

Message from Chief Vigilance Officer



It is a matter of immense pleasure to once again interact with you through this wonderful medium, e-newsletter Nai Disha.

For the success of any organization, one of the requirements is to maintain an ethical climate and atmosphere of probity in the organization where people work with integrity, impartiality and in a transparent manner upholding the highest ethical standards.

The extent to which we can make our internal machinery effective and responsible depends on our sincerity and probity of the officials manning various positions. This cannot be achieved unless all stakeholders – the management and the employees – are involved in the process with effective cooperation from all stakeholders.

Presently, there is a need that all employees shall come forward and accomplish the responsibility assigned to each one in a professional manner so that Corporation can move forward on the path of growth.

The Vigilance Division has been providing inputs for improving the governance in the Corporation from time to time and sharing instructions issued by Central Vigilance Commission and other Authorities, case studies etc. to facilitate the Corporation in achieving its goal.

I wish all the employees of the Corporation and their families, a very Happy New Year 2018.



(Arvind Kumar Kadyan)

CVO, STC

15.01.2018

RTI Act for Transparency & Accountability : Shri Radha Krishna Mathur, Chief Information Commissioner, CIC

The 25th lecture of the CVC 'Lecture Series' organized by Central Vigilance Commission was delivered by Shri Radha Krishna Mathur, Chief Information Commissioner, CIC on the topic "RTI Act for Transparency and Accountability" on 29th November, 2017.



The areas of intersection between the CIC and the CVC were dealt with by explaining the traditional roots of ethics and probity in public service. The experience of Western countries with the concept of the Right to Information/ Freedom of Information explained in detail. Shri Mathur mentioned that more than 100 countries comprising about 78 percent of the world's population is covered by such legislation.

He said that some areas where transparency could help in improving governance include tender committee deliberations and decisions regarding major contracts; defence procurement processes, from framing of specifications to procurement decisions; ownership and possession of land; and settlement of dues of retiring employees. Shri Mathur further said a case was made for inclusion of a clause for transparency and accountability in all laws being formulated.

Other suggestions for improving transparency and accountability included digitization of all cutting

edge service delivery processes; digitization of records; RTI appeals and public grievances to be used as an input into improvement of organizations as well as for vigilance; data mining; and *suo moto* disclosure by government agencies. Shri Mathur expressed the need for some preventive vigilance projects to be implemented in selected organizations on a pilot basis, for improvement of the working of organizations.

Vigilance Commissioners Shri Rajiv and Dr. T.M. Bhasin were present on the occasion.

The lecture was also attended by full time and part time CVOs based in Delhi/NCR as well as CMDs, Directors and other officers of Government Ministries/Departments, Central Public Sector Enterprises, Nationalized Banks, and other Organizations.

Making Life Musical for Professional Excellence



Shri Ashok Arora, Author and Motivational Speaker delivered a talk on the topic "Making Life Musical for Professional Excellence" at Central Vigilance Commission on 29th December, 2017.

A well known lawyer, Shri Ashok Arora is the former Secretary of Supreme Court Bar Association (India) and has authored a number of articles and books :

- HOW IT HELPS IN IMPROVING COMMUNICATION SKILL
- MANAGING RELATIONS FOR PROFESSIONAL EXCELLENCE
- HOW TO ENHANCE YOUR CAPACITY
- TIME MANAGEMENT
- JOYFUL TIPS TO KILL DEPRESSION
- HOW TO BE A LEADER & BUILD A TEAM
- HOW TO BE A ROLE MODEL PARENT/ PROFESSIONAL
- SIMPLE TIPS FOR SURE SHOT SUCCESS

In his interactive lecture, Shri Arora said that all problems today are due to lack of training of the mind and soul. The main theme was on the need to encourage honesty and to shame the corrupt, which he felt would be most effectively done through the power of positive love rather than fear. He spoke about the need to build national character as a means of building a better nation, and felt that in their work, all officers should strive for prevention of corruption as being more effective than punishment alone. The importance of fundamental duties and the role of different institutions such as the judiciary were also explained, with several examples drawn from our recent history. The central idea was that professional excellence could best be achieved by inner development of the personality, not by externally acquired knowledge alone.

Full time and part time CVOs based in Delhi/NCR attended the lecture along with CMDs, Board of Directors and other officers of the vigilance administration. The Central Vigilance Commissioner, Shri K.V. Chowdary was also present.



