.

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Enforcement Directorate, 6<sup>th</sup> Floor, Lok Nayak Bhawan Khan Market, New Delhi – 110 003 Website: http://finmin.nic.in

Q.18 Can a complainant access some other important related websites through the CVC's website?

- A. Yes, CVC's website gives the link to the following websites.
  - (i) CBI
  - (ii) GOI Directory
  - (iii) Lok Sabha
  - (iv) Rajya Sabha
  - (v) Transparency International of India
  - (vi) DOPT's CVO List.

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## **Central Vigilance Commission**

#### Press Release:

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 Corporation 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.
  - lii) Commission will not entertain anonymous/pseudonymous complaints.
  - iv) The text of the complaint should be carefully drafted so as not to give any details or clue as to his/her identity. However, the details of the complaint should be specific and verifiable.
  - v) In order to protect identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are advised 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.
- A copy of detailed notification is available on the web-site of the Commission http://www/cyc.nic.in.

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### **Public Notices**

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

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

- 2. The jurisdiction of the Commission in this regard would be restricted to any employee of the Central Government or of any corporation established by or under any Central Act, government companies, societies or local authorities owned or controlled by the Central Government. Personnel employed by the State Governments and activities of the State Governments or its Corporations etc. will not come under the purview of the Commission.
- 3. In this regard, the Commission, which will accept such complaints, has the responsibility of keeping the identity of the complainant secret. Hence, it is informed to the general public that any complaint, which is to be made under this resolution should comply with the following aspects.
- i) The complaint should be in a **closed/secured envelope**.
- 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.

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- iii) Commission will not entertain anonymous/pseudonymous complaints.
- iv) The text of the complaint should be carefully drafted so as **not to give any details or clue as to his/her identity.** However, the details of the complaint should be specific and verifiable.
- v) In order to protect identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are advised not to enter into any further correspondence with the Commission in their own interest. The Commission assures that, subject to the facts of the case being verifiable, it will take the necessary action, as provided under the Government of India Resolution mentioned above. If any further clarification is required, the Commission will get in touch with the complainant.
- 4. The Commission can also take **action against complainants making motivated/vexatious complaints** under this Resolution.
- 5. A copy of detailed notification is available on the web-site of the Commission <a href="http://www.cvc.nic.in">http://www.cvc.nic.in</a>.

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VIGILANCE CIRCULAR NO. 02/09 DATE OF ISSUE: 27/07/2009

**MECL, NAGPUR** 

Subject: Conservation of fuel and lubricants in Projects & RMCs.

Fuel & Lubricants account for more than 5% of MECL's annual expenditure. A detailed study of consumption of fuel & lubricants used in machinery and plant equipments used by MECL at project sites/ regional maintenance centers and road vehicles used at various locations was undertaken by MECL Vigilance in 2008-09. The following areas were identified for strengthening & improvement, for minimizing the expenditure on Fuel & Lubricants:

- 1. Consumption yardsticks should be laid down by the management for each make of Drill machine, pump, DG set & road vehicle, taking into account the operational factors.
- 2. The fuel/lube balance in the tanks of drill machines should be measured with the help of calibrated dipsticks at the start & end of each work shift by the shift in-charge. Monitoring of consumption vis-à-vis work progress on a daily basis should be done by the Project Manager. Zonal Manager should undertake monthly review of consumption of all machines/ vehicles in projects.
- 3. The consumption recorded at project level should be maintained on a fuel ration card for every drill/pump/road vehicle. The card should have the following standard format:

Machine/ vehicle no. Type/model:					Project: Block:	
SI.No.	Da	ate	Opening balance	Quantity added	Closing balance	Day's total consumption
		Shift 1				·
		Shift 2				
		Shift 1				
		Shift 2				

4. Consumption above the yardstick should not be sanctioned in a routine manner. It shall be sanctioned by the competent authority only after convincing reasons are received from the officer responsible. Cases of abnormally high consumption should be taken up for detailed investigation and corrective action.

