



सत्यमेव जयते

Annual Report 2023



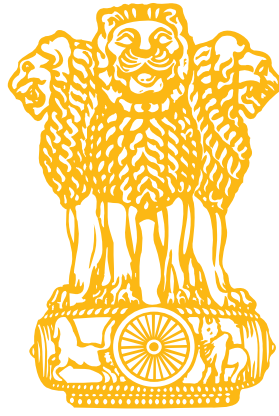
Central Vigilance Commission



Panel Discussion on Disciplinary Proceedings at NDMC Convention Centre, New Delhi on 02.11.2023 on the occasion of Vigilance Awareness Week 2023



Visit of UAE delegation under International Cooperation at Satarkta Bhawan, New Delhi on 23.05.2023



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01.01.2023 to 31.12.2023



Central Vigilance Commission

ACKNOWLEDGEMENT

The Central Vigilance Commission thanks the Government of India, its Ministries/Departments, Public Sector Undertakings, Public Sector Banks and other organizations, the team of Chief Vigilance Officers, Central Bureau of Investigation, Law Officers and all others connected with the Commission for their cooperation and assistance.

FOREWORD

The 60th Annual Report of the Central Vigilance Commission is prepared under Section 14 of the CVC Act, 2003 for submission to the President of India. The report highlights the work done by the Central Vigilance Commission during the year ending 31st December, 2023 in fulfilling its mandate under the CVC Act, 2003.

A handwritten signature in blue ink, appearing to read 'P.K. Srivastava', is positioned above the name.

(P.K. Srivastava)

CENTRAL VIGILANCE COMMISSIONER

A handwritten signature in blue ink, appearing to read 'Arvinda Kumar', is positioned above the name.

(Arvinda Kumar)

VIGILANCE COMMISSIONER

A handwritten signature in blue ink, appearing to read 'A.S. Rajeev', is positioned above the name.

(A.S. Rajeev)

VIGILANCE COMMISSIONER

New Delhi

Dated: the 4th June, 2024

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Release of booklet of 'Vigeye Vani' at Satarkta Bhawan, New Delhi on 04.07.2023



Observance of Vigilance Awareness Week 2023 in Western Coalfields Ltd.



Walkathon by students of SECL on the occasion of VAW-2023



Nukkad Natak organized by Indian Oil during VAW-2023

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AN OVERVIEW

- The Central Vigilance Commission being the apex agency oversees and supervises the vigilance administration of the organisations owned or controlled by Union of India and covered under the advisory jurisdiction of the Commission. As an institution, Central Vigilance Commission has evolved in the last 59 years since it was first set up through a Resolution of the Government of India in the year 1964. With its rich experience in formulating and implementing policies relating to overseeing Vigilance Administration, the Commission's emphasis is on putting in place an effective mechanism to fight corruption and bring about fair play and transparency.

(Para 1.5)

- The Commission, fully aware of the hope and expectations from it as an apex agency responsible for eradicating corruption from public life, is exercising its mandate under the Central Vigilance Commission Act, 2003 (CVC Act, 2003), to achieve the aim of making the system efficient, transparent and accountable.

(Para 1.7)

- The Central Vigilance Commission, in order to tackle the menace of corruption and to make the system of administration transparent, objective, and accountable has adopted a multi-pronged strategy. This includes measures for punitive vigilance, preventive vigilance, and participative vigilance. These strategies complement each other in the overall framework of vigilance administration in combating corruption.

(Para 2.1)

- The Commission holds the view that time-bound action, resulting in effective punitive action against those found guilty of misconduct, would act as a deterrent for others and would dissuade them from committing any intentional misconduct. The Commission is also of the view that completion of investigations and disciplinary proceedings in a timely manner is in the interest of the organization and the employee. Therefore, giving due priority to timely action in disciplinary matters, appropriate guidelines have been issued to adhere to the prescribed time limit in all disciplinary cases.

(Para 2.7)

- The Commission received 2661 cases (including 554 cases carried forward from 2022) and tendered its advice in 1955 cases in 2023. The Commission vide its circular No. 08/12/14 dated 03.12.2014 had decided that in respect of those cases where the Disciplinary Authority (DA), on conclusion of disciplinary proceedings proposed to impose a penalty in line with the Commission's first stage advice, the Commission was not required to be consulted for second stage advice.

(Para 2.14)

- The Commission has formulated a comprehensive complaint handling policy, which has evolved over a period of time and provides information to the stake holders about the manner in which complaints are to be lodged with the Commission and the procedure for processing of complaints in the Commission.

(Para 2.28)

- As per the provisions contained in the Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution dated 21st April, 2004, the Central Vigilance Commission is authorized, as Designated Agency, to receive and act on complaints lodged by whistle blowers.

(Para 2.34)

- One of the important functions performed by the Commission is providing vigilance clearances for persons recommended for appointment to Board Level posts in the Central Public Sector Undertakings / Public Sector Banks etc. During the year 2023, vigilance clearances were processed and issued by the Commission for Board Level appointments in 677 cases. Vigilance clearance is also provided by the Commission in respect of officials of the All-India Services and other Services for empanelment to the posts of Joint Secretary and above in the Central Government and for appointments to certain Statutory Posts under the Central Government and few others. During the year 2023, vigilance clearances were accorded in 2829 cases.

(Para 2.39)

- The Commission played a pivotal role in the development and finalization of High-Level Principles on Promoting Integrity and Effectiveness of Public Bodies and Authorities responsible for Preventing and Combatting Corruption. During

the 1st Anti-Corruption Working Group meetings on 1st to 3rd March, 2023 in Gurugram, Haryana, Central Vigilance Commissioner gave the key note address in one of the sessions. Secretary, CVC participated in a panel discussion during the side event held on 1st March 2023 on leveraging ICT to curb corruption in public sector.

(Para 2.42)

- During the year 2023, the Commission approved the names of 131 officers for empanelment for consideration as full-time CVOs. The Commission also approved names of 5 officers for appointment as CVO on full time basis in specific organisations. The Commission also approved names of 44 officers for assigning them additional charge of CVO in other organisations. The names of 120 officers were also approved for appointment as part-time CVOs in various Ministries / Departments / Autonomous Bodies. During the year 2023, 29 CVOs were holding additional charge for a period of more than one month. The Commission has advised the respective organisations to promptly fill up all vacant posts of CVOs.

(Para 3.9)

- The Commission monitors performance of Chief Vigilance Officers (CVOs) through well-established mechanisms of scrutiny of quarterly performance reports, annual reports and periodic reviews conducted by the Commission in sectoral / zonal meetings. The Commission also reviews the works of CVOs from time to time and reconciles pending issues invariably before annual zonal review meetings. The Secretary and the Additional Secretaries in the Commission also review the pending cases with CVOs from time to time.

(Para 3.12)

- During the year 2023, major penalty proceedings were initiated in 6,618 cases (for all categories of officials) dealt with by the CVOs, resulting in imposition of major penalties in 5,502 cases and minor penalties or warning in 512 cases. Besides, 604 cases resulted in exoneration. Further, minor penalty proceedings were initiated in 15,340 cases which resulted in imposition of minor penalties and other actions in 11,100 cases.

(Para 3.23)

- On completion of investigation, if the investigating agency concludes that sufficient evidence is available for initiating a criminal proceeding, they shall forward the report to the CVC, if previous sanction for prosecution is required under the Prevention of Corruption Act, 1988 and is to be issued in the name of the President. A copy of the report is to be sent to the authority competent to sanction the prosecution. The CVO plays an important role in processing the matter and expediting decision of the competent authority on such a reference.

(Para 3.24)

- The Chief Technical Examiners' Organisation (CTEO) was established in the year 1957 under the Ministry of Works, Housing and Supply. The Committee on 'Prevention of Corruption', known as Santhanam Committee, while appreciating the contribution of CTEO, recommended for strengthening it so as to make it more effective. It also recommended enlarging the jurisdiction of CTEO to cover construction works undertaken by other Ministries / Departments and to place it under administrative control of the Central Vigilance Commission. On acceptance of these recommendations by the Government, CTEO was placed under the administrative control of the Commission in 1964.

(Para 5.1 and 5.2)

- Intensive examination reports, after approval of CTE are forwarded to the CVO of the organisation for obtaining comments / action taken report from Management/officials concerned in respect of the observations raised in the report. Cases of irregularities, with perceived vigilance angle, are referred to the CVOs for detailed vigilance investigation and for fixing of responsibility. 05 such cases were referred to the CVOs during the year. The action taken on the observations made in the intensive examination report resulted in a large number of systemic improvements, besides punitive action against erring officials. Recovery of Rs. 124.30 crore was also effected by the organisations concerned from the contractors / suppliers / service providers, based on the observations in intensive examination report.

(Para 5.10)

- Under the guidance of the Commission, CTEO during the year 2023, in continuation of the efforts towards emphasis on preventive vigilance, provided technical inputs to various organisations towards capacity building and sensitizing officials about various aspects of vigilance; especially, areas pertaining to tenders and contracting, estimation of rates, legal aspects in contracting etc. were covered in training programs and seminars organized by various organizations during the year.

(Para 5.14)

- During the year 2023, 876 Regular Cases / Preliminary Enquiries were registered by CBI. 198 Traps were laid for detection of bribery cases during 2023 and 37 cases for possession of Disproportionate Assets were registered during the year. Out of 876 cases, 91 cases were taken up on the orders of the Constitutional Courts and 84 cases were initiated on references received from State Governments / Union Territories.

(Para 6.10)

- The Commission holds monthly meeting with Director, CBI to review the progress and pendency of cases registered under PC Act, 1988, which are under investigation and / or under trial. The reasons for delay in investigations / inquiry are discussed and the expected date for completion of investigation / inquiry is also confirmed from CBI authorities.

(Para 6.27)

- Preventive vigilance framework is aimed at establishing a system of administration which eliminates or reduces to the extent possible, the scope of committing misconduct by the public servant. Effective Preventive Vigilance measures include identification and plugging systemic loopholes through structural remedies and improvement in processes. These measures not only pre-empt corrupt practices and misconducts but also enhance organizational efficiency. Standardization, automation, leveraging technology, reducing discretion and human interface, simplification of rules and procedures, transparency, accountability, training, and awareness are important tools of preventive vigilance.

(Para 7.1)

- The Central Vigilance Commission has been emphasising preventive vigilance measures to tackle areas susceptible to corruption, which has led to various successful initiatives undertaken by Govt. organizations including Ministries/ Departments, Central Public Sector Enterprises (CPSEs) and Public Sector Banks (PSBs) to enhance good governance. The Commission has proactively taken forward the agenda of preventive vigilance.

(Para 7.7)

- The Central Vigilance Commission is of the firm view that a lasting solution for eradication of corruption from public life can only be found if anti-corruption strategies are developed with active participation of all stakeholders of society. Support and involvement of public is therefore an essential ingredient in the fight to eradicate corruption from society.

(Para 8.1)

- As a measure to create awareness amongst public about the harmful effects of corruption and to engage them in development and implementation of effective strategies for eliminating corruption, the Commission started observing Vigilance Awareness Week every year, to coincide with the birth anniversary of Sardar Vallabhbhai Patel, the first Home Minister of Independent India.

(Para 8.2)

- Vigilance Awareness Week (VAW) was observed from 30.10.2023 to 05.11.2023, during the year with the theme “Say no to corruption; commit to the Nation, ‘भ्रष्टाचार का विरोध करें; राष्ट्र के प्रति समर्पित रहें’.

(Para 8.3)

- As a part of observance of Vigilance Awareness Week, a panel discussion on various issues relating to ‘Disciplinary Proceedings’ was held on 2nd November, 2023 at New Delhi. Senior officers from different Government organizations, having expertise and domain knowledge took part as panelists. The panel discussion was also attended by senior officers of the Government and CVOs of major Central Government organizations.

(Para 8.23)

- As an outcome of panel discussion and further deliberations, that took place subsequently, the Commission has issued a set of guidelines focusing on steps for timely completion of disciplinary proceedings and has also taken up the matter with other Govt. agencies for initiating appropriate steps in this direction.

(Para 8.25)

- The Commission attaches priority to capacity building as an important measure of preventive vigilance mechanism. Training and capacity building of vigilance functionaries is emphasised, due to specialized nature of vigilance work. Training is also essential for developing confidence of employees by updation of their knowledge, which also helps in improving their productivity. Further, the training of vigilance functionaries is a regular exercise as the officials posted in vigilance units are rotated periodically.

(Para 9.1)



Oath taking ceremony of Shri A.S. Rajeev, Vigilance Commissioner at Satarkta Bhawan, New Delhi on 11.03.2024



Visit of Mauritius delegation under International Cooperation at Satarkta Bhawan on 23.05.2023



Induction Training Programme of newly appointed Chief Vigilance Officers at Satarkta Bhawan on 15-16.03.2023

CHAPTER 1

INTRODUCTION

1.1 During a debate in Parliament in June 1962, many Members of Parliament expressed concern at the growing menace of corruption in administration. In pursuance of the reply to the debate given by Shri Lal Bahadur Shastri, the then Hon'ble Minister for Home Affairs, a committee was set up to review the existing instruments for checking corruption in central government organisations and to advise practical steps that should be taken to make anti-corruption measures more effective. The committee came to be known as the 'Santhanam Committee', as it was formed under the Chairmanship of Shri K. Santhanam, Member of Parliament.

The Committee observed that major causes of corruption were: -

- (i) Administrative delays;
- (ii) Governments taking upon themselves more than what they can manage by way of regulatory functions;
- (iii) Scope for personal discretion in the exercise of powers vested in different categories of govt. servants; and
- (iv) Cumbersome procedures of dealing with various matters which are of importance to citizens in their day to day affairs.

1.2 While recognizing the limitations of the existing vigilance arrangements to deal with corrupt activities by public servants and the conspicuous absence of a dynamic integration between the vigilance units in the various Ministries and the Administrative Vigilance Division, the Committee observed that "At present, there is no organic relation between the Administrative Vigilance Division and the Vigilance Officers of the various departments. We understand that in some of the departments the Vigilance Officers are taking a keen interest in their work while in others they do not take their responsibilities in this matter seriously. It is also essential to evolve or apply common standard in matters relating to prosecution, departmental action, and the award of punishment. The Committee feels that the time has come to put the entire Vigilance Organisation on a proper and adequate basis without in

any way undermining the general principle that the Secretaries and Heads of Departments are primarily responsible for the purity, integrity, and efficiency of their departments”.

- 1.3 Thus, the Central Vigilance Commission (CVC) came into existence in 1964, as an apex body, through the Government of India Resolution of 11.02.1964. The establishment of the Commission was considered essential for evolving and applying common standards in deciding cases involving lack of probity and integrity in public life.

PRESENT STATUS

- 1.4 In the wake of the directions of the Hon'ble Supreme Court of India in 1997, in the Writ Petition filed in public interest by Shri Vineet Narain and others in the Hawala Case, the Government promulgated an Ordinance in 1998. The Ordinance of 1998 conferred statutory status on the CVC and the powers to exercise superintendence over the functioning of the Delhi Special Police Establishment, Act, 1946 and to review the progress of the investigations pertaining to the alleged offences under the Prevention of Corruption Act, 1988, being carried out by them. The Bill introduced in the Lok Sabha in 1998 to replace the Ordinance could not be passed. The Bill was re-introduced in 1999 and was referred to the Joint Committee of both the Houses of Parliament. Pending passage of the CVC Bill, the Commission discharged its functions under the GOI Resolution dated April 4, 1999. After the Bill was passed by both the Houses of Parliament and with the assent of the President, the CVC Act, 2003 has come into force with effect from 11.09.2003.