ARTICLE

"Applying Zero Tolerance to Corruption" Shri N.Vittal, Former Central Vigilance Commissioner

I - THE STATE OF CORRUPTION IN INDIA

1. The use of the expression "zero tolerance" represents a very significant and an important shift in the perception of Government of India on the issue of corruption.
2. Zero tolerance became a popular expression when Rudolph Giuliani, the Mayor of New York

applied it to tackle crime when he became the mayor of one of the most crime ridden cities of the U.S. He succeeded spectacularly. One interesting aspect of applying the principle to crime is that the NYPD focused on the petty and small infractions of the law instead of the large crimes. This counter intuitive approach by some curious logic seems to have brought excellent results by not only nabbing scofflaws but bigger time criminals also.

3. The Supreme Court judgement in the Vineet Narain's case was a major step in ensuring that the CVC was made into a statutory body and more important have supervisory powers over the CBI so far as the anti-corruption cases are concerned. The CVC was also to play an important role in another important agency, the Enforcement Directorate.

4. Zero tolerance means that no case of corruption will be tolerated and the corrupt would be punished.

5. In the light of the above background, Shri N. Vittal, suggested the following plan of action for evolving an effective strategy for applying the principle of zero tolerance to check corruption.

II - THE ZERO TOLERANCE ACTION PLAN

1) Corruption perception index of all Government departments, public sector enterprises, banks etc.

There is a need urgently to make an exercise through any of the competent bodies like IIMs, industry associations, academics, psephologists and so on to list out in the order of corruption perception index all government organisations, public sector enterprises and banks. The list must rank other organisations. Zero tolerance of corruption should begin with zero tolerance of the so called "reputation" of government departments or organisations which are known to be corrupt. The honest public servants in these various departments will be moved by a sense of shame and try to check corruption in their respective departments.

2) Zero tolerance of corruption should be a principle not only from the demand side of public servants and government departments but also from the supply side.

The bribe giver is equally guilty under the Prevention of Corruption Act. The United States in 1970s enacted the Foreign Corrupt Practices Act (FCPA) by making the American companies which gave bribe in the third world countries guilty and liable to be prosecuted within US. Thanks to the American initiative, 34 OECD countries had by 1997 signed the anti-bribery convention. In the principle of zero tolerance, focus be only on the receiving side of corruption, and will be tolerating the giving side.

3) Annual property returns by Members of Parliament and Ministers

Public servants who are employees of the Government or government organisations give their annual property returns. The MPs and Ministers must also give their annual property returns to the Speaker of the Lok Sabha or the Chairman of the Rajya Sabha for which their reaction was positive. This will help in setting up a healthy tradition to check corruption in public life.

4) Mobilising the youth to fight corruption

Intolerance of corruption can be bred in the culture of the people if able to use education system to send the right signals. Like the National Cadet Corps, think of a National Vigilance Corps. Anti-corruption clubs must be encouraged in colleges and educational institutions, which can work in close coordination with the CVC. The members of the NVC may be authorised to check and expose cases of corruption which will result ultimately in effective punishment. This may be one method by which the entire nation can be mobilised to fight corrupt and the principle of zero tolerance will have an added meaning.

5) Statutory status of Central Vigilance Commission

A statutory CVC can be the key instrument to fight corruption.

6) Trap and speedy disciplinary action through departmental action

Such corrupt public servants must be trapped with the help of CBI or police as the case may be. CBI or the police must give within four days of a trap case, photocopies of all the documents duly authenticated to the departmental authorities.

While the police will pursue the prosecution process in the courts, the departmental authorities should start action immediately against the corrupt. At the end of two months, after due inquiry, such trapped corrupt people must be dismissed. There will be no double jeopardy because while the prosecution will be on the criminal aspect, the departmental action will be based on the misconduct aspect.

7) Encourage whistle blowing

Corruption comes about due to uncontrolled financial behaviour. Financial adultery is where the public servant and the citizen collude to cheat the system. It could be the Chairman of a bank and a corrupt industrialist or it could be a corrupt minister or a corrupt secretary or a corrupt CMD of a public sector colluding. In such cases, we should encourage whistle blowing.

8) Freedom of Information Act for empowering the public

Empowering the public is another method of ensuring that the corrupt are brought to book.