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- 5. The data reflecting the age of machine, details of repairs carried out from time to time, repeated problems etc should be maintained in the form of a history sheet/ log book for each drill machine/ road vehicle respectively. The history sheet/ logbook should move along with the machine/road vehicle.
- 6. A Quarterly review of consumption in all establishments should be undertaken at CHQ and results should be put up to Director (Technical). This review should indicate the establishments where expenditure is consistently higher than the yardstick. Time-bound action plan for improvement should be called for from the concerned field officer and his progress in this regard should be monitored.
- 7. The overall yearly performance review of each unit (project/office/RMC) should be scrutinized at the end of the year by HOD (Drilling), for identifying the machines which need improvement by way of overhaul/ repairs etc. The results of the review should be put up to the Directors, along with the proposed action plan for improvement. The consumption of drill machines and pumps in the Projects should be recorded as well as monitored separately (not to be clubbed).
- 8. Based on observations in the yearly review, action plan for preventive maintenance of machines high on fuel should be drawn up & implemented.

All concerned are requested to ensure compliance.

This issues with the approval of CMD MECL.

## (UDAY BORWANKER) CHIEF VIGILANCE OFFICER

## **DISTRIBUTION:**

- All HODs at CHQ, Nagpur- They are requested to circulate copies of this circular to their field officers.
- All Zonal Managers
- All ROMs

## Copy to:

- PS to CMD
- Sr PA to D(F)
- PS to D(T)

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# VIGILANCE CIRCULAR No.01/07 MECL, NAGPUR

**Date of issue: 13.12.07** 

Subject: General lapses in the finalization of tenders

The general lapses in the finalization of tenders can be at various stages like calling of tenders, processing of tenders and acceptance of tenders. A brief list of the malpractices generally observed is given below, for taking care while dealing with Tenders. The list is subject to review and updation from time to time, by Vigilance Department.

- 1. Rate estimation/justification not based on tangible factors like last purchase rates, published maximum retail price, raw material cost, prices of similar or alternative products, prevalent industry unit rates, cost of similar works, site verification, etc.
- 2. Making alterations in the quotations subsequent to opening of tenders if the rates and conditions are not encircled and initialed.
  - (a) Basic price can be changed if rate is not written both in figure and words and cuttings, overwriting not indicated.
  - (b) Adding alternative offer when total number of alternative offers not recorded on top of tender.
  - (c) Additional levies/taxes or concessions mentioned if the offer of the firm being favoured is much lower than the next higher offer.
  - (d) Adding clause offering discount, where offer of favoured firm is higher, so as to make it lower.
- 3. Splitting of works or non-clubbing of demands for the same material and issuing separate tender for piece meal work/demand to keep the value at a particular level so as to fall within the powers of a particular executive/ purchase officer and a particular class of contractors.
- 4. By sending tender enquiries (in case of limited tenders) only to a selected set of firms ignoring other approved firms.
- 5. By sending limited tender enquiries to firms who are not registered/ approved for that particular item; by not issuing tender forms to tenderer even after tenderer has deposited the requisite fee.

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- 6. By not giving sufficient time to tenderers to quote their rates.
- 7. By drafting tender conditions suiting to a particular contractor.
- 8. Publishing of advertisements in newspapers at far off places rather than the area of demand. Not publishing of advertisements and tender documents on the website. Non-finalisation of tenders within validity period.
- 9. Defective tender schedule, lacunae in technical description requiring clarifications/negotiations after opening of tenders.
- 10. Asking for supplies 'as per sample' and choosing from samples received from suppliers.
- 11. By not specifying items with standard specifications in the bid documents. In case of procurement of items with non-standard specifications, not recording adequate reasoning for procuring such items and not checking reasonability of rates malpractices in the finalization of tenders.
- 12. Playing with technical aspects for rejecting inconvenient bids on grounds of technical unsuitability.
- 13. Making major changes in quantity to be procured, after advertising the Tender.
- 14. Tender Accepting Authority directly entering into reference with tenderers or entertaining post tender offers without referring back the case to Tender Committee with his observation for their examination.
- 15. Changing the scope of work/certain items to enable acceptance of alternative items after repeated negotiations when the number of competitions in the field remain one or two.
- 16. Delay in finalisation of tenders necessitating the extension of validity period thereby discouraging the competitions to extend their validity.