RELEVANCE OF CENTRAL VIGILANCE COMMISSION

- 1.5 The Central Vigilance Commission being the apex agency oversees and supervises the vigilance administration of the organisations owned or controlled by Union of India and covered under the advisory jurisdiction of the Commission. As an institution, Central Vigilance Commission has evolved in the last 59 years since it was first set up through a Resolution of the Government of India in the year 1964. With its rich experience in formulating and implementing policies relating to overseeing Vigilance Administration, the Commission's emphasis is on putting in place an effective mechanism to fight corruption and bring about fair play and transparency.

- 1.6 Efficient Vigilance Administration, with its aim of transparent, ethical, objective, accountable and responsive system of governance would ensure effective anti-corruption and preventive measures, thereby eliminating the possibility of indulging in corrupt and unfair practices by government servants.
- 1.7 As a result of increased awareness among the citizens who are users of public services, the Central Vigilance Commission has come under greater focus as an agency, which can contribute significantly to eradicate corruption and bringing about transparency and objectivity in the conduct of public servants. The Commission, fully aware of the hope and expectations from it as an apex agency responsible for eradicating corruption from public life, is exercising its mandate under the Central Vigilance Commission Act, 2003 (CVC Act, 2003), to achieve the aim of making the system efficient, transparent, and accountable.

THE CENTRAL VIGILANCE COMMISSION ACT, 2003

- 1.8 The Central Vigilance Commission Act, 2003 (45 of 2003) came into force with effect from 11.09.2003. Some of the salient features of the CVC Act, 2003 are: -
- ❖ The Commission consists of a Central Vigilance Commissioner (Chairperson) and not more than two Vigilance Commissioners (Members);
 - ❖ It shall exercise superintendence over the functioning of the Delhi Special Police Establishment (CBI);
 - ❖ The Central Vigilance Commissioner (CVC) is the Chairperson of the Committee, on whose recommendations, the Central Government shall appoint officers to the posts of the level of Superintendent of Police and above, except Director in CBI;
 - ❖ The Central Vigilance Commissioner (CVC) is the Chairperson of the Committee, on whose recommendations, the Central Government shall appoint officers to the posts above the level of Deputy Director in the Directorate of Enforcement;

- ❖ The Commission shall exercise superintendence over the vigilance administrations of the Ministries, Departments, Corporations and other organisations of the Central Government; and
- ❖ The Commission shall have all the powers of a Civil Court, while conducting an inquiry.

1.9 The Lokpal and Lokayuktas Act, 2013 has amended some provisions of the CVC Act, 2003, which empowers the Commission to conduct preliminary inquiry into complaints referred by the Lokpal in respect of officers and officials of Groups A, B, C and D.

MANDATE OF THE CENTRAL VIGILANCE COMMISSION

1.10 The Central Vigilance Commission is the apex institution of the Govt. of India, mandated to combat corruption and ensure integrity in administration and public services. The mandate of the Commission is laid down in the CVC Act, 2003, wherein the functions and powers are described as below: -

- ❖ Exercise superintendence over the functioning of the Delhi Special Police Establishment (CBI) insofar as it relates to the investigation of offences under the Prevention of Corruption Act, 1988; or offences under the Code of Criminal Procedure, 1973 for certain categories of public servants -Section 8(1)(a);
- ❖ Give directions to the Delhi Special Police Establishment (CBI) for superintendence insofar as it relates to the investigation of offences under the Prevention of Corruption Act, 1988 - Section 8(1)(b);
- ❖ Inquire or cause an inquiry or investigation to be made on a reference by the Central Government - Section 8(1)(c);
- ❖ Inquire or cause an inquiry or investigation to be made into any complaint received against any official belonging to such category of officials specified in sub-section 2 of Section 8 of the CVC Act, 2003 - Section 8(1)(d);

- ❖ Review the progress of investigations conducted by the Delhi Special Police Establishment (CBI) into offences alleged to have been committed under the Prevention of Corruption Act, 1988 or an offence under the Code of Criminal Procedure - Section 8(1)(e);
- ❖ Review the progress of the applications pending with the competent authorities for sanction of prosecution under the Prevention of Corruption Act, 1988 - Section 8(1)(f);
- ❖ Tender advice to the Central Government and its organisations on such matters as may be referred to it by them - Section 8(1)(g);
- ❖ Exercise superintendence over the vigilance administrations of the various Central Government Ministries, Departments and Organisations of the Central Government – Section 8(1)(h);
- ❖ Call for the report of inquiry undertaken by any agency on a reference made by the Commission and to tender advice as to the further course of action- Section 17;
- ❖ Conduct preliminary inquiry into the complaints referred by Lokpal in respect of Group A, B, C and D officials for which a Directorate of Inquiry for making preliminary inquiry is to be set up in the Commission.
- ❖ To undertake or cause an inquiry into complaints received under the Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution and recommend appropriate action thereof.

JURISDICTION OF THE CENTRAL VIGILANCE COMMISSION

1.11 Section 8(1)(d), read with Section 8(2) of the CVC Act, 2003, along with subsequent Govt. of India, Department of Personnel and Training (DOPT) notifications define the jurisdiction of the Commission. The following levels / category of officials are covered under the jurisdiction of the Central Vigilance Commission: -

- ❖ Members of All India Services serving in connection with the affairs of the Union and Group 'A' officers of the Central Government;

- ❖ Chief Executives and Executives on the Board and other officers of E-8 and above in Schedule 'A' and 'B' Public Sector Undertakings of the Central Government;
- ❖ Chief Executives and Executives on the Board and other officers of E-7 and above in Schedule 'C' and 'D' Public Sector Undertakings of the Central Government;
- ❖ Officers of the rank of Scale V and above in the Public Sector Banks;
- ❖ Officers in Grade 'D' and above in Reserve Bank of India, NABARD and SIDBI;
- ❖ Managers and above in respect of General Insurance Companies;
- ❖ Senior Divisional Managers and above in Life Insurance Corporation of India; and
- ❖ Officers drawing salary of Rs 8700/- per month (pre-revised as on 12.09.2007) and above on Central Government DA pattern, as may be revised from time to time, in societies and local authorities owned or controlled by the Central Government.

1.12 As per Section 25 of CVC Act, 2003, a Committee is set up to recommend appointment of officers to the posts of the level of Deputy Director and above in the Directorate of Enforcement, consisting of the following: -

- | | | |
|---|---|-------------|
| ❖ Central Vigilance Commissioner | : | Chairperson |
| ❖ Vigilance Commissioner | : | Members |
| ❖ Home Secretary to the Government of India | : | Member |

- ❖ Secretary, DoPT to the Government of India : Member
- ❖ Revenue Secretary to the Government of India : Member

Further, as per Section 26 of CVC Act, 2003, a Selection Committee is set up to recommend appointment of officers to the posts of the level of SP and above in the CBI (except Director, CBI), consisting of the following: -

- ❖ Central Vigilance Commissioner : Chairperson
- ❖ Vigilance Commissioners : Members
- ❖ Home Secretary to the Government of India : Member
- ❖ Secretary, DoPT to the Government of India : Member

PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMERS (PIDPI) RESOLUTION - 2004

1.13 In Writ Petition (Civil) No. 539/2003, the Hon'ble Supreme Court directed that a suitable machinery be put in place for acting on complaints from whistle-blowers, till a law is enacted. Pursuant to that, the Government of India, vide Gazette Notification No. 371/12/2002-AVD- III dated 21.04.2004 read with corrigendum dated 29.04.2004 notified the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution, 2004 which authorised CVC as designated agency to act on complaints from whistle-blowers. The PIDPI Resolution has the following main provisions:

- (i) CVC is authorised as the designated agency to receive written complaints or disclosure on any allegation of corruption or of misuse of office by 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;
- (ii) The designated agency may, if it deems fit, call for further information or particulars from the persons making the disclosure. If the complaint is anonymous, the designated agency shall not take any action in the matter;

- (iii) Any public servant, except those referred in clauses (a) to (d) of Article 33 of Constitution or any other person including any non-governmental organisation, may make a written disclosure to the designated agency;
- (iv) The identity of the complainant shall not be revealed unless the complainant himself has disclosed his identity;
- (v) The Head of the Department / Organisation to keep the identity of informant secret if he comes to know about it;
- (vi) The designated agency may call for the comments / explanation of the Head of Department / Organisation on the disclosure made;
- (vii) The designated agency may seek the assistance of CBI or the police authorities to complete the investigation pursuant to the complaint received;
- (viii) The designated agency, on finding the allegation of misuse of office or corruption substantive, shall recommend appropriate action to the concerned Department or Organisation;
- (ix) If the informant feels he is being victimised, he may make an application before the designated agency seeking redress in the matter. If on an application or on the basis of information gathered, the designated agency is of the opinion that the complainant or the witness need protection, it shall issue appropriate directions to the concerned Government authorities; and
- (x) In the event of the identity of the informant being disclosed in spite of the designated agency's directions to the contrary, the designated agency is authorised to initiate appropriate action as per extant regulations against the person or agency making such disclosure.

1.14 Pursuant to the notification of PIDPI Resolution, 2004, the CVC issued guidelines and Public Notice on the procedure to be followed for filing whistle-blower complaints under the PIDPI Resolution, 2004.

1.15 Department of Personnel and Training vide Notification No.371/4/2013-AVD.III dated 14.08.2013 partially amended the PIDPI Resolution, 2004. The

amendment, inter alia, authorises the Chief Vigilance Officer of the Ministries / Departments of Government of India to act as designated authority to receive written complaint or disclosure on any allegation of corruption or misuse of office by any employee of that Ministry or Department or of any corporation established by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government and falling under the jurisdiction of that Ministry or Department. The amendment also authorises CVC to supervise and monitor the complaints received by the designated authorities.

ADVISORY ROLE

- 1.16 The advisory role of CVC extends to matters as may be referred to it by Ministries / Departments of Central Government, corporations established by or under any Central Act, Government Companies, Societies, and local authorities owned or controlled by the Central Government. [Section 8 (1) (g) of CVC Act, 2003]
- 1.17 The report of the inquiry undertaken by any agency on a reference made by CVC shall be forwarded to it and on receipt of such report and after taking into consideration any other factor, CVC shall advise the Ministry / Department of Central Government or a corporation established by or under any Central Act, Government Companies, Societies, and local authorities owned or controlled by the Central Government, regarding further course of action. The authority concerned shall consider the advice of CVC and take appropriate action. [Section 17 of CVC Act, 2003].
- 1.18 The references received from the authorities concerned for seeking CVC's advice are examined and depending upon the facts of each case and the evidence available, CVC advises (a) initiation of criminal proceedings; (b) regular departmental action; (c) administrative action; or (d) the closure of the case. The regular departmental action could be for a penalty as specified in the service rules of the organisation concerned.
- 1.19 In disciplinary cases involving Group 'A' officers of the Central Government, members of All India Services and such categories of officers where an original

order is to be issued by the President, imposing any of the penalties, wherein the Union Public Service Commission (UPSC) is required to be consulted as per extant rules, the Central Vigilance Commission need not be consulted for second stage advice on conclusion of the disciplinary proceedings.

- 1.20 In respect of those officers, against whom Commission has tendered First Stage Advice (FSA), it is not required to be consulted for Second Stage Advice in case the Disciplinary Authority (DA), on conclusion of disciplinary proceedings, proposes to impose a penalty which is in line with the Commission's First Stage Advice. Such cases would be dealt at the level of the CVO and Disciplinary Authority (DA) concerned in the organisation. However, in all such cases, the CVO is required to forward an action taken report along with a copy of final order issued by DA, for Commission's record. All such cases where the Disciplinary Authority proposes to take any action which is at variance with the Commission's First Stage Advice would necessarily have to be referred to the Commission for obtaining its Second Stage Advice.

COMPOSITION OF THE CENTRAL VIGILANCE COMMISSION

- 1.21 The Commission consists of Central Vigilance Commissioner (CVC) as Chairperson and two Vigilance Commissioners (VCs) as Members. The appointment of the CVC as well as that of the VCs is made by the Hon'ble President of India, in accordance with the provisions under Section 4 of the CVC Act, 2003, on the recommendations of a Committee consisting of (a) the Prime Minister; (b) the Minister of Home Affairs; and (c) the Leader of the Opposition in the Lok Sabha. When no such leader has been so recognized, the leader of the single largest group in opposition of the Government in the House of the People, shall be a member of the Committee.
- 1.22 The Central Vigilance Commissioner and Vigilance Commissioners hold office for a term of four years from the date on which they enter office or till attaining the age of sixty-five years, whichever is earlier.
- 1.23 Shri Praveen Kumar Srivastava took over charge as Central Vigilance Commissioner on 29.05.2023. Shri Arvinda Kumar is Vigilance Commissioner since 03.08.2022. Shri A.S. Rajeev has recently taken over as Vigilance Commissioner on 11.03.2024.

SECRETARIAT AND STAFF COMPOSITION

- 1.24 As per Section 3(4) of the CVC Act, 2003 the Central Vigilance Commission is to be assisted by a Secretary, who is appointed by the Central Government. In addition to the Secretary, the Commission is assisted by four Additional Secretaries (officers of the rank of Joint Secretary to the Government of India) and other staff which include thirty-one officers in the rank of Director / Deputy Secretary / Officers on Special Duty (Deputy Secretary level) and eight officers in the rank of Under Secretary.
- 1.25 The category-wise staff-strength of the Commission as on 31.12.2023 and related information is given in Appendix- I.

TECHNICAL WING

- 1.26 The Technical Wing of the Commission, known as Chief Technical Examiners Organisation (CTEO), assists in formulating views involving different technical aspects. They also undertake intensive examination of major procurement cases of the Central Government organisations. The wing comprises of two Chief Technical Examiners (of the rank of Chief Engineer), who, in turn, are assisted by eight Technical Examiners (of the rank of Executive Engineer), six Assistant Technical Examiners (of the rank of Assistant Engineer) and other subordinate staff.
- 1.27 The CTEO of the CVC is engaged in the examination of civil, electrical and horticulture works being executed by Ministries / Departments of Government of India, Central Public Sector Undertakings, Public Sector Banks and Public Sector Financial Institutions and other organisations owned or controlled by Central Government.

CHIEF VIGILANCE OFFICERS

- 1.28 Each department / organisation, to which the advisory jurisdiction of the CVC extends, has a vigilance unit headed by a Chief Vigilance Officer (CVO). The CVO has the responsibility to act as an advisor to the head of the organisation concerned and to advise him to ensure effective vigilance administration in the organisation.