9) E-governance and the use of information technology to check corruption

This is the age of information technology. Information Technology (IT) is India's tomorrow. The entire government of India should move on to achieve e-governance. Using IT widely in all government departments must make it easy for every citizen who interacts with Government of India to get all information freely and also get his various works done faster. Extensive use of information technology to check corruption should be part of the zero tolerance approach to corruption.

10) Remove obsolete laws through sunset principles

Obsolete laws and time consuming bureaucratic procedures are the breeding ground for corruption. Implement throughout the Government of India the principle of the sunset laws so that no law will be on the statute book for more than five years or ten years unless it is re-enacted and repromulgated after careful examination. This will automatically ensure that obsolete laws do not clutter the system.

11) Remove laws and systems that promote corruption

Legal and administrative measures taken with good intentions produce the opposite results. The Sick Industries Companies Act(SICA) and the BIFR are an excellent example. They have helped the colluding and corrupt industrialists and officials to escape punishment. SICA and BIFR must be scrapped.

VDIS is another example of such legalised corruption blessed by the Government. In a Government that practices zero tolerance, such VDIS schemes should never be considered.

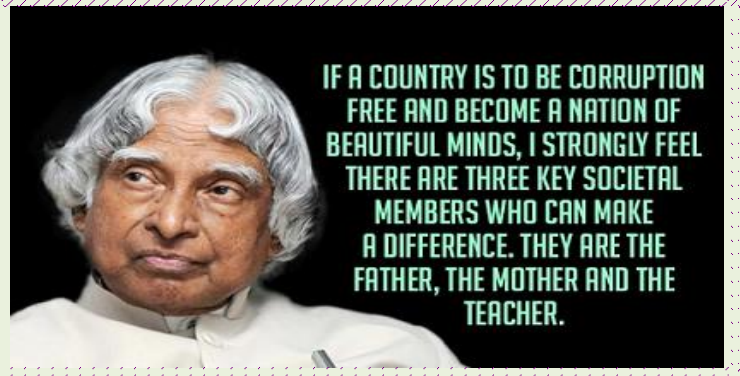
12) Enact Corrupt Public Servants (Forfeiture of Property) Act

As corruption is a low risk high profit business in our country, what we need is to make it a high risk activity. The property of the corrupt public servants who are having wealth beyond their legal means of income, can be confiscated without the present elaborate procedure.

13) Implement the Benami Transactions (Prohibition) Act 1988

The Chief Technical Examiner (CTE) of the CVC can be strengthened to carry out the valuation process. The Supreme Court has upheld the validity of the Act and therefore it is high time that rules are prescribed so that the confiscation of benami property is also implemented by the CVC so far as public servants are concerned.

The term 'zero tolerance' has 13 letters. The 13 points of the action plan above will help to implement the zero tolerance concept literally in letter and spirit.



Difference between Authority & Responsibility

One of the objectives of the management is to establish a sound organizational structure and to do this, effective authority and responsibility relationship should be created, i.e. Who is accountable to whom? Who are superior and subordinate? Who can give orders? Whenever **authority** is used, **responsibility** ensues. Thus these two are co-extensive and commonly misconstrued by the people. However, there is a distinction amidst these two, in essence, **authority** is the right to give the command, order or instruction and obtain obedience, whereas **responsibility** is the outcome of authority.

BASIS FOR COMPARISON	AUTHORITY	RESPONSIBILITY
Meaning	Authority refers to the power or right, attached to a particular job or designation, to give orders, enforce rules, make decisions and exact compliance.	Responsibility denotes duty or obligation to undertake or accomplish a task successfully, assigned by the senior or established by one's own commitment or circumstances.
What is it?	Legal right to issue orders.	Corollary of authority.
Results from	Formal position in an organization	Superior-subordinate relationship
Task of manager	Delegation of authority	Assumption of responsibility
Requires	Ability to give orders.	Ability to follow orders.
Flow	Downward	Upward
Objective	To make decisions and implement it.	To execute duties, assigned by superior.
Duration	Continues for long period.	Ends, as soon as the task is accomplished.

Definition of Authority

We define 'authority' as the legal and formal rights of the manager or supervisor or any of the top level executives, of an organization to command subordinates, give them orders, instructions and directions, and access obedience. The manager is entitled to make decisions, concerning performance or non-performance of a task in a particular manner, so as to accomplish organisational objectives. It comprises of some permissions and

the right to act for the organisation in a particular area.

Authority is derived by virtue of the position of an individual in the organisation, and the degree of authority is maximum at the top level and decreases consequently as we go down the corporate hierarchy. Therefore, it flows from top to bottom, giving authority to superior over the subordinate.