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- 17. Rejection of offers on account of credentials not well substantiated (without verification) or conclusion drawn wrongly.
- 18. Rejection of tenders on account of poor performance in a particular case while allotting the work to the same tenderer in case of some other work.
- 19. Lowest tenderer withdrawing his offer to enable second lowest to become lowest.
- 20. Acceptance of an unsolicited offer from other than the lowest tenderer and awarding of the contract without giving an equal opportunity to others.
- 21. TC members not signing each page of Tender Committee meeting minutes; not countersigning corrections / alterations in notings; not following systems of page numbering of files and record-keeping of receipt and dispatch of letters
- 22. Placement of orders at higher rate on:
  - (a) Flimsy grounds, technical or otherwise;
  - (b) Shorter completion period/delivery schedule but the period is extended later; and
  - (c) The excuse that the lower tenderers do not belong to a developed source, when they might have been supplying the same material to other organizations.
- 23. Comparison of rates with selected last accepted rates overlooking lower last accepted rate for similar works in same or adjacent areas.
- 24. Comparison of leading rates with last accepted rates with much lesser lead on TKM basis.
- 25. Unequal evaluation of financial impact of conditions or overlooking the financial impact of certain conditions proposed to be accepted.

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- 26. Entering into post tender negotiations with tenderer(s) or making counter-offer without adequate justification and without taking suitable laid down precautions.
- 27. Member(s) of the Tender Committee having a personal interest in the companies/agencies participating in the Tendering process.
- 28. Keeping a Tender case pending for approval of competent authority after Tender Committee's recommendations have been received.
- 29. Tender Accepting Authority discharging tenders on flimsy grounds for favouring a particular tenderer.
- 30. Tender Committee, Tender Accepting Authority and other officials dealing with the Tender file not following a laid down time schedule for each stage of processing of Tender case.

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Date of issue: 13-05-2008

Sub: Leveraging Technology - CVC Guidelines.

Central Vigilance Commission had directed all the organizations/departments/agencies over which the Commission has jurisdiction, for extensive use of technology for improving Vigilance Administration in order to prevent the possibilities of corruption.

In line with the above, the Central Vigilance Commission in exercise of the powers conferred on it under section 8(i)(h) of CVC Act 2003 issued several instructions for compliance, mainly to improve the systems, to achieve desired transparency, fairness and equity & thereby help to reduce corruption. The following CVC circulars are relevant in this regard:

SI. No.	Circular Number	Circular Date	SI. No.	Circular Number	Circular Date
1	98/ORD/1	18.12.2003	5	57/9/05	20.09.2005
2	10/2/04	11.2.2004	6	31/9/06	1.9.2006
3	13/3/05	16.3.2005	7	40/11/06	22.11.2006
4	46/7/05	28.7.2005	8	13/4/07	18.4.2007

The following check list will help all concerned to comply with the CVC guidelines referred above in connection with leveraging of technology for increasing transparency, fairness, equity etc.

• All NITs (Notice Inviting Tenders)/ITTs(Invitation to Tenders) are to be placed on the website of the Company as well as in the website of Govt. tenders in addition to publishing in the newspapers as the case may be, in a concise manner.

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- To provide complete information on the website regarding rules and procedures governing tenders, sales, recruitment, vendor registration, empanelment of contractors etc.
- All application forms, tender forms etc. should be made available in website on a downloadable form.
- If the organization wishes to charge for the application forms downloaded from the computer, the same may be done at the time of submission of them.
- All the documents to be enclosed or information to be provided by tenderers/applicants shall be clearly explained on the website and should also form part of such application/tender.
- The tenderers/applicants shall be informed of the deficiencies in their submissions.
- Raising repeated queries in a piece-meal manner should be viewed as a misconduct having Vigilance angle.
- To give adequate publicity in newspaper about the facilities and information available in website by giving the website address of the organizations in all such advertisements.
- Status of individual applications/tenders shall be made available in the website and shall be updated from time to time.

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- Whenever feasible, accept 'on-line' applications.
- All possible efforts may be made to switch over to e-governance mode and integrate all business processes.
- Details of awarded contracts/purchases made etc. to be placed on website in the format prescribed covering atleast 60% of the transactions.
- All bill payments to contractors/suppliers etc. should be made through e-payment mechanism wherever such facilities exist.
- Payment details to be placed on website on monthly basis indicating the date of receipt of the bill and the date of release of payment.
- Provide enabling environment so that customers/businessmen can make the payment to the organization electronically.

(UDAY BORWANKER)

CHIEF VIGILANCE OFFICER

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