- 1.29 The CVOs act as the extended arms of the CVC and for all practical purposes represent the CVC in respect of vigilance matters. The CVO serves as a vital link between the Department / Organisation and the CVC. It is his responsibility to advise the organisation to establish effective preventive systems and procedures and periodically monitor their compliance, to minimise scope for malpractices.
- 1.30 On the punitive side, the CVOs are required to ensure speedy processing of vigilance and disciplinary cases. The CVC calls for Quarterly Performance Report, which is an integral part of the reporting by CVO on the vigilance functions in the organisation. The CVC also conducts periodic meetings to review the vigilance related performance of the organisations and to bring the organisations on board in addressing vigilance concerns and devising common strategies to promote transparency, probity, efficiency, accountability, objectivity, equity, and competitiveness in functioning of the respective organisations.
- 1.31 The CVC discusses important issues with CVOs and obtains from each CVO, an action plan for effective implementation of vigilance related strategies. Due importance is being given to training of CVOs and other vigilance personnel. CVC has started conducting orientation programme for newly inducted CVOs on quarterly basis. In addition, advance training in Vigilance Investigation is also being imparted to CVOs at SVP National Police Academy, Hyderabad, Telangana. Besides, CVC has also tied up with National Forensic Sciences University, Gandhinagar, Gujarat for training on Preventive Forensics to CVOs and other vigilance functionaries. In addition, capacity building programme for CVOs and vigilance functionaries are being conducted directly by the Commission and also through various training institutes.



Visit of South Africa delegation under International Cooperation at Satarkta Bhawan, New Delhi on 02.02.2023



Panel Discussion at NDMC Convention Centre, New Delhi on 02.11.2023 on the occasion of Vigilance Awareness Week



Function to observe Hindi Pakhwada at Satarkta Bhawan, New Delhi on 06.10.2023



Foundation Day Function of Central Vigilance Commission at Satarkta Bhawan, New Delhi



Yoga Day celebration on 21.06.2023 by officers of Central Vigilance Commission at Satarkta Bhawan, New Delhi



Hindi Competition during Hindi Pakhwada on 25.09.2023 at Central Vigilance Commission, Satarkta Bhawan, New Delhi

CHAPTER 2

COMMISSION'S ACTIVITIES AND FOCUS AREAS

- 2.1 The Central Vigilance Commission, in order to tackle the menace of corruption and to make the system of administration transparent, objective, and accountable has adopted a multi-pronged strategy. This includes measures for punitive vigilance, preventive vigilance, and participative vigilance. These strategies complement each other in the overall framework of vigilance administration in combating corruption.

COMPLAINT HANDLING MECHANISM

- 2.2 The Commission is of the firm opinion that involvement of all the stake holders and their active participation is essential for elimination of corruption from the society. With a view to ensure common man's effective participation in the fight against corruption, a robust mechanism in the form of Complaint Handling Policy (CHP) has been evolved by the Commission. The CHP allows every citizen to lodge formal and bona-fide complaints in respect of acts of irregularities noticed by them in Central Govt. Departments / PSUs etc. and to take expeditious action on such complaints. CHP is available on the Commission's website ¹.
- 2.3 Under the provisions contained in section 8(1) (c) and 8(1) (d) of CVC Act, 2003, the Central Vigilance Commission is mandated to receive complaints and investigate or cause investigation into such complaints. The Central Vigilance Commission, on examination of such complaints on merit, seeks investigation report or action taken report on such complaints from the CVO of the organisation concerned. The Central Vigilance Commission, as a part

¹<https://www.cvc.gov.in>

of a well-defined complaint handling policy, has specified the time limit for action to be taken on complaints. The same has been done to ensure that the whole process is not only transparent but is also fair to all the stakeholders.

- 2.4 A new Complaint Management System (CMS) portal has been developed to process the complaint and to ensure that the complainant is able to know the status of their complaint on real time basis.
- 2.5 Apart from the general complaints made by any citizen / organisation, the Commission is also authorized to receive and act on complaints from whistle-blowers, under the provisions of Public Interest Disclosure and Protection of Informers (PIDPI) Resolution, 2004. The main difference between a general complaint and a complaint made under the provisions of PIDPI Resolution is that a whistle-blower making complaint under PIDPI Resolution is entitled to confidentiality about his identity unless he himself discloses his identity.
- 2.6 In accordance with the provisions contained under Section 8 (1) (g) and 8 (1) (h) of CVC Act, 2003, the Commission tenders advice in matters having vigilance angle and exercises superintendence over vigilance administration of organisations covered under its jurisdiction. The categories of officers, covered under the jurisdiction of the Commission for the purpose of tendering advice, are defined under Section 8 (2) of CVC Act, 2003. In respect of the organisations covered under the Commission's advisory jurisdiction, it conducts review meetings to expedite pending complaints and cases, calls for required reports and returns at periodical intervals. In addition, the Commission based on the inputs available to it, issues guidelines on various aspects of vigilance administration, apart from advising systemic improvements, as may be required to stop recurrence of irregularities in any organization. The Commission advises appropriate disciplinary action, as part of punitive vigilance functions, for misconduct noticed on the part of officials concerned. The Commission's main objective is to establish a mechanism for effective

vigilance administration, which helps in promoting probity, transparency and good governance in the organisations.

PUNITIVE VIGILANCE

- 2.7 The Commission holds the view that time-bound action, resulting in effective punitive action against those found guilty of misconduct, would act as a deterrent for others and would dissuade them from committing any intentional misconduct. The Commission is also of the view that completion of investigations and disciplinary proceedings in a timely manner is in the interest of the organization and the employee. Therefore, giving due priority to timely action in disciplinary matters, appropriate guidelines have been issued to adhere to the prescribed time limit in all disciplinary cases.

PREVENTIVE VIGILANCE

- 2.8 The preventive vigilance vertical of Vigilance Administration seeks to achieve corruption free governance proactively, by proposing structural remedies, which would minimize the possibility of corrupt practices. Although potential areas of corruption are specific to organisations / sectors, there are some broad areas common to all organisations, such as procurement, sale of goods and services, allocation of scarce resources, human resource management (recruitment, promotion, transfer and posting), delivery of services important to a common citizen and effective grievance redressal mechanism, etc. which need attention.
- 2.9 The measures advocated by the Commission to ensure an effective preventive vigilance mechanism as a step towards eliminating corruption from society includes simplification / up-dation of rules, leveraging technology as a tool for transparency and objectivity, re-engineering of processes, regular and effective inspections to ensure accountability, rotational transfer of officials, training / capacity building measures and ensuring participation of all stake holders by creating awareness among them.

PARTICIPATIVE VIGILANCE

- 2.10 Participative vigilance is also being emphasized by the Commission as an important tool to ensure active engagement of all stakeholders, the culmination of which is the observance of Vigilance Awareness Week (VAW), every year. VAW coincides with the birth anniversary of Sardar Vallabhbhai Patel, the first Home Minister of independent India. In the year 2023, VAW was observed from 30.10.2023 to 05.11.2023, with the theme “Say no to corruption; commit to the Nation”. Large scale participation by government functionaries, civil society organisations, eminent persons from private sectors and educational institutions, including many students was ensured to educate about the ill effects of corruption.
- 2.11 Details of activities undertaken by the Commission, Central Government organisations and other stake holders, as a run up to and during the Vigilance Awareness Week, 2023 are given in Chapter-VIII of this report.

CAPACITY BUILDING AND TRAINING

- 2.12 The Commission attaches priority to capacity building as an important measure of preventive vigilance mechanism. The main aim of capacity building exercise is to bridge the competency gap through training. After assessing the need to build capacity, domain competencies and functional competencies have been identified as core areas requiring special attention. Training interventions are also provided to build role specific competencies, which is another area requiring attention. As part of this endeavour, the Commission conducts Induction Training program for the newly appointed CVOs to empower them to discharge their functions efficiently. The Commission also conducts training in Vigilance Administration for vigilance functionaries other than the CVOs. The Commission also organises nationwide training program for potential Inquiry Officers and Presenting Officers, to build capacity and to ensure conduct and finalisation of inquiry proceedings in timely and professional manner.

2.13 Detailed information about activities in the field of capacity building is provided in Chapter-IX of this report.

RECEIPT AND DISPOSAL OF VIGILANCE CASES

2.14 The Commission received 2661 cases (including 554 cases carried forward from 2022) and tendered its advice in 1955 cases in 2023. The Commission vide its circular No. 08/12/14 dated 03.12.2014 had decided that in respect of those cases where the Disciplinary Authority (DA), on conclusion of disciplinary proceedings proposed to impose a penalty in line with the Commission's first stage advice, the Commission was not required to be consulted for second stage advice. It has resulted in expeditious conclusion of disciplinary matters by the authorities concerned in the respective organisations. Cases disposed of by the Commission include advice tendered as first stage advice and second stage advice, in addition to advice for sanction for prosecution. Requests for reconsideration of the Commission's advice are also included. Table 2.1 shows the receipt and disposal of cases in the Commission during the year 2023.

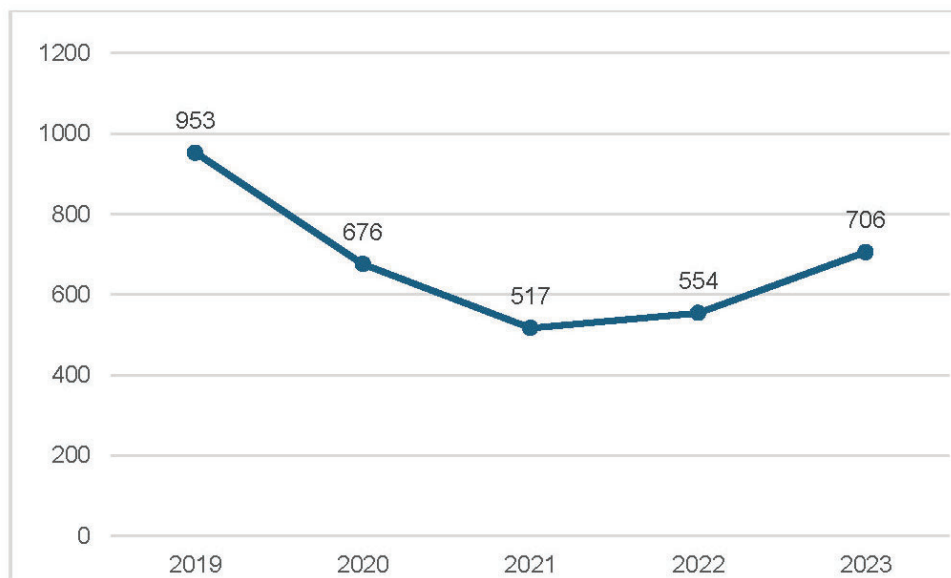
Table 2.1: Number of Cases Received and Disposed during 2023

Cases	First Stage Advice	Second Stage Advice	Reconsideration and Miscellaneous	Total
Pending as on 01.01.2023	448	60	46	554
Received	1455	315	337	2107
Total	1903	375	383	2661
Disposed off	1373*	253	329	1955
Pending as on 31.12.2023	530	122	54	706

(*Commission has tendered First Stage Advice in 1373 cases during the year 2023 involving 3019 officers/ officials)

2.15 A comparative figure of the cases pending at the end of the year (during the last 5 years) after disposal of cases in the Commission, is given in Chart 2.1 below:

Chart 2.1: No. of cases pending for the disposal at the end of the year (2019-23)



2.16 The Commission makes efforts to tender its advice within a reasonable time. However, in some cases, further clarification or additional information is required from the authorities concerned for better appreciation of the matter, which is crucial for arriving at a logical conclusion. The process of obtaining additional inputs results in increasing the period of disposal of some of the cases. The Commission is also impressing upon the CVOs to strictly observe the time limit for submission of cases to it with complete records and full facts, so that the matter can be decided in an expeditious manner.

FIRST STAGE ADVICE

2.17 During the year 2023, the Commission has tendered First Stage Advice in 1373 cases (Table 2.1) involving 3019 officers. Nature of advice tendered against 3019 officers is indicated in Table 2.2.

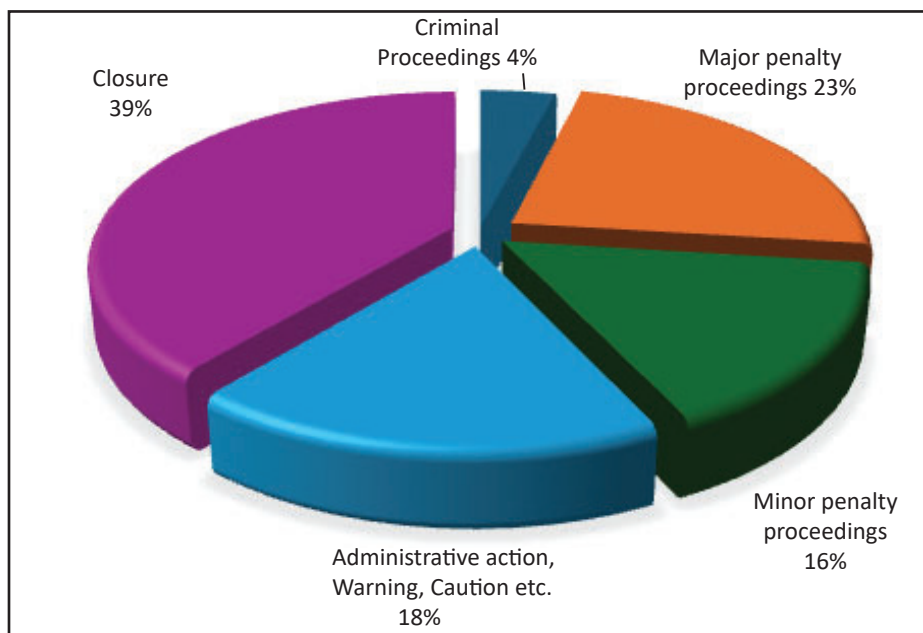
Table 2.2: First Stage Advice during 2023

Nature of advice	On the investigation reports of		Total
	CBI	CVO	
Prosecution	79	52	131
Major penalty proceedings	31	674	705
Minor penalty proceedings	11	463	474
Administrative action	08	529	537
Closure	81	1091	1172
Total	210	2809	3019

(All figures consist of number of cases in which the Commission tendered first stage advice. Individual cases may involve more than one officer)

2.18 Chart 2.2 provides a summary of various types of First Stage Advice tendered by the Commission in percentage terms.

Chart 2.2: Nature of First Stage Advice during 2023



SECOND STAGE ADVICE

2.19 During the year 2023, the Commission tendered second stage advice in 253 cases. Table 2.3 provides a break-up of the advice tendered by the Commission

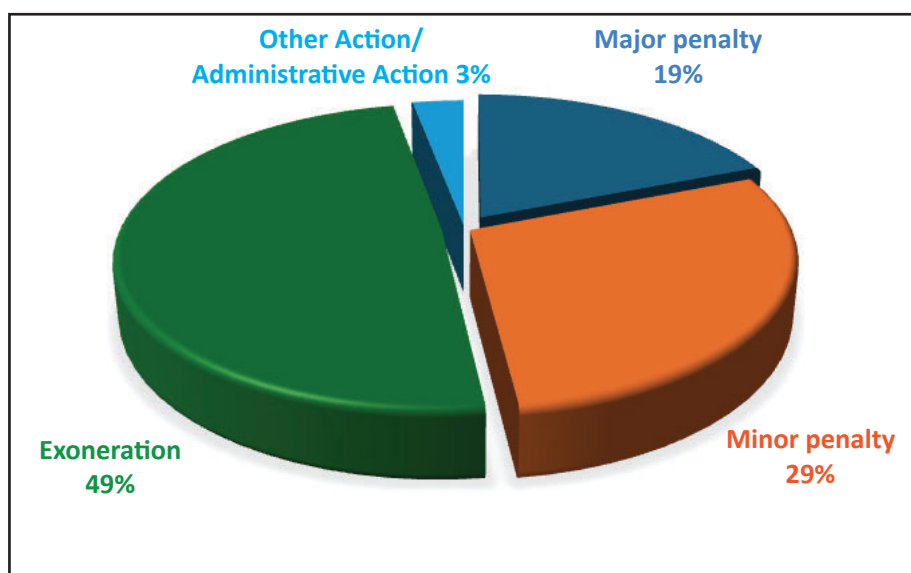
in respect of cases received from the organisations concerned at the second stage.