One cannot occupy a superior position in an organisation if he does not have any authority. It is the authority; that distinguishes one position from that of another and vests the power to the concerned individual, to order his subordinates and obtain necessary compliance.

Types of Authority

- **Official Authority:** The authority which gives the manager, power to command his subordinates, by virtue of his designation in the organization.
- **Personal Authority:** It indicates the ability by which a person influences the behavior of other persons in an organization.

Definition of Responsibility

Responsibility is the obligation of an individual, whether a manager or any other employee of the organisation to carry out the task or duty assigned to him by the senior. The one who accepts the tasks are held responsible for their performance, i.e. when an employee takes the responsibility of an action, at the same time, he becomes responsible for its consequences too.

The obligation is the kernel of responsibility. It is originated from the superior-subordinate relationship, formed in an organisation. Hence, the manager can get the tasks done from his subordinates, by virtue of their relationship, as the subordinate is bound to perform the tasks assigned. Authority is inherent with the position, and so it continues for a long period. Unlike responsibility, which is attached to the task assigned and hence it is short-lived, it ends as soon as the task accomplishes successfully.

Conclusion

A point to remember in connection with authority and responsibility is that while assigning certain responsibility to an employee, the required amount of authority should also be conferred on him so that he/she can be able to perform it.

Hence, the delegation of authority can only be effective when it matches with the assigned responsibility, i.e. if the authority assigned to a person is greater than the responsibility; it ultimately results in the misuse of authority. Likewise, if the responsibility assigned is greater than the authority, then also the tasks will not be carried out properly due to the lack of necessary authority, thus making it ineffective. So, a balance should be maintained between the authority and responsibility.

Guidelines For Public Procurement

Vigilance is routinely encountering infringements in the processes followed during public procurements. The interactions/deliberations routinely bring out legacy issues and the resultant lack of appreciation of the requirements, both in the approved procedures/process as well as by the officials. The following relevant prescriptions of CVC are, therefore, enumerated below for clearly understanding the requirements:

- i. In order to bring about greater transparency and curb the mal-practices in public procurement, CVC in the exercise of the powers conferred on it under Section 8(1) (h) of CVC Act, has issued several instructions for compliance by all PSUs.
- ii. Tendering process or public auction is a basic requirement for the award of contract by any Government agency, as 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.
- iii. The most preferred, competitive and transparent mode of tendering is to go in for Open/advertised tenders. Nevertheless, tendering can be of the following types:
 - Open Tender
 - Limited Tender
 - Nomination/Single Tender

- iv. In order to bring greater transparency in the procurement and tendering processes there is need for widest possible publicity.
- v. The law is well settled that contracts must be normally granted through public auction/tender by inviting tenders from eligible entities and the notifications should be advertised in well-known dailies having wide circulation in the locality.
- vi. The above is to ensure transparency in the public procurement, to maximize economy and efficiency in government procurement, to promote healthy competition among the tenderers, to provide for fair and equitable treatment of all tenderers, and to eliminate irregularities, interference and corrupt practices by the authorities concerned.
- vii. In rare and exceptional cases, for instance, during natural calamities and emergencies declared by the Government where the procurement is possible from a single source only; where the supplier or contractor has 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., this normal rule may be departed from and such contracts may be awarded through private negotiations.
- viii. For Open Tenders, in addition to the existing rules and practices regarding giving publicity of tenders through newspapers, trade journals and providing tender documents manually and through post etc. the complete bid documents along with application form shall be published on the website of the organization. The concerned organization must give its web site address in the advertisement/NIT published in the newspapers.
- ix. For works, below a particular value, 'Short term tenders' can be undertaken without publicity as required in open tenders. In all such cases notice shall be put on the website.
- x. Commission permits procurement through 'Limited Tendering' i.e. where PSUs have laid down norms of procurement through a system of approved/registered vendors and contractors.