Table 2.3: Second Stage Advice during 2023

Nature of Advice	Advice Tendered
Major penalty	48
Minor penalty	72
Exoneration	124
Administrative action	09
Total	253

2.20 Chart 2.3 provides a summary of various types of second stage advice tendered by the Commission in percentage terms.

Chart 2.3: Nature of Second Stage Advice during 2023



PUNISHMENTS AND PROSECUTION

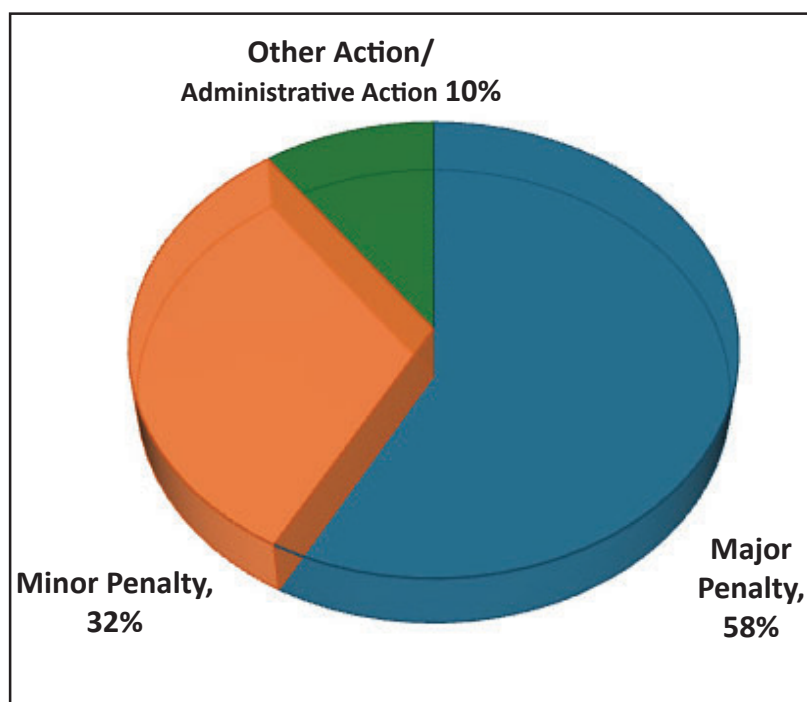
2.21 In accordance with the advice tendered by the Commission, the competent authorities in respective organisations issue sanctions for prosecution and impose appropriate penalty on delinquent officials. Tables 2.4 shows the number of officers against whom prosecution has been sanctioned and punishment awarded during 2019-2023.

Table 2.4: Prosecution sanctioned and Punishment awarded to officers (2019 – 2023)

Year	Prosecution sanctioned to officers	Punishments awarded to officers			
		Major penalty	Minor penalty	Administrative Action	Total Punishments awarded
2019	76	778	503	227	1508
2020	233	1408	759	485	2652
2021	248	1355	815	306	2476
2022	220	928	814	245	1987
2023	153	871	486	152	1509

2.22 Chart 2.4 shows the nature of punishment awarded in percentage term during 2023.

Chart 2.4: Punishment awarded to officers during 2023



2.23 A few cases of deterrent actions taken against senior officers based on the Commission's advice are illustrated in table 2.5:

Table 2.5

Sanction for Prosecution	Dismissal/ Removal from Service	Cut in Pension	Reduction of pay to lower stage
One PCMM/CLW, M/o Railway	One DIG, MHA	One Chief Engineer, M/o Railway	One Dy. Chief Engineer (Now Chief Engineer), M/o Railway
One Chief Engineer, M/o Railway		CMD, OICL	One Chief Commissioner, CBDT
One Pr. Chief Engineer/ RWF, M/o Railway		One Chairman, LIC	One IPS, MHA
One CPO/ JBP (Retd. as member staff RB), M/o Railway		One Chief Commissioner, CBDT	
One Commissioner, CBIC		Nine Commissioner, CBIC	
One JT. Secy, M/o Coal		One Member, CBIC	
One Addl. Secy, M/o Coal		One CMD, STC, M/o Commerce	
One Secy, M/o Coal		One CMD, PEC	
One Pr. Secretary, GNCTD		Two GMs, Dept. of Defence Production	
One CMD, HSCL		One CEO (Bareilly Cantt.), MoD	
Four IPS Officers, MHA			
Six IAS Officers, Ministry of Personnel, PG and Pensions			

2.24 An overview of organisation-wise break up indicates that prosecution sanction has been issued by Railway Board in 27 cases, by Central Board of Indirect

Taxes and Customs in 15 cases, by State Bank of India (SBI) in 13 cases, by Department of Personnel and Training in 8 cases and by Department of Higher Education in 7 cases.

- 2.25 During the year 2023, penalties (including administrative action) were imposed by State Bank of India (175), Central Board of Indirect Taxes and Customs (131), Railway Board (121), Union Bank of India (56), Bank of India (46) being some of the major organisations which took disciplinary action against officials committing misconduct.
- 2.26 Appendix-II provides organisation-wise breakup of the number of cases where sanction for prosecution has been accorded and a penalty has been imposed on the delinquent officials during 2023, in those cases where Commission's advice was obtained by the organisations concerned.

HANDLING OF COMPLAINTS IN THE COMMISSION

- 2.27 Complaints constitute an important tool in the fight against corruption, as they provide actionable inputs about malpractices in any organisation. In the Commission, complaints can be lodged either through a written communication or through the Complaint Management System Portal², a link to which is available on Commission's website.
- 2.28 The Commission has formulated a comprehensive complaint handling policy, which has evolved over a period of time and provides information to the stake holders about the manner in which complaints are to be lodged with the Commission and the procedure for processing of complaints in the Commission. As a proactive measure, the complaint handling policy has been uploaded on Commission's website and is available in public domain, in downloadable form. After due scrutiny and in accordance with the procedure prescribed in the Complaint Handling Policy, the complaints containing specific and verifiable allegations having vigilance angle are forwarded to the CVOs concerned for conducting investigation and for submitting report to the

²<https://portal.cvc.gov.in/>

Commission expeditiously. As per the prescribed timeline, the organisation concerned are required to complete investigation within a period of 3 months from the date of receipt of the complaint by them.

- 2.29 As per the provisions contained under Section 17 of CVC Act, 2003, the Ministries / Departments / Organisations are required to furnish report of the investigation / inquiry undertaken by them on a reference made by the Commission. The Commission, on receipt of such report and after taking into consideration any other factors thereto, advises as to the further course of action, if required, against the suspected public servant, in addition to suggesting systemic improvement(s) to plug systemic failures which allowed such misconducts to take place.
- 2.30 Table 2.6 indicates the nature of complaints received and action taken thereon during 2023.

Table 2.6: Complaints received and disposed in the Commission during 2023

Complaints	Nos.
Number of complaints pending as on 01.01.2023	698
Number of complaints received during 2023	27900
Total number of complaints	28598
Total number of complaints disposed	26709
(a) Anonymous/Pseudonymous (Filed)	2214
(b) Vague/Unverifiable (Filed)	8361
(c) Officials not under CVC Jurisdiction/Grievances (Forwarded for necessary action)	15907
(d) Sent for inquiry/investigation to CVO/CBI	227
Number of complaints pending as on 31.12.2023	1889

2.31 The comparative figures of complaints received and disposed by the Commission during the last five years are given in Chart 2.5 and Chart 2.6 below, respectively.

Chart 2.5: No. of complaints received in the Commission (2019-23)

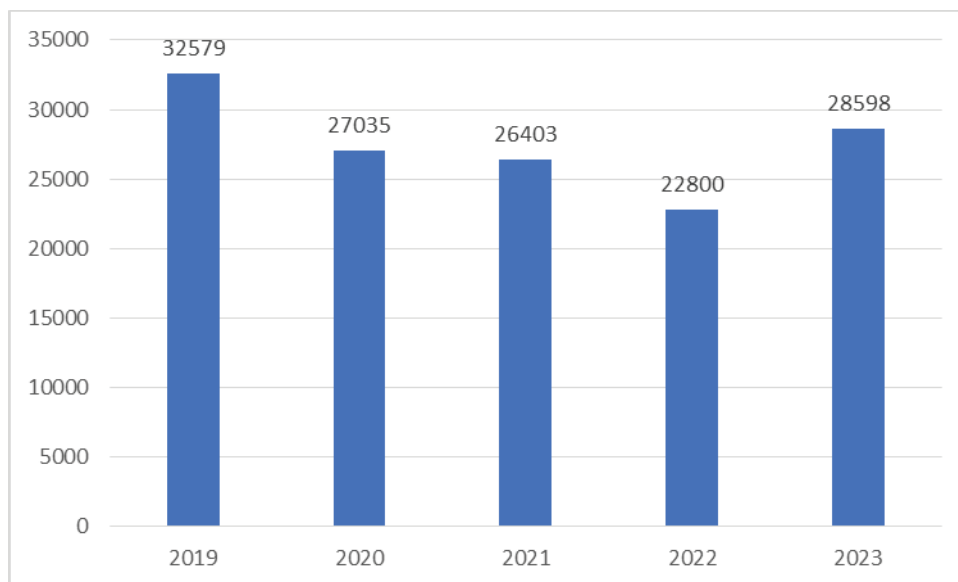
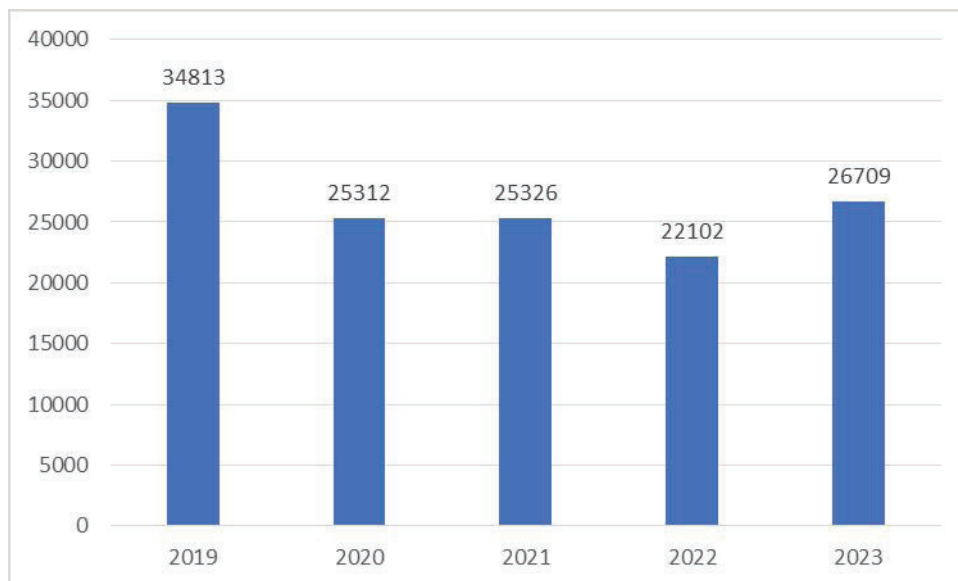


Chart 2.6: No. of complaints disposed in the Commission (2019-23)



2.32 After scrutiny of complaints received, the Commission calls for inquiry / investigation reports from the appropriate agencies in those complaints

which contain serious and verifiable allegations and there is a clear vigilance angle. As per the laid down procedure, the inquiry / investigation reports are required to be sent to the Commission within a period of three months.

- 2.33 In addition, the respective organisations also receive complaints directly or through other Offices / Agencies. The CVOs take up enquiry in appropriate cases as per laid down instructions and if vigilance angle emerges, they seek the First Stage Advice of the Commission. Similarly, if during any inspection, audit etc., the management comes across any misconduct having a vigilance angle, First Stage Advice of the Commission is sought through the CVO.

PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMERS' RESOLUTION (WHISTLE-BLOWER COMPLAINTS)

- 2.34 As per the provisions contained in the Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution dated 21st April, 2004, the Central Vigilance Commission is authorized, as Designated Agency, to receive and act on complaints lodged by whistle blowers. The salient features of the PIDPI Resolution have been described in Chapter-I.
- 2.35 The complaints received from whistle blowers under PIDPI Resolution are scrutinized by the Screening Committee and further action is recommended by them. In case PIDPI complaints are sent for investigation by the Commission, a report is required to be submitted by the organization concerned, within a period of 12 weeks from the date of receipt of the complaint by them. Periodic review of complaints sent for investigation is done at the highest level to ensure timely submission of reports by the organization concerned. In the event of any reported threat to life / physical injury, the Commission may issue directions to competent authorities for ensuring protection to whistle blowers.
- 2.36 The Commission has also been advising all organisations under its jurisdiction, to give wide publicity to the PIDPI Resolution and other related guidelines issued by the Commission through their websites, intranet, in-house journals, publications, in addition to organising seminars / sensitization program etc. to create greater awareness and to encourage stake holders to come forward and report instances of corrupt practice or misuse of office to the Central Vigilance Commission.

- 2.37 Sometimes, the complaints are addressed to the Commission while forwarding copies of the same complaint to other authorities concerned, thus disclosing the identity of the complainant while also seeking protection under PIDPI. At times, even separate complaints are lodged containing similar allegations to authorities other than the Commission thereby compromising the secrecy and safety of the complainant. Even so, the Commission has issued guidelines asking the organisations not to subject the complainant to any kind of harassment because of his having lodged a complaint, if at any time, the identity of the complainant gets revealed through any source.
- 2.38 Table 2.7 below shows action taken by the Commission during 2023, on complaints received under PIDPI Resolution. A large number of such complaints are filed mainly on account of being anonymous, pseudonymous or the complainant already having disclosed his identity to multiple authorities.

Table 2.7: Complaints Received and Disposed under PIDPI during 2023

Complaints Received and action taken	Nos.
Number of complaints pending as on 01.01.2023	20
No. of complaints received during the year	2010
Total number of complaints	2030
Total number of complaints disposed	1967
(a) No. of complaints filed	1359
(b) Non-vigilance (Forwarded for necessary action to Departments/ Organizations)	360
(c) Sent for inquiry/investigation by CVO/ CBI	248
Pending as on 31.12.2023	63

VIGILANCE CLEARANCE

- 2.39 One of the important functions performed by the Commission is providing vigilance clearances for persons recommended for appointment to Board Level posts in the Central Public Sector Undertakings / Public Sector Banks etc. During the year 2023, vigilance clearances were processed and issued by the Commission for Board Level appointments in 677 cases. Vigilance clearance is also provided by the Commission in respect of officials of the All-India Services and other Services for empanelment to the posts of Joint Secretary and above in the Central Government and for appointments to certain Statutory Posts

under the Central Government and few others. During the year 2023, vigilance clearances were accorded in 2829 cases.

INTERNATIONAL COOPERATION

- 2.40 Delegates of the Standing Committee on Public Accounts (SCOPA) of Parliament of South Africa visited and interacted with the Commission on 2nd of February, 2023.
- 2.41 The Central Vigilance Commission, in consultation with NFSU, Gandhinagar, took a session on “Introduction to Forensic Sciences and Application of Forensics Sciences in Prevention, Detection and Investigation of Frauds and Sophisticated Crimes” during the online global training conducted by International Association of Anti-Corruption Authorities (IAACA) on 22nd and 23rd February, 2023 with participants from over 120 countries.
- 2.42 The Commission played a pivotal role in the development and finalization of High-Level Principles on Promoting Integrity and Effectiveness of Public Bodies and Authorities responsible for Preventing and Combatting Corruption. During the 1st Anti-Corruption Working Group meetings on 1st to 3rd March, 2023 in Gurugram, Haryana, Central Vigilance Commissioner gave the key note address in one of the sessions. Secretary, CVC participated in a panel discussion during the side event held on 1st March 2023 on leveraging ICT to curb corruption in public sector.
- 2.43 Mr. Navin Beekarry, DG, Independent Commission Against Corruption, Mauritius had a meeting with the Central Vigilance Commission on the 23rd of May, 2023.
- 2.44 H. E. Humaid Obaid Abushibs, President of the Supreme Audit Institution of the United Arab Emirates visited and interacted with the Commission on 23rd May, 2023.
- 2.45 The Commission participated in the high-level opening session of Organisation for Economic Cooperation and Development (OECD) Global Anti-Corruption and Integrity Forum (GACIF), held from 24th to 25th May 2023. Secretary, CVC delivered address through digital mode during the opening session of the forum.

- 2.46 The Commission nominated its officers and some select CVOs to attend the BRICS training for anti-corruption practitioners organised by UNODC in Vienna from 19th to 23rd June 2023.
- 2.47 Officers from the Commission attended the 14th session of Implementation Review Group (IRG) and 14th Session of Working Group on Prevention (WGP) of UNCAC Implementation Review Group, held from 12-16th June 2023 at Vienna and online training on gendered impact of corruption for Anti-Corruption Practitioners from 4th and 5th July, 2023 conducted by the Department of Public Service Administration (DPSA) of South Africa.
- 2.48 Mr. Chung Seung Yun, Vice Person, Anti-Corruption and Civil Rights Commission (ACRC) of the Republic of Korea visited the Central Vigilance Commission on 14th August 2023 and interacted with Secretary, CVC.
- 2.49 A Memorandum of Understanding (MoU) was signed between the Central Vigilance Commission and Anti-Corruption Authority of Kingdom of Saudi Arabia to strengthen cooperation in the area of preventing and combatting corruption, on 11th of September, 2023 at Delhi.
- 2.50 Officers from the Commission attended a training programme conducted by Anti-Corruption and Civil Rights Commission (ACRC) of Republic of Korea from 4th to 9th September, 2023 for anti corruption practitioners, BRICS Gender and Corruption Round Table held from 10 – 12 October 2023, and the Experience Sharing Workshop on Community Education and Youth Engagement, held from 20-22 November 2023.
- 2.51 Sessions have been conducted by officers of the Commission during the orientation programme for civil servants of Bangladesh and Maldives during the training programmes organized by National Centre for Good Governance.

IT INITIATIVES

New CVC Website

- 2.52 The Commission has revamped its website with a modernized interface and comprehensive information repository. The inclusion of online training modules with the integration of media files, reflects Commission's commitment towards promoting ethical conduct and ensuring updation of skills on regular

basis of those officials, who are engaged in the field of vigilance administration and anti-corruption measures.

New Vigilance Case Management System (VCMS) Portal

- 2.53 Vigilance Case Management System (VCMS) portal has also been upgraded by the Commission. It ensures role based access to users within the Commission to capture and monitor the processing status of vigilance cases. It facilitates seamless tracking of case status and generates insightful reports as per requirement of the Commission, including Monthly Reports, Annual Reports etc.

Complaint Management System (CMS) Portal

- 2.54 On 3rd November, 2022, an upgraded version of CMS Portal was launched by the Hon'ble Prime Minister Shri Narendra Modi to streamline the process of receipt and disposal of complaints. The new CMS Portal enables citizens to file online complaints. Even those complaints which are received in the Commission in physical mode are uploaded on the CMS Portal and processed online, thus ensuring that there is 100% digital processing of all complaints received in the Commission.
- 2.55 The new CMS Portal enables the complainant to receive end to end information and check real-time status of his complaint through the portal by using the unique ID number, allotted to him. It also ensures accountability as the Delay Analysis Report would pinpoint the authority by whom the complaint was processed and time period taken to process the complaint. While maintaining strict confidentiality, as per requirements of PIDPI Resolution, the outcome of PIDPI complaints is also shared through the portal.

CVO Information System Portal

- 2.56 CVO Information System (CVOIS) portal has been developed to capture data of full time and part time CVOs of the organizations covered under the jurisdiction of the Commission. This portal enables regular updation of information about CVOs and helps in monitoring / filling up of vacant post of CVOs.

Creation of IEM Data Base and Information System

- 2.57 Integrity Pact (IP) provides for independent oversight of public procurement activities through Independent External Monitors (IEMs), nominated by the Commission, from the panel maintained by it. Retired senior officers of Govt. organisations are empanelled after following a rigorous procedure. The data base of IEMs enables the Commission to decide objectively about nomination of empanelled persons as IEMs in different organisations, who have adopted IP.
- 2.58 The application also facilitates system generated advance notifications of tenure completion, system generated advance notifications of IEMs completing 70 years of age and bio-data screening during nomination of IEMs. Besides this, it is also envisaged that it would help in streamlining process of filling up vacant posts and enabling timely filling up of vacancies. Through this, it is proposed that the Commission could have a holistic view of implementation of Integrity pact in organizations.

RIGHT TO INFORMATION ACT, 2005

- 2.59 As part of its commitment to promote transparency and to fulfill its mandatory requirements under the provisions of RTI Act, an RTI Cell has been set up in the Commission. The RTI cell processes applications received from RTI applicants seeking information and also handles the appeals received from such applicants, who may not be satisfied with the information provided to them by the Central Public Information Officer of the Commission. An officer of the rank of Additional Secretary in the Commission functions as the Appellate Authority, in addition to other routine duties.
- 2.60 A statement showing receipt and disposal of references under RTI Act, 2005 during 2019 to 2023 is given in Table 2.8.

Table 2.8: Receipt and Disposal under RTI Act, 2005 (2019-23)

Year	Applications received	Disposal*	First appeal references received	Disposal*
2019	1086	1009	392	383
2020	735	665	378	346
2021	762	755	342	350
2022	737	737	270	276
2023	760	697	342	319

*Disposal of RTI Applications and Appeals includes Applications and Appeals brought forward from previous Year

PROGRESSIVE USE OF HINDI

- 2.61 The Commission has implemented the official language policy of the Government of India in letter and spirit. All efforts are made to achieve the objectives as mentioned in the Official Language Act, 1963. All documents covered under Section 3 (3) of the Act, like General Orders, Press Note, Notification, Circulars, Annual Report and Papers which were to be submitted before the Parliamentary Standing Committee are being issued bilingually, in Hindi and English. Letters received in Hindi are necessarily replied in Hindi.
- 2.62 During the year 2023, four Hindi workshops were conducted in the Commission. The participants were of the level of Under Secretary, Section Officer, Assistant Section Officer, Sr Secretariat Assistant and Junior Secretariat Assistant of the Commission. In addition, four officials were also nominated for Hindi training under Hindi Teaching Scheme.
- 2.63 Official Language Implementation Committee of the Commission is holding meetings at regular intervals. Hindi Pakhwada was observed in the month of September 2023, during which message of the Commission was circulated amongst all officials. During Pakhwada, Hindi Essay Competition, Hindi Quiz, Hindi Debate and poetry recitation competition were also organized in which prizes were distributed by the Commission to winning participants.



Visit of Republic of Korea delegation under International Cooperation at Central Vigilance Commission on 14.08.2023



Tree Plantation at Satarkta Bhawan on the occasion of Swachhata Pakhwada on 01.10.2023



Workshop on Prevention of Sexual Harassment of Women at workplace at Satarkta Bhawan on 14.12.2023



Interaction with Vigilance Functionaries during MAVU of Hindustan Aeronautics Ltd. on 17-18 August 2023



Question answer session during training of Vigilance Officers at Chennai on 15.09.2023



Stakeholders' meet by South Eastern Coalfields Ltd. on the occasion of Vigilance Awareness Week – 2023

CHAPTER 3

SUPERINTENDENCE OVER VIGILANCE ADMINISTRATION

- 3.1 The Central Vigilance Commission, as per the provisions contained under Section 8 (1) (h) of CVC Act, 2003, is mandated to exercise superintendence over the vigilance administration of the various Ministries of the Central Govt. or corporations established by or under any Central Act, Government companies, societies and local authorities owned or controlled by the Central Government.

VIGILANCE ADMINISTRATION IN ORGANISATIONS

- 3.2 Vigilance Administration in the organizations is an integral part of public administration with an objective to make the system of governance transparent, objective, accountable, responsive and answerable to the common citizen of the country. In any organisation, the responsibility of ensuring an effective vigilance administration primarily lies with the Chief Executive Officer (CEO) of the respective organization. In order to provide expert advice and assistance to the CEOs in vigilance related matters, every organisation has a vigilance unit, which is headed by the Chief Vigilance Officer (CVO), who acts as an advisor to the CEO of the organisation in such matters. It is expected of the CEO to consider the systemic measures and inputs provided by the CVO, for implementation to ensure probity, transparency, and objectivity in the functioning of the organisation.
- 3.3 The CVO functions as an extended arm of the Central Vigilance Commission. Any vigilance function should aim at upholding the morale of the officials and protecting the value system of the organisation. The CEO is expected to diligently review the vigilance work and consider the inputs provided by the CVO for better management of the institution by promoting ethical behaviour in its functioning.
- 3.4 The CVO is also the nodal officer of the organization for interaction with CVC and Central Bureau of Investigation (CBI). The vigilance functions performed by the CVO includes collecting intelligence about the corrupt practices committed,

or likely to be committed by the employees of the organisation or others; investigating or causing investigations to be made into verifiable allegations reported to them; processing investigation reports for further consideration of the disciplinary authority; referring the matters to the Commission for advice wherever necessary; taking steps to prevent improper practices and commission of misconducts; examining audit / inspection and other reports from the vigilance angle, etc. Though there are several facets of vigilance, yet preventive vigilance measures taken by the CVOs are of substantial significance in reducing occurrence of vigilance cases.

- 3.5 The CVO constitutes an important link between the organisation and the Central Vigilance Commission. The Commission communicates primarily with the CVO while tendering advice and seeking reports, clarifications, etc.
- 3.6 Punitive Vigilance functions of CVOs are also of significance. The same would consist of investigation into acts of irregular conduct by employees of the organisation concerned, as noticed by him, and recommend appropriate action for misconducts surfaced during investigation. They are also required to ensure proper framing of article of charges, timely finalisation of inquiry proceedings, to ensure that advice of CVC or other authorities concerned is obtained in disciplinary proceedings / criminal proceedings. The functions of CVOs in the respective organisation cover a whole gamut of activities, covering wide spectrum.

APPOINTMENT OF CHIEF VIGILANCE OFFICERS (CVOs)

- 3.7 Presently, there are 186 ministries / departments / Central Public Sector Enterprises and other organisations where the post of CVO is on full-time basis. Appointment of CVOs in 149 of these organisations is done by DoPT, in terms of its OM No. 372/7/2016-AVD-III dated 28.04.2017, after obtaining clearance from the Commission. In addition, CVOs in Public Sector Banks / Insurance Companies etc. are appointed by Department of Financial Services, Ministry of Finance. Similarly, CVOs of local bodies i.e. New Delhi Municipal Council (NDMC), Municipal Corporation of Delhi (MCD) and Delhi Transport Corporation (DTC) etc. are appointed by Ministry of Home Affairs. The Commission carries out its mandate of superintendence over vigilance administration through the CVOs and hence it has significant role in empanelment of officers and their appointment as full-time CVOs in these organisations. Commission's approval

is a necessary requirement for empanelment of an officer for consideration as CVO in any organization.

- 3.8 In a few ministries / departments viz., Central Board of Direct Taxes (CBDT), Central Board of Indirect Taxes and Customs (CBIC), Department of Posts, Ministry of Railways etc. there are encadred posts of full time CVO. If scale of operation of a particular organisation does not justify having a full-time CVO, an officer within the organisation, sufficiently senior in rank to be able to report directly to the CEO for vigilance matters, is considered for appointment as part-time CVO in that organisation. The Commission approves name of a suitable officer for appointment as part-time CVO out of the panel proposed by the concerned Ministries / Departments / Autonomous Bodies concerned. In this regard, the Commission has issued Circular no. 022-CVO-08 dated 21.03.2022, defining the procedure for appointment of part time CVOs.
- 3.9 During the year 2023, the Commission approved the names of 131 officers for empanelment for consideration as full-time CVOs. The Commission also approved names of 5 officers for appointment as CVO on full time basis in specific organisations. The Commission also approved names of 44 officers for assigning them additional charge of CVO in other organisations. The names of 120 officers were also approved for appointment as part-time CVOs in various Ministries / Departments / Autonomous Bodies. During the year 2023, 29 CVOs were holding additional charge for a period of more than one month. The Commission has advised the respective organisations to promptly fill up all vacant posts of CVOs.

PERFORMANCE OF CHIEF VIGILANCE OFFICERS

- 3.10 The Commission communicates its advice and guidelines on various aspects of vigilance administration through the CVO. Reports, clarifications, and any other information as may be required by the Commission for effective supervision over vigilance administration is also sought through CVO. CVO is also responsible for bringing to Commission's notice, any flaw in implementation of guidelines issued by the Commission.
- 3.11 In accordance with the provisions of CVC Act, 2003, the Commission tenders advice to the organisations concerned, about appropriate punitive / preventive or corrective action, as the case may be, in an objective manner, based on

the material available. Action on Commission's advice is to be taken by the competent authority and in case, the competent authority deviates from the Commission's advice, the CVO has the responsibility to bring the same to the notice of the Commission.

- 3.12 The Commission monitors performance of Chief Vigilance Officers (CVOs) through well-established mechanisms of scrutiny of quarterly performance reports, annual reports and periodic reviews conducted by the Commission in sectoral / zonal meetings. The Commission also reviews the works of CVOs from time to time and reconciles pending issues invariably before annual zonal review meetings. The Secretary and the Additional Secretaries in the Commission also review the pending cases with CVOs from time to time.
- 3.13 With a view to prevent harassment of CVOs and protect their functional autonomy, all complaints against them are referred to the Commission for advice. To prevent victimization of officials (other than the CVOs) working in the vigilance set up of any organisation, instructions / guidelines have also been issued vide Commission's circular no. 16/3/06 dated 28.03.2006 defining steps for their protection.
- 3.14 The Commission has a dedicated portal through which any complainant can lodge an online complaint by following the prescribed procedure. The complaints received physically are also uploaded on the portal. All the complaints are scrutinized thoroughly and an appropriate decision on each complaint is taken, in accordance with the Commission's Complaint Handling Policy, which has evolved over a period of time. At the end of the year 2023, the Commission had sent 11,601 complaints to CVOs for necessary action (NA) and out of these 10,710 complaints were disposed of by the CVOs. The following data is based on quarterly performance report / Annual Reports submitted by CVOs to CVC.