- xi. The 'approved' list should be periodically updated (at least annual) weeding out the non-performers and including fresh entrants in the field (CVC communication under Common irregularities in award of works).
- xii. In above case, there should be wide publicity through the website as well as through the other traditional channels at regular intervals for registration of suppliers/contractors.
- xiii. There should not be any entry barriers or long gaps in the registration of suppliers/ contractors.
- xiv. The intervals on which publicity is to be given through websites and traditional means should at least be once in a year for upgrading the list of registered vendors/contractors.
- xv. If the organization desires to limit the access of the limited tender documents to only registered contractors/suppliers they can limit the access by issuing passwords to all registered contractors/suppliers. But it should be ensured that password access is given to all the registered contractors/suppliers and not denied to any of the registered suppliers.
- xvi. In case of limited tenders to 'approved contractors', due care should be taken to generate adequate competition and reasonableness of rates should be established.
- xvii. The organization should give web based publicity for limited tenders also, except for items of minor value.
- xviii. In all such cases where it is decided not to host the tender notice on Website, the decision must be taken at the level of CMD. The specific reasons for not putting an open tender on web site should be recorded in the concerned file.
- xix. All nomination/single tender contracts shall be posted on the website ex post-facto.
- xx. All nomination cases shall be reported to the Board.
- xxi. If an agent submits bid on behalf of the Principal/OEM, the same agent shall not submit a bid on behalf of another Principal/ OEM in the same tender for the same item/product.

Case Study and Learning Points

Procurement of Raw Jute Against Domestic L/Cs

Background

One reputed Jute Mills in West Bengal associated with STC for more than two decades for jute exports, import & domestic business of raw jute and jute goods approached one of the STC's Branch with request to extend financial assistance for procurement of raw jute domestically by arranging inland L/Cs with 90 days usance period in favour of local supplier.

STC Branch signed Purchase Agreement dated 24.01.2012 with Supplier and Sale Agreement dated 24.01.2012 with Buyer(i.e. the Associate) for domestic procurement of raw jute.

The material pledged to STC was stored in the Associate's godowns under custody of Surveyor-cum-Protective Agent appointed by STC.

Total 23 L/Cs were opened for & on behalf of Business Associate in favour of their nominated Supplier for purchase of raw jute under above agreement. Against these inland L/Cs, the Associate defaulted in liquidating 11 inland L/Cs valued Rs.7.52 crores approx. towards purchase of 2682.07 MTs of raw jute from the supplier which was sold to the Associate against cash and carry basis.

The Associate misappropriated STC's funded stocks of about 2525 MTs valuing Rs.6.74 crore approx., pledged to STC as collateral security leaving a balance of 156.92 MTs valuing Rs.45.48 lakhs in the godowns of the Associate, thereby exposed the Corporation to financial risk/loss. STC lodged an FIR with the Police against the Associate & the surveyor and the matter is being investigated by police authorities.

Irregularities

- i) The Branch opened fresh L/Cs despite default by the Associate in liquidating the old L/Cs.
- ii) The Branch appointed Surveyor-cum-Protective Agent for collateral Management of Raw Jute stored in the godowns of the Associates without following due tender process and did not obtain approval of the competent authority.
- iii) The Business Associate approached STC having identified the domestic supplier after having finalized the prices, terms and specifications of the

raw jute for providing inland L/C facility by STC. Branch did not ensure that tripartite contract amongst STC, the supplier and the buyer (Associate) specifying the rights and obligations of the contracting party is executed.

- iv) The Sale Agreement entered into with the Associate (Buyer) does not contain any clause for risk/distress sale in the event of default by the Associate. The obligations of the associate in execution of the contract were not clearly defined.
- v) Timely action for recovery of funds by invoking available securities including distress/risk sale was not taken immediately on default by the associate in honouring its obligation in terms of the agreement.

Lessons Learnt

- Even while continue trade business with existing business associate, periodical review on the past performance/status of the business associate and about their financially soundness/creditworthiness in the market shall be undertaken before extending further credit/ finance facility.
- Tripartite contract with the supplier/buyer and the Associate specifying the rights and obligations of the contracting party shall be executed by STC.
- Storage of STC funded pledged goods in the godowns/premises of the associate should be avoided. Such pledged goods should be stored in CWC/SWC godowns leased by STC under its control, at the cost of associate, and a formal Tripartite/Quadripartite agreement be entered into to safeguard STC's interests in such warehousing arrangements.
- The approvals in the matter of trade transactions given by COM should be strictly adhered to. In case any deviation to the extant trade guidelines, necessary approval of the competent authority should be taken.
- Physical verification of stocks shall be carried out at regular intervals as per Trade Guidelines.
- In case of default in payment by the Associate, timely action for recovery shall be initiated as per Trade Guidelines. The encashment of securities, invocation of risk sale to be done immediately on default with due approval of competent authority.
- Ensure that securities obtained are complete in all respect and legally valid.
- The Branch to pursue the legal matters rigorously and comply with the orders issued by Court of Law strictly and deter any delay in taking actions.