Table 3.1 (Details at Appendix III-A(i))

Total complaints sent to CVOs for necessary action	Complaints disposed	Complaints pending	Complaints pending for more than 3 months
11601	10710	891	487

(Figures are for Jan-Dec 2023)

- 3.15 The Commission conducts a periodical review of complaints pending with the CVOs, to ensure their expeditious disposal. As regards complaints received directly by the CVOs of various organisations, a total of 62,602 complaints were received by them during the year 2023, out of which 55,663 complaints were disposed of by the CVOs. Remaining 6,939 complaints were under process at the end of the year 2023, out of which 2,203 complaints were under process with them for more than three months. Organisation-wise details of complaints received and their disposal is reflected in Appendix III-A (ii).

Table 3.2 (Details at Appendix III-A(ii))

Total complaints received by CVOs	Complaints disposed	Complaints under process	Complaints under process for more than 3 months
62602	55663	6939	2203

(Figures are for Jan-Dec 2023)

- 3.16 In case, after scrutiny of the complaints, it is decided to conduct vigilance investigation, either on the advice of the Commission or by CVO himself, the same is conducted by the vigilance unit of the organisation concerned. Based on the facts disclosed in the investigation report, further decision is taken either to close the matter or to initiate regular departmental action or to take administrative action against the suspected public servant. The investigation report, along with specific recommendation of the CVO is forwarded to the competent authority for taking a considered and appropriate decision.
- 3.17 However, in respect of the complaints forwarded to CVOs by the Commission for investigation, the CVOs are mandatorily required to submit investigation report to the Commission, along with all relevant records for obtaining Commission's advice, in the format prescribed by the Commission. The CVOs are expected to get the investigations completed within a period of three months or as soon as possible thereafter. At the end of the year 2023, investigation reports in respect of 276 complaints forwarded by the Commission for investigation were awaited from respective CVOs. Out of these complaints, 225 were pending for up to one year, 45 for a period between one to three years and 6 were pending for a period of more than three years (Appendix-IV).

- 3.18 Once a decision is taken for initiating disciplinary proceedings against an officer, the CVO needs to ensure that article of charge is drawn up with optimum care and is issued expeditiously. CVO is also required to ensure that there is no delay in appointment of Inquiry Officer / Presenting Officer. It is also the responsibility of CVO to monitor the progress of departmental inquiries, in view of the guidelines issued by the Commission, vide its Circular No. 19/09/21 dated 06.10.2021. Any unwarranted / inordinate delay should be immediately pointed out to the disciplinary / administrative authority so that corrective measures can be taken by them. In order to enhance efficiency in vigilance administration and to ensure prompt / timely initiation and completion of disciplinary matters, the Commission has prescribed the following timelines in respect of those cases, where major penalty proceedings are being considered:

Table 3.3

S. 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 (IO)	The inquiry report should be submitted within 6 months from the date of appointment of inquiry officer
3	Overall additional time limit 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

- 3.19 During the year 2023, out of a total of 1,496 departmental inquiries which were under process, 733 departmental inquiries had been completed and 763 were pending, as shown in the table 3.4. Further, in respect of employees (not under CVC jurisdiction) a total no. of 8,955 departmental inquiries were under process out of which 4,827 had been completed and 4,128 were pending as shown in the table 3.5 :-

Table 3.4 (Details at Appendix III-B)

Total departmental inquiries against officers (under CVC jurisdiction)	Departmental inquiries disposed of	Departmental inquiries pending
1496	733	763

(Figures are for Jan-Dec 2023)

Table 3.5 (Details at Appendix III-C)

Total departmental inquiries against other employees (not under CVC jurisdiction)	Departmental inquiries disposed of	Departmental inquiries pending
8955	4827	4128

(Figures are for Jan-Dec 2023)

- 3.20 The CVOs are also required to keep a watch over the status of implementation of first stage and second stage advices tendered by the Commission, in terms of DOPT's instructions dated 11.11.1998. Cases of deviation from Commission's advice by the authorities in the respective organization also need to be brought to the notice of the Commission. Periodic reviews are undertaken by the Commission and wherever delays are observed in implementation of its advice, the matter is pursued with respective authorities. There were 259 cases pending for implementation of first stage advice for more than six months and 72 cases were pending for implementation of second stage advice for more than six months as on 31.12.2023 (Appendix-V).
- 3.21 The CVOs also have to send quarterly progress report to the Chief Technical Examiners' Organisation (CTEO) of the Commission, containing details of major procurements undertaken or being undertaken by the organisations. From these reports, the CTEO selects some of the contracts, based on certain parameters, for intensive examination. However, as the CTEO would only be able to examine limited number of contracts for logistic and administrative reasons, the Commission has issued guidelines for the CVOs to conduct CTE type inspections so that any irregularity in award and execution of any contract or procurement activity does not go unnoticed.

- 3.22 The Chief Vigilance Officers of Ministries / Departments / Organisations are required to submit annual reports of vigilance activities pertaining to their organisations to the Commission. The performance of the CVOs for the year 2023, as per information provided in these annual reports, is reflected in Appendix III (A to F).
- 3.23 During the year 2023, major penalty proceedings were initiated in 6,618 cases (for all categories of officials) dealt with by the CVOs, resulting in imposition of major penalties in 5,502 cases and minor penalties or warning in 512 cases. Besides, 604 cases resulted in exoneration. Further, minor penalty proceedings were initiated in 15,340 cases which resulted in imposition of minor penalties and other actions in 11,100 cases. Balance 4,240 cases resulted in exoneration. Effectively, minor penalties or warning were imposed in a total of 11,612 cases (Appendix III – E and F). This data is based on annual reports submitted online by CVOs of respective organisations.

Table 3.6: Major and Minor Penalties (Details at Appendix III-E and F)

No. of cases where major penalty proceedings initiated: 6618	Major Penalty imposed	5502
	Minor Penalty imposed (against initial major penalty proceedings) or warned	512
	Exoneration	604
No. of cases where minor penalty proceedings initiated: 15340	Minor Penalty imposed or warned	11100
	Exoneration	4240
	Effective total number of minor penalties imposed or warned	11612

SANCTION FOR PROSECUTION

- 3.24 On completion of investigation, if the investigating agency concludes that sufficient evidence is available for initiating a criminal proceeding, they shall forward the report to the CVC, if previous sanction for prosecution is required under the Prevention of Corruption Act, 1988 and is to be issued in the name of the President. A copy of the report is to be sent to the authority competent

to sanction the prosecution. The CVO plays an important role in processing the matter and expediting decision of the competent authority on such a reference. A total of 801 cases for sanction for prosecution were dealt with by the CVOs in the year 2023, out of which sanctions were accorded in 426 cases and was declined in 154 cases by competent authorities. Besides, total 221 cases were pending at the end of the year. The information is summarized in the table:

Table 3.7: Sanction for Prosecution cases (Details at Appendix III-D)

Total number of cases for Sanction	Sanctions accorded	Sanctioned declined	Pending
801	426	154	221

SECTORAL REVIEW MEETINGS AND OTHER MEETINGS HELD BY THE COMMISSION TO REVIEW THE PENDENCY

3.25 The Commission holds sectoral or other review meetings to take stock of vigilance administration of various organisations and to consider performance of respective CVOs. The review focuses on the extent of compliance of various guidelines / instructions and achievement of prescribed targets. It also provides an opportunity to the organisations to showcase their initiatives and seek guidance from the Commission on specific issues relating to vigilance administration. These meetings also set the tone for the coming year and help in identification of specific areas which require immediate attention.

3.26 Sectoral Review Meeting

Ports, Shipping and Waterways Sector:

The Sectoral Review Meeting of Ports, Shipping and Waterways Sector was held on 18.07.2023 and was attended by CEOs and CVOs of major Port Authorities, PSUs under the administrative control of Ministry of Ports, Shipping and Waterways, Andaman Lakshadweep Harbour Works, Directorate General of Lighthouses and Lightships, Directorate General of Shipping and Ministry of Ports Shipping and Waterways. Apart from advising the authorities concerned to bring the pending cases / complaints to logical conclusion at the earliest possible and within the prescribed time limit, the Commission reiterated its commitment to help the organizations in capacity building of vigilance

functionaries to increase their efficiency in handling vigilance related matters. The CVOs were advised to undertake adequate number of CTE type inspections. It also stressed on strengthening of preventive vigilance mechanisms including popularization of PIDPI mechanism. It was also emphasised by the Commission that organisations may consider issuance of consolidated Master Circular for each operational area with updation at regular intervals.

Power Sector :

The Sectoral Review Meeting of Power Sector was held on 28.07.2023 and attended by CEOs and CVOs of Ministry of Power, PSUs under the administrative control of Ministry of Power, Central Electricity Authority, National Power Training Institute, Central Power Research Institute, Bureau of Energy Efficiency. Organisations were advised to take steps to align their procurement manuals with the consolidated procurement manuals issued by Department of Expenditure. It was observed that a large number of disputes were arising in contracts, leading to arbitration and litigation. Organisations were advised to analyze arbitration cases and strengthen their Dispute Resolution Mechanisms. It was also emphasized that it was the responsibility of management to ensure integrity in their organisation and to adhere to time lines in vigilance matters referred by the Commission.

Ministry of Railways:

During the year, the Commission held two meetings on 18.01.2023 and 21.09.2023 with CVO and other senior officials of Vigilance unit of Ministry of Railways / Railway Board. During the meetings, the status of all pending vigilance cases / departmental inquiries, adoption of E-Vigilance Measures, cyber audit of online booking systems and other issues of importance from the point of view vigilance administration were discussed. The Commission advised Ministry of Railways / Railway Board to ensure adherence to the timelines while handling complaints / vigilance cases and to fix target date for old pending cases, with a view to bring them to logical conclusion within a specified time period.

Central Board of Direct Taxes (CBDT):

The Commission held two review meetings on 25.04.2023 and 04.08.2023 with the CVO and other senior officials of Vigilance unit of CBDT. The meeting was

held to review the pendency of old pending vigilance cases and complaints pending for investigation and submitting a report to the Commission. CBDT was advised by the Commission to monitor the status of departmental inquiries pending with the Inquiry Authorities and to ensure that cases being referred to other authorities like UPSC were complete in all respect. While appreciating the efforts being made by CBDT to dispose of old pending cases, the Commission advised it to continue the efforts so that in future, cases are brought to logical conclusion within the prescribed time limit.

Central Board of Indirect Taxes and Customs (CBIC):

Three review meetings were held by the Commission with CVO and other senior officials of vigilance unit of CBIC on 25.04.2023, 25.07.2023 and 18.12.2023 to review the pending vigilance matters. The Commission impressed upon CBIC for expeditious disposal of old pending cases and to monitor the progress of departmental inquiries pending beyond the stipulated period, with the inquiry officers.

CBIC was also advised to ensure that wherever required, reference to other expert agencies, like UPSC should be made in a time bound manner. While appreciating the efforts of CBIC to bring old pending cases to logical conclusion, the Commission advised CBIC to undertake a study to analyze time taken in vigilance cases and to devise effective methodology for expeditious disposal of cases.

Department of Higher Education:

The Commission held a review meeting on 11.01.2023 with Secretary, Department of Higher Education. CVO and other officials of vigilance wing of Department of Higher Education were also present. The main agenda was to review the appointment of part time CVOs in educational institutes under the administrative control of the Department of Higher Education. The department was advised to take immediate steps for filling up the existing and anticipated vacancies of part time CVOs in institutions, in a time bound manner. It was also advised to take approval / concurrence of the Commission in respect of organisations wherein part time CVOs were appointed without Commission's prior approval. Department was also advised to approach DoPT for appointment of full-time regular CVO in the Department. The Commission

also reviewed pending vigilance cases / complaints and requested Secretary, Department of Higher Education to monitor the pendency and put in place a regular mechanism whereby the vigilance matters are disposed of expeditiously.

Ministry of Home Affairs and GNCTD:

The Commission held review meeting with Chief Secretary and CVO, Govt. of NCT of Delhi and CVO, MHA on 06.06.2023 to review vigilance cases pertaining to GNCTD, pending either with Ministry of Home Affairs, Govt. of India or GNCTD. During the meeting, GNCTD's attention was drawn to delay in appointment of IOs/POs and subsequent completion of disciplinary proceedings, as observed by the Commission. GNCTD was also advised to make all possible efforts for bringing old pending vigilance cases to a logical conclusion within a given time frame and to ensure that in future, the time line prescribed by the Commission is adhered to. GNCTD was also advised to strengthen its monitoring mechanisms and to have effective coordination within various departments of GNCTD.

Ministry of Defence, Ministry of Home Affairs and Central Armed Police Forces:

The Commission held a meeting with above organisations on 11.05.2023 to review cases of inordinate delay in submission of investigation reports by the organisations and to gain insight into the procedures adopted by the Ministry / Department / Organisation concerned to investigate complaints, which are received either from the Commission or directly by them. After detailed deliberations, the Commission advised MHA to hold a meeting of CVOs of CAPFs to explore the possibility of harmonious construction of provisions of the CVC Act, 2003, Vigilance Manual and other circulars of the Commission with various Acts and Rules, governing the CAPF personnel. MHA was also advised to look into the vigilance structure of CAPF to make it more effective.

Department of Heavy Industries:

Secretary, CVC took a meeting on 27.10.2023 with CVO and other officials of vigilance wing of Department of Heavy Industries. In the meeting, Secretary, CVC impressed upon Department of Heavy Industries to adhere to the timelines for handling vigilance matters and also to monitor the progress of departmental

inquiries being conducted by Inquiry Officers. Department of Heavy Industries' officials gave a case wise presentation of pending cases and also agreed on a defined time frame to bring old pending cases to logical conclusion. Systemic improvements suggested by Secretary, CVC were also noted by Department of Heavy Industries for consideration and implementation.

- 3.27 In addition to above, the Commission also conducted 5 Regional workshops for capacity building of vigilance functionaries and interactions with CVOs at Chennai, Bengaluru, Thiruvananthapuram, Panjim and Ahmedabad. In these workshops and interactive programmes, focus was to highlight the recent policy initiatives of the Commission and to clear doubts of vigilance functionaries, so as to enhance their efficiency level. In addition, common mistakes being committed by respective organizations in handling vigilance matters were also pointed out to them for initiating corrective measures. Emphasis was also laid on effecting systemic improvements as part of preventive vigilance mechanism.

GUIDELINES / INSTRUCTIONS ISSUED BY THE COMMISSION DURING 2023

- 3.28 The Commission, as mandated under Section 8 (1) (h) of CVC Act, 2003, exercises superintendence over vigilance administration of Central Government organisations. As part of this exercise, the Commission issued appropriate guidelines to streamline the procedures and improve the efficacy of vigilance mechanism in the organizations covered under the jurisdiction of the Central Vigilance Commission. A summary of some important guidelines issued by the Commission during the year 2023 is enumerated below:

- (a) Adoption and implementation of Integrity Pact-Revised Standard Operating Procedure-regarding (Circular No.04/06/23 issued vide Letter No.015/VGL/091 dated 14.06.2023). Integrity Pact is expected to be an effective mechanism to enhance transparency, equity and adequate level of competitiveness in public procurement activities. In order to strengthen the mechanism of adoption and implementation of Integrity Pact, the Commission has revised the Standard Operating Procedure (SOP) and has advised all Government Organisations, Public Sector Enterprises, Public Sector Banks, Public Sector Insurance Companies, Other Financial Institutions and Autonomous Bodies etc. to follow the same, after adoption of the Integrity Pact.