Important Circulars

I-Submission of Annual Immovable Property Returns (APR) by STC Employees-Reg.

(STC Corporate Office Circular No.13/2017 dated 29.12.2017)

Annual Immovable Property Returns (APRs) are required to be filled in and submitted by every employee of STC governed by Rule 18 of the STC Employees (CD&A) Rules, 1975 as amended from time to time, read with Rule 18(4), on the first appointment in the Corporation and thereafter on 1st January of each calendar year, submit a return of assets and liabilities in the prescribed Forms No.1 and 2. Also, in terms of Rules 18(1) of the STC CDA Rules, 1975.

1.1 No employee shall, except with the **previous knowledge** of the competent authority, acquire or dispose of any immovable property by lease, mortgage, sale, gift or otherwise, either in his own name or in the name of any member of his family;

1.2 Provided that the **previous sanction** of the prescribed authority shall be obtained by the Government servant if any such transaction is with a person having official dealing with him.

2. In terms of Govt. of India, Department of Personnel & Training O.M.No.11013/12/93-Estt.(A) dated 24.01.1994, failure to submit annual immovable property return constitutes good and sufficient reason for institution of disciplinary proceedings against the concerned officers.

3. The Vigilance Division during scrutiny of APRs has observed several deficiencies in terms of filing of APRs by the employees of STC and therefore, the following instructions are issued for guidance and compliance.

- a) Annual Immovable Property Return (APR) for each calendar year shall be submitted **by 31st January of the following year** to the Personnel Division of STC. APRs in respect of Managers of Branches should be submitted to Personnel Division at Corporate Office.
- b) APRs of the employees shall be kept in the safe custody of the Personnel Division along with personal file of the employees.
- c) APR shall be submitted in the prescribed format (copy enclosed).

- d) All the columns shall be completely filled in with specific details in a legible manner. The wording '**No Change or No Addition or As in previous year**' shall be avoided and all details shall filled up.
- e) Previous intimation/sanction in prescribed format (copy enclosed) with all details/information duly filled in, for transaction (acquisition/disposal) for immovable property in terms of Rules 18(4) of STC (CD&A) Rules, 1975, shall be submitted to Personnel Division of STC. Such intimation/sanction shall also be kept in the safe custody by the Personnel Division of STC along with personal file of the employee.
- f) The APRs/ intimations submitted by the employees shall be scrutinized by concerned Personnel Division before accepting and filing the same.

II-Complaints against CMDs/Chief Executives/ Functional Directors/Non-Official Directors (NoDs) etc. of CPSEs, PSBs, FIs, and PSICs.

(Department of Public Enterprises (Vigilance Policies) Office Memorandum No.15(1)/2010-DPE(GM) dated 11.12.2017)

Vide OM No. 15(1)/2010-DPE(GM) dated 11.3.2010, a Group of Officers (GoO) was constituted under the Chairmanship of Secretary (Coordination) in the Cabinet Secretariat to first scrutinize and take a view on complaints, whether pseudonymous or otherwise, against CMDs/Chief Executives/Functional Directors of CPSEs, PSBs and FIs. Some modifications were done to the guidelines vide OM dt.12.04.2010 and 11.05.2011. Subsequently, vide OM No. 15(1)/2010-DPE (GM) FTS-2874 dated 25.01.2017, Non-officials Directors (NODs) of CPSEs were also included in the purview of GoO.

2. It is considered necessary to further modify the guidelines/procedure regarding handling of complaints with a view to include NoDs and certain other categories of Directors of PSBs, part-time/non-official Chairpersons of PSBs/CPSEs, etc. Accordingly, the following revised consolidated guidelines are issued.

3. Composition of the Group

A Group under the Chairmanship of the Secretary (Coordination) in the Cabinet Secretariat is

constituted to take a view on such complaints. The composition of the Group shall be as follows:-

- Secretary (Coordination) in the Cabinet Secretariat : Chairman
- Secretary, Department of Public Enterprises (DPE) : Member
- Secretary, Department of Financial Services (DFS) : Member
- Secretary, Central Vigilance Commission (CVC) : Member

4. Categories of officials covered in the purview of GoO

- (i) CMDs, Chief Executives, Functional Directors and NODs of CPSEs, PSBs, FIs and PSICs.
- (ii) Part-time/Non-official Chairperson of CPSEs, PSBs, FIs and PSICs, wherever applicable.
- (iii) Workmen Directors, Officers' Directors and Chartered Accountant Directors (excluding Govt. nominee Directors, RBI nominee Directors, Shareholder Directors) in the case of PSBs.