- (b) Observance of Vigilance Awareness Week, 2023 (Circular No. 06/08/23 issued vide Letter No. 023/VGL/035 dated 02.08.2023). Central Vigilance Commission and all organisations covered under its jurisdiction observe Vigilance Awareness Week every year, which coincides with the birth anniversary of Sardar Vallabhbhai Patel. As a run up to VAW, the Commission directed all organisations to undertake a three month campaign focussing on various preventive measures viz. awareness building about Public Interest Disclosure and Protection of Informers (PIDPI) Resolution, Capacity Building Programs, Identification and Implementation of Systemic Improvement measures, Leveraging of IT for complaint disposal, Updation of Circulars / Guidelines / Manuals, Disposal of complaints received before 30.06.23.
- (c) Reconstitution of the Advisory Board for Banking and Financial Frauds (ABBFF) – (Circular No. 07/08/23 issued vide Letter No. 006/MSC/038 dated 18.08.2023). The Commission has formed ABBFF, in consultation with Reserve Bank of India for examining the role of all levels of officials, including Whole Time Directors, in Public Sector Banks, Insurance Companies and Financial Institutions, in cases where fraud of Rs. 3.00 crore and above has been reported in loan accounts. The Board has been reconstituted in the year 2023 with Shri Suresh N. Patel, ex-CVC appointed as Chairman, ABBFF.
- (d) Observance of Vigilance Awareness Week, 2023 (Circular No. 08/09/23 issued vide Letter No. 023/VGL/035 dated 11.09.2023). The Commission had decided to observe Vigilance Awareness Week from 30th October to 5th November, 2023 with the theme “Say no to corruption; commit to the Nation”. During VAW, all organisations were advised to conduct outreach programmes in order to sensitise the stake holders about the need for transparency and integrity in public life. Special emphasis was laid on engaging youth of the nation in different activities pertaining to observance of VAW.
- (e) Updation of Circulars/Guidelines/Manuals (Circular No. 16/09/23 issued vide Letter No. 023/VGL/084 dated 06.10.2023). In the year 2022, the Department of Expenditure, in consultation with Central Vigilance Commission had updated and released the manuals on (i) Procurement of Goods, (ii) Procurement of Works and (iii) Procurement of Consultancy and Other Services. Vide circular dated 06.10.2023, all the organisations were advised to update and align their manuals in line with the updated manuals issued by Department of Expenditure and provide a status report to the Commission.

MANAGEMENT AUDIT OF VIGILANCE UNIT (MAVU)

- 3.29 With the objective of having a proper assessment and deeper insight into the functioning of the vigilance units of the Government Organisations, the Commission in 2022, started a new initiative of conducting Management Audit of Vigilance Units (MAVU) of major organisations covered under its jurisdiction. MAVU is aimed at understanding the prevalent vigilance mechanism and suggest measures to make the vigilance machinery more effective. MAVU is to be conducted by a team of officers from Central Vigilance Commission.
- 3.30 In the last two years i.e. 2022 and 2023, MAVU of 45 organisations has been completed. The experience shows that MAVU has proved to be beneficial to the respective organisations as it has helped in streamlining their processes by taking corrective measures, along with clearing their doubts and updation of their guidelines etc. The interaction of Commission's officers with the Chief Executives, CVOs, and other vigilance functionaries of respective organisations resulted in confidence building measures with endorsement of their good practices and systemic improvements, as undertaken by them.



Pledge on the occasion of Constitution Day at Satarkta Bhawan, New Delhi on 24.11.2023



Training of Officials of CVC on IT initiatives at Satarkta Bhawan, New Delhi on 04.07.2023

CHAPTER 4

NON-COMPLIANCE OF COMMISSION'S ADVICE AND OTHER AREAS OF CONCERN

4.1 The Central Vigilance Commission, in exercise of its functions and powers under Section 8(1) (g) of the CVC Act, 2003, tenders advice to the Central Government, Corporations established by or under any Central Act, Government Companies, Societies and Local Authorities owned or controlled by the Central Government, on such matters as may be referred to it. The Commission also exercises superintendence over the vigilance administration of these organizations. The advice is tendered by the Commission based on a reasoned appreciation of all the facts, documents and records relating to a particular case, which are brought to its notice by the organisation concerned. Acceptance of the Commission's reasoned advice in an overwhelming majority of cases by the Disciplinary Authorities is an indication of the objectivity and fairness of the Commission's advice. However, in some cases of officers covered under the Commission's jurisdiction, either the prescribed consultation mechanism with the Commission was not adhered to, or the authorities concerned did not accept the Commission's advice. Further, there have been instances where the advice tendered by the Commission has been substantially diluted without approaching the Commission for reconsideration of its advice, as per extant procedure.

CASES OF NON-COMPLIANCE AND NON-CONSULTATION

4.2 Non-acceptance of the Commission's advice vitiates the vigilance process and weakens the impartiality of the vigilance administration. However, there are cases of deviation from prescribed procedure or non-acceptance of the Commission's advice. Some of important / significant cases of deviations from prescribed procedure or non-acceptance of the Commission's advice by Ministries / Organisations as reported to the Commission during the year 2023 are given as below:-

Ministry of Railway

Case - 1:

One Sr. Section Engineer was found responsible for favouring contractors, resulting in huge overpayment to the contractor.

Advice: The Commission vide its ID note dated 25.07.2022 tendered its First Stage Advice of initiation of major penalty proceedings. The Commission also tendered its Second Stage Advice for imposition of Major Penalty, vide OM dated 16.05.2023.

Brief: A Sr. Section Engineer was found responsible for bringing down the scope of work without reducing the value of contract proportionately. His actions resulted in huge overpayment to the contractor, leading to undue financial gains to him. Keeping in view the seriousness of the charges proved, the Commission advised imposition of major penalty but the Disciplinary Authority imposed a minor penalty on the charged official, vide order dated 16.06.2023.

Outcome: The imposition of a minor penalty on the official is a deviation from the Commission's advice.

Airport Authority of India

Case -1:

6 Officials of Airport Authority of India (AAI) including one General Manager (GM) and one Joint GM, were found responsible for irregularities in award of tender by the Commercial Directorate.

Advice: The Commission vide its Office Memorandum dated 07.10.2020 advised initiation of minor penalty proceedings against all the 6 officials.

Brief: Irregularities were observed in award of a tender by Commercial Directorate of AAI at an airport for which the Commission advised initiation of minor penalty proceedings against 06 officials. Disciplinary Authority imposed minor penalty on all 06 officials vide its orders dated

01/05.04.2021. Aggrieved by the penalty imposed by the Disciplinary Authority, the GM and Jt. GM preferred an appeal before the Appellate Authority, who set aside the penalty vide order dated 12.05.2022.

Outcome: Setting aside of minor penalty is deviation from Commission's advice.

State Bank of India

Case - 1:

One Assistant General Manager and one Chief Manager of the Bank were found responsible for splitting of expenses for shifting repair / renovation work etc., to keep them within the delegated financial powers of lower-level functionary and floating tenders without following norms.

Advice: The Commission vide its office memorandum dated 29.10.2020 tendered its First Stage Advice and advised for initiation of major penalty proceedings against both the officials.

Brief: A Regional Business Office [RBO] of the bank had incurred huge expenditure in shifting / renovation / repair work and purchase of fixed assets of new/existing branches without following the prescribed procedure. The amount to be incurred for a particular work was split into parts to keep them within the delegated financial powers of lower level functionary and tenders were floated without following norms. After departmental inquiry, the disciplinary authority imposed major penalty upon both the officials against whom the Commission had advised initiation of major penalty proceedings. On appeal, the Appellate Authority(s) also considered their lapses as serious in nature and rejected appeals of both the officials. However, the Review Committee even after observing lapses on their part, modified the penalty to administrative warning, vide order dated 20.09.2022.

Outcome: Issue of administrative warning to both the officials by the Review Committee, is a deviation from Commission's advice.

Case - 2:

Some officials of the bank were found responsible for irregularities in extending credit facility to a private firm.

Advice: The Commission vide its Office Memorandum dated 14.07.2021 tendered its first stage advice for initiation of major penalty proceedings against an Assistant General Manager (AGM), in addition to advising action against other officials.

Brief: The firm was enjoying various credit facilities from the bank and some other public sector banks. Serious lapses/irregularities/omissions were observed on the part of bank officials e.g. not obtaining approval of the controller for opening further letters of credits / bank guarantees on devolvement, permitting excess over limits etc. The disciplinary authority imposed major penalty on the AGM. Aggrieved with the penalty imposed by the disciplinary authority, the official preferred an appeal before the Appellate Authority. On consideration of the appeal, the Appellate Authority modified the penalty to a minor penalty, vide order dated 08.06.2022.

Outcome: Imposition of minor penalty is a deviation from the Commission's advice.

Case - 3:

Some officials of the bank were found responsible for irregularities in takeover and enhancement of cash credit account of a private firm.

Advice: The Commission vide its OM dated 09.11.2020 had advised for initiation of major penalty proceedings against one AGM, in addition to advising action against other officials.

Brief: The firm was having cash credit limit of Rs. 11.85 crore with a private sector bank which was taken over by a PSB with an enhanced limit of Rs. 13.50 crore on 31/01/2018. The account became NPA on 28/12/2018 and was treated as quick mortality account. Lapses were observed in pre-sanction, sanction and post sanction stages of the account. The Commission advised major penalty proceedings against

one AGM, in addition to advising action against other officials. In respect of the AGM, against whom the Commission had advised major penalty proceedings, the disciplinary authority imposed a major penalty. The AGM preferred an appeal before the Appellate Authority which was rejected. The AGM approached the Review Committee which observed that there were lapses on the part of the AGM in discharge of his official duties. However, the Review Committee, considering the lapses as procedural in nature modified the penalty to administrative warning, vide order dated 21.02.2023.

Outcome: Issue of administrative warning to the official is a deviation from the Commission's advice.

Case -4:

Two Assistant General Managers (AGMs) and one Assistant Manager (AM) were found responsible for irregularities in disbursement of credit facilities to a private firm.

Advice: The Commission vide its office memorandum dated 29.04.2021 tendered its first stage advice for initiation of major penalty proceedings against two Asst. General Managers and one Asst. Manager.

Brief : Irregularities were committed in sanctioning, disbursing and further enhancing credit facilities to a private firm by officials of the Bank. Satisfactory credit information report from the existing bankers were not obtained and closure of firm's current account with other banks was also not ensured. Key financial ratio and risk adjustment return on capital ratio, below the benchmark were accepted. The account became NPA within 2 years. The Disciplinary Authority had imposed major penalty on all the three officials in line with Commission's FSA. Aggrieved with the penalty imposed by the Disciplinary Authority, the officials preferred an appeal before the Appellate Authority. On consideration of the appeal, the Appellate Authority modified the penalty to a minor penalty vide order dated 29.04.2023.

Outcome: Imposition of minor penalty on the officials is a deviation from the Commission's advice.

Case -5:

One AGM was found responsible for irregularities in sanctioning of loan to a private firm.

Advice: The Commission vide its office memorandum dated 26.10.2021 tendered its first stage advice by advising initiation of major penalty proceedings against one Asst. General Manager.

Brief : Irregularities were noticed in sanction of a loan to a private firm without obtaining credit information reports from the existing bankers of the firm, by accepting valuation of property on higher side, by not ensuring repayment of loan availed by the firm from another bank and not ensuring end use of funds. The account was later declared as fraud causing huge loss to the bank. The disciplinary authority imposed major penalty on the official for whom the Commission had advised major penalty proceedings. Aggrieved by the penalty imposed by the disciplinary authority, the official preferred an appeal before the Appellate Authority. The Appellate Authority modified the penalty to a minor penalty vide order dated 10.07.2023.

Outcome: Imposition of minor penalty on the official is a deviation from the Commission's advice.

IDBI

Case – 1:

One Deputy General Manager (DGM) was found responsible for irregularities in takeover, disbursement and enhancement of cash credit limit loan to a private firm.

Advice: The Commission vide its OM dated 10.05.2021 had tendered its first stage advice for initiation of major penalty proceedings against DGM.

Brief: Irregularities were noticed in not ensuring KYC documents of the guarantors and directors of the firm and also failing to ensure authenticity of property mortgaged at the time of execution of loan

documents while taking over cash credit limit of a private firm from a public sector bank and at the time of further renewal of the cash credit limit. The identity of the mortgager was also not confirmed. The disciplinary authority imposed major penalty on the official on 22.04.2022 as advised by the Commission. Aggrieved by the penalty imposed by the disciplinary authority, the official preferred an appeal before the Appellate Authority. The Appellate Authority exonerated the official, vide order dated 31.10.2022.

Outcome: Exoneration of the official from charges is a deviation from the Commission's advice.

Case-2:

During investigation by Central Bureau of Investigation (CBI), one General Manager (GM) of the bank was found responsible for recommending and disbursing Short Term Loan of a huge amount without due diligence and in violation of extant guidelines.

Advice: The Commission, vide its Office Memorandum dated 21.11.2022, advised for granting sanction for prosecution against the GM.

Brief: Investigation by CBI revealed that the GM recommended sanction of Short Term Loan (STL) to a company despite weak financial, negative net-worth and huge net losses in the previous financial years. The GM did not do proper due diligence of the borrower company and did not execute corporate guarantee and personal guarantee of the key promoter. He also forged documents for getting approval of credit committee. On consideration of facts, the Commission advised for granting sanction for prosecution against the official. The competent authority did not accept the Commission's advice and approached DoPT for advice as per extant instructions. DoPT, in agreement with the Commission advised to grant sanction for prosecution. The competent authority did not accept the advice of the Commission and declined sanction for prosecution against the official, vide its order dated 08.09.2023.

Outcome: Declining sanction for prosecution is a major deviation from the Commission's advice.

Case -3:

One DGM was found responsible for mortgaging of properties without complying with the conditions stipulated in the legal opinion of the advocate.

Advice: The Commission vide its office memorandum dated 24.08.2023 advised for imposition of major penalty against the then DGM.

Brief: The DGM of the bank did not comply with the conditions stipulated by the empanelled advocate due to which the mortgager was able to mortgage properties without holding any valid right / title and borrower got credit facilities. Later on, the account was declared as a fraud and resulted into financial loss to the bank. The disciplinary authority even after holding the charges proved against the official, imposed a minor penalty on the DGM vide order dated 30.09.2023.

Outcome: Imposition of minor penalty on the official is a deviation from the Commission's advice.

Case -4:

During investigation by CBI, one AGM was found responsible for violating the stipulated takeover norms in sanctioning and disbursement of term loan to a private firm.

Advice: The Commission vide its office memorandum dated 01.06.2022 advised sanction for prosecution against the AGM.