5. Category of Complaints received

Complaints received from PMO, Cabinet Secretariat, DC DPE against above stated categories of officials would be dealt by GoO. Further, GoO will also look into complaints received by Cabinet Secretary from CVC under CVC Act or Public Interest Disclosure Resolution. Complaints against the above stated category of officers received directly by the concerned administrative Ministry/Department are handled by them. However, in exceptional cases where concerned Ministry/Department considers it necessary to refer a particular case to GoO, the same may be done with the approval of competent authority of the administrative Ministry/Department.

6. Procedure to be followed by Group of Officers (GoO)

6.1 This Group, after receiving the complaint(s), would proceed as follows:-

- (a) If there is no substance in the complaint or the complaint is frivolous in nature, the Group would close the complaint and inform the relevant office from where the complaint was received.
- (b) In case the preliminary scrutiny of the complaint indicates that there is some substance in it

or there are verifiable allegations, the Group may :—

- (i) Seek the comments/reports of the Secretary and/or CVO of the concerned Ministry/Department/Organisation, comments officer against whom complaint has been received, and/or
- (ii) Call for the concerned file (s); relevant records, including annual property returns, other reports, etc. as considered necessary.

6.2 Having received appropriate inputs/ reports on the complaints, the Group will then proceed in the following manner :-

- a) In case the records/comments/reports indicate that there is no substance in the complaint it will be closed under intimation to concerned office from where the complaint was received.
- b) If after scrutiny, it is found that there is some substance in the complaint, a view would be taken by the Group regarding the nature of the investigation and further action called for and an appropriate recommendation would be made in this regard.
- c) Thereafter, the recommendation would be submitted to the concerned Competent/ Disciplinary Authority, for further appropriate action.
- d) If the concerned Competent/Disciplinary Authority, after considering the recommendations of GoO, decides not to proceed further in the matter and dose the case/complaint, it would do so by recording reasons for the same and inform the GoO/Cabinet Secretariat.

6. Other miscellaneous matters

- (i) All the concerned Ministries/Departments shall follow a time limit of maximum of 30 days for submission of the initial report/ comments on all the allegations made in a complaint and a maximum of 15 days for furnishing any clarifications/additional information sought by the Group of Officers. In particular, in cases where the officer against whom complaint has been made is retiring in near future, the concerned Ministry/Department will ensure submission of their reports in a strict time frame to enable the GoO to submit its recommendations before the date of retirement of such officer.

- (ii) In case the Ministries/Departments do not adhere to the prescribed timeline, the matter would be pursued with the Ministry/ Department to clarify the factual position, and if considered necessary, the concerned Secretary may be invited to attend subsequent meeting of GoO as special, invitee with relevant progress/status/ report of the case;
- (iii) Anonymous/pseudonymous complaints can be filed with the approval of Secretary (Coordination) and details of such filed complaints will be placed before GoO in its next meeting for information.
- (iv) In respect of complaints received from CVC by Cabinet Secretary and referred to this Group, CVC shall be kept informed at regular intervals about the status/progress If any complaint received by GoO is also under investigation by CVC GoO may not proceed further with such a complaint.

Reader's Feedback

I would like to congratulate the Vigilance Department for all the efforts undertaken in the past one year for the e-newsletter 'NAI DISHA' helping us to embed the deep rooted feeling that Vigilance is not a hindrance, but an equally important line function and arm of Management which aims to continuously improve the system and helps in doing things in a right, transparent manner and in taking sound business decisions for the growth of the Corporation.

The newsletter carries valuable information which helps us in our day-to-day activities/dealings and also shows its pro-activeness to share valuable suggestions in regard to carrying out official job in right spirit. I convey my best wishes for the efforts of sharing wisdom and look forward to the information in the newsletter.

**Neelam Paul
Dy. Manager, C.O**

Glimpses of Vigilance Awareness Week-2017



Hyderabad Branch



Bangalore Branch



Ahmedabad Branch



Kolkata Branch



Any suggestion(s)/query/article(s) may be mailed to: - cvo@stclimited.co.in