Brief: Investigation by CBI revealed that the official had allowed takeover of term loan from other Bank without obtaining credit information report, balance confirmation certificate, no dues certificate and without sanction letter from the bank from which loan account was taken over. The official recommended waiver of critical terms and conditions of sanction and creation of securities. He also disbursed the loan to a wrong account, thus facilitating diversion of the funds and causing loss to the

Bank. The Commission in agreement with the CBI advised for granting sanction for prosecution against the AGM. The competent authority did not accept the Commission's advice and approached DoPT through DFS for resolving difference of opinion, as per extant instructions. The DoPT, in agreement with the Commission advised to grant sanction for prosecution. The competent authority did not accept the advice of the Commission and declined sanction for prosecution against the official, vide its order dated 07.09.2023.

Outcome: Declining sanction for prosecution against the official is a major deviation from the Commission's advice.

Punjab National Bank

Case - 1:

One Relationship Manager was found responsible for irregularities at pre and post sanction stage in 26 loan accounts.

Advice: The Commission vide its office memorandum dated 06.02.2020 tendered its First Stage Advice for initiation of major penalty proceedings against the official.

Brief: The official was found responsible for failing to ensure due diligence, pre-sanction appraisal and post sanction follow-up / monitoring in 26 loan accounts and also failed to carry out periodical inspection of securities, in addition to allowing excess drawing power in some loan accounts. He was also found responsible for failing to report loss of documents and for not observing the terms and conditions of sanctioning / releasing limits to borrowers and ensuring the end use of funds. The Disciplinary Authority, in accordance with the Commission's advice imposed major penalty vide order dated 25.08.2021. Aggrieved with the penalty imposed by the disciplinary authority, the official preferred an appeal before the Appellate Authority, who modified and diluted the major penalty to a minor penalty, vide order dated 29.11.2022.

Outcome: Imposition of minor penalty on the official by the Appellate Authority is a deviation from Commission's advice.

United India Insurance Co. Ltd.

Case - 1:

03 officials of United India Insurance Co. Ltd. (UIICL) were found responsible for recommending payment of fire claim to a party, which was otherwise not payable.

Advice: The Commission, vide its Office Memorandum dated 01.06.2023 advised imposition of major penalty on two Managers and one Deputy Manager of UIICL.

Brief: The matter pertains to irregularities in appraisal, recommendation and sanction of insurance cover to a private party. Later on, the claim for loss of goods was also settled in favour of the private party by officials of UIICL in an irregular manner. The disciplinary authority in deviation of Commission's advice imposed minor penalty upon all the three officials. Aggrieved with the penalty imposed by the disciplinary authority, one Manager preferred an appeal before the Appellate Authority, who modified and diluted the penalty to warning, vide order dated 28.11.2023.

Outcome: Issue of minor penalty by the disciplinary authority and diluting the same to warning in respect of one official by the Appellate Authority is a major deviation from the Commission's advice.

Central Board of Indirect Taxes and Customs

Case - 1:

It was alleged that four officials of CBIC, including one Inspector were demanding bribe for allowing unauthorized export across the border.

Advice: Commission vide its office memorandum dated 27.02.2020 advised initiation of major penalty proceedings against all the four officials.

Brief: CBI received a written complaint alleging demand of bribe by officials of CBIC for allowing unauthorized export by trucks across the border. After investigation, CBI recommended sanction for prosecution and the Commission, in agreement with CBI and CBIC, advised sanction for prosecution against all the 4 officials, vide office memorandum dated 28.06.2013. Later on, on the recommendations of CBIC, the Commission vide its office memorandum dated 27.02.2020, advised initiation of major penalty proceedings against the Inspector and other officials. However, the disciplinary authority, vide order dated 16.02.2023 imposed a minor penalty on Inspector without approaching the Commission for its second stage advice, thus diluting misconduct committed by the official.

Outcome: Imposition of minor penalty by the DA without seeking Commission's second stage advice is a deviation from the established procedure and the Commission's advice.

The Security Printing and Minting Corporation of India Ltd.

Case - 1:

One General Manager was found responsible for acts of commission and/or omission with a view to cause undue favour to a private firm and concomitant loss to the organization.

Advice: The Commission vide its Office Memorandum dated 11.12.2019 advised initiation of major penalty proceedings against the GM, which was reiterated vide Office Memorandum dated 17.12.2020.

Brief: The case relates to failure on the part of vendor to supply material and ensure quality, as per terms and conditions laid down in the purchase order. The GM failed to initiate action as per laid down instructions and granted repeated time extensions to the vendor for replacement of rejected material, thus showing undue leniency to the private party. The disciplinary authority vide order dated 10.01.2023 imposed a minor penalty on GM.

Outcome: Imposition of minor penalty on the official is a deviation from the Commission's advice.

Council of Scientific and Industrial Research

Case - 1:

Three officials, including one Assistant Section Officer were found responsible for facilitating irregular selection, appointment and joining of Quick Hire Scientist (Scientist 'Fellows'), under a project.

Advice: The Commission vide its office memorandum dated 30.01.2019 tendered its first stage advice of initiation of major penalty proceedings against all the three (03) officials including the Assistant Section Officer.

Brief: CSIR Governing body approved a project with huge expenditure, out of which 10% was the ceiling for hiring of temporary manpower. No additional permanent post was to be created for the project. One scientist fellow was recruited without any provision for the same in the terms and conditions approved for the project. After issuance of charge sheet for initiation of major penalty proceedings, the Disciplinary Authority vide order dated 22.08.2022 exonerated the ASO from all the charges, without seeking the second stage advice of the Commission.

Outcome: Exoneration of the ASO without seeking Commission's second stage advice is a major deviation from the established procedure and Commission's advice.

Electronics Corporation of India Limited

Case - 1:

One Executive Director was found responsible for irregularities in placement of purchase order to a private firm.

Advice: The Commission vide its Office Memorandum dated 22.10.2020 tendered its first stage for initiation of major penalty proceedings against the Executive Director.

Brief: In an online tender for supply of different types of transmitters, the order was placed on a firm, which was L-1 only for three items out

of nine, while ignoring another firm who was L-1 for 6 items and was eligible to get the purchase order. On conclusion of the departmental inquiry, a major penalty was imposed on the Executive Director by the disciplinary authority vide order dated 19.11.2021. Aggrieved with the decision of disciplinary authority, Executive Director preferred an appeal before the Appellate Authority, who remitted back the case to DA for reconsideration. After re-assessment, the DA held for major penalty as initially imposed vide order dated 19.11.2021. The Executive Director preferred a review petition before the Board. Board modified the major penalty to minor penalty vide order dated 31.03.2023.

Outcome: Imposition of minor penalty on the official by the Board is a deviation from the Commission's advice.

Ministry of Coal

Case - 1:

Some officials including 01 Project Officer, 01 Chief Manager, 03 Managers and 01 Director of Bharat Coking Coal Ltd. (BCCL) were found responsible for irregularities in foreclosing, retendering, and awarding of a contract for hiring of Heavy Earth Moving Machinery (HEMM).

Advice: The Commission vide its office memorandum dated 31.08.2018 tendered its First Stage Advice for initiation of Major Penalty Proceedings against 01 Project Officer, 01 Chief Manager and 03 Managers of BCCL and other officials involved in the case.

Brief: In a contract for hiring of HEMM for removal of overburden, extraction and shifting of coal, some officials of BCCL were found responsible for foreclosing the contract, which was retendered and subsequently awarded at higher rate. Departmental inquiry was conducted after obtaining Commission's advice and a major penalty was imposed by the disciplinary authority on all the officials involved in the case. Aggrieved by the penalty imposed by the disciplinary authority, the Project Officer, the Chief Manager, 03 Managers and Director preferred appeal before the respective Appellate Authorities, who exonerated all the afore-mentioned officials of the charges, vide orders dated 29.06.2022, 26.12.2022, 16.03.2023 and 23.06.2023 respectively.

Outcome: Exoneration of the officials from charges is a major deviation from the Commission's advice.

Case - 2:

One Deputy Manager, one Sr. Manager and one Chief Manager of Eastern Coal Field (ECL) were found responsible for committing irregularities in the contract for hiring of HEMM for removal of overburden, extraction and shifting of coal.

Advice: The Commission vide its office memorandum dated 31.08.2018 tendered its First Stage Advice of initiation of major penalty proceedings against Chief Manager, Sr. Manager and Dy. Manager.

Brief: In a contract for hiring of HEMM for removal of overburden, extraction and shifting of coal, one Deputy Manager, one Sr. Manager and one Chief Manager of ECL were found responsible for foreclosing the contract, which was retendered and subsequently awarded at higher rate. Departmental inquiry was conducted after obtaining Commission's advice and a major penalty was imposed by the disciplinary authority on all the 03 officials vide order dated 20.07.2020. Aggrieved by the penalty imposed by the disciplinary authority, Deputy Manager, Sr. Manager and Chief Manager preferred an appeal before the Appellate Authority, who, vide order dated 12.05.2023, exonerated all the aforementioned officials of the charges.

Outcome: Exoneration of the officials from charges is a major deviation from the Commission's advice.

Case - 3:

01 Manager, 01 Project Officer, 01 Staff Officer and 01 Area General Manager of Mahanadi Coalfield Ltd. along with other officials were found responsible for false reporting of production and shortage in detection of Over Burden Removal (OBR) check measurement in a particular area.

Advice: The Commission vide its office memorandum dated 18.04.2022 and 28.10.2022 tendered its Second Stage Advice for imposition of minor penalty against 01 Manager, 01 Project Officer, 01 Staff Officer and 01 Area General Manager.

Brief: During the mandatory quarterly and yearly measurement of over burden removal, shortages of coal beyond the stipulated limit as given in the revised yellow book, was observed in a particular area. Serious lapses and recklessness was observed, which included not maintaining records and reports properly. It resulted in loss to the organization and a concomitant gain to the explosive supplier. The Disciplinary Authority vide order dated 26.04.2022 and 14.12.2022 imposed minor penalty as advised by the Commission. Aggrieved with the penalty imposed by Disciplinary Authority, Manager, Project Officer, Staff Officer and Area General Manager preferred appeal before the Appellate Authority, who vide order dated 03.07.2023 exonerated all the four officials of the charges.

Outcome: Exoneration of the officials from charges by the Appellate Authority is a deviation from Commission's advice.

Case - 4:

One CMD and some other officials of Mahanadi Coalfields Ltd. (MCL) were found responsible for serious irregularities in award of a purchase contract.

Advice: The Commission, vide its office memorandum dated 22.08.2007 tendered its First Stage Advice of initiation of major penalty proceedings against the then CMD, MCL and some other officials involved in the case. Further, the Commission vide its office memorandum dated 18.06.2010 tendered its 2nd stage advice for imposition of suitable major penalty on the then CMD, MCL.

Brief: Some officials of MCL, including then CMD were found responsible for approval of faulty recommendations of tender committee for placing the same before the board and securing board's approval for placing a purchase order on a private firm at exorbitant price, involving huge

expenditure, causing undue gain to the private firm and a corresponding loss to the organization. The purchase order placed on the firm was not in conformity with the specifications given in the NIT. The disciplinary authority vide order dated 11.08.2014 imposed a major penalty on the CMD, MCL. Aggrieved with the penalty imposed by disciplinary authority, the then CMD, MCL preferred an appeal before the Appellate Authority, who vide order dated 07.11.2022 exonerated the official of the charges.

Outcome: Exoneration of the official from charges by the Appellate Authority is a major deviation from Commission's advice.

Case - 5:

Five Chief Managers of Central Coalfields Ltd. (CCL) were found responsible for gross irregularities in allotting land and granting permission to contractors without authority and causing undue gain to the contractor.

Advice: The Commission vide its office memorandum dated 10.10.2018 tendered its First Stage Advice for initiation of major penalty proceedings against all five officials of CCL. Vide office memorandum dated 30.03.2021, the Commission tendered its second stage advice for imposition of suitable major penalty on all the five officials of CCL.

Brief : In the outsourcing contracts awarded by CCL to certain private parties for coal transportation, land was allotted to them by the officials, going beyond their prescribed authority. Parties were also given NOC in an unauthorized manner, to install certain facilities, which gave undue financial benefits to the private parties. In accordance with the Commission's Second Stage Advice, the disciplinary authority vide its order dated 16.06.2021 and 06.07.2021 imposed a major penalty on each of the five officials. Aggrieved with the penalty imposed by the disciplinary authority, four out of five Chief Managers preferred appeal before the Appellate Authority, who vide order dated 23.09.2021, 01.04.2022 and 29.07.2022 exonerated all the four officials from the charges.

Outcome: Exoneration of the officials from charges by the Appellate Authority is a major deviation from the Commission's advice.

Case - 6:

Five officials, including one General Manager and two Chief Managers of Central Coalfields Ltd. (CCL) were found responsible for violation of procedures and indulging in malpractices in hiring of specialized vehicles.

Advice: The Commission vide its Office Memorandum dated 07.01.2022 tendered its first stage advice of initiation of major penalty proceedings against one Chief Manager and initiation of minor penalty proceedings against others including 02 General Managers and 02 Chief Managers.

Brief: Tenders for hiring of two classes of specialized vehicles were floated and awarded at higher rates to L-2 bidder. The tendering was done at estimated rates much higher than LAR of last tender. The contract awarded by including certain parameters which were not part of the NIT. The Disciplinary Authority vide order dated 18.03.2022, 13.10.2022 and 29.01.2022 imposed minor penalty against one GM and two Chief Managers in accordance with the advice tendered by the Commission. Aggrieved with the penalty imposed by Disciplinary Authority, the GM and both the Chief Managers preferred an appeal before the Appellate Authority, who vide order dated 22.09.2022 and 02.02.2023 exonerated all the three officials of the charges.

Outcome: Exoneration of the officials by the Appellate Authority is deviation from the Commission's advice.

Case - 7:

Officials of Mahanadi Coalfields Ltd. including one General Manager, one Senior Manager and one Assistant Manager were found responsible for irregularities during measurement of overburden removal (OBR) in a particular project.

Advice: The Commission vide its office memorandum dated 11.03.2021 tendered its First Stage Advice for initiation of major penalty proceedings against the responsible officials including one General Manager, one Senior Manager and one Assistant Manager. Later on, vide office memorandum dated 31.01.2023, the Commission tendered Second Stage Advice of imposition of suitable minor penalty against one General Manager, Senior Manager and Assistant Manager.

Brief: During the measurement of OBR in a project in Mahanadi Coalfield Ltd., variation in coal production was revealed on various occasions during the year 2017-2018, when verification of coal stock was done on the basis of revised yellow book, as approved by Coal India Ltd. Board. The Commission had initially advised initiation of major penalty proceedings and on conclusion of inquiry proceedings, the Commission vide its Office Memorandum dated 31.01.2023 advised imposition of suitable minor penalty on one General Manager, one Senior Manager and one Assistant Manager. However, the disciplinary authority, vide its order dated 30.03.2023 exonerated the General Manager, Senior Manager and Assistant Manager.

Outcome: Exoneration of the above-mentioned officials is a deviation from the Commission's advice.

Ministry of Power

Case – 1:

One Assistant General Manager (AGM) of a CPSE was found responsible for misuse of official vehicles on various occasions.

Advice: The Commission vide its office memorandum dated 28.04.2022 tendered its First Stage Advice for initiation of major penalty proceedings against the AGM.

Brief: On the basis of official records, it was established that the AGM was responsible for misuse of official vehicles for personal visit to different places and had made bogus entries in the relevant registers. On the basis of advice tendered by the Commission, major penalty

proceedings were initiated and on conclusion of the same, a major penalty was imposed by the disciplinary authority vide order dated 06.12.2022. Aggrieved with the penalty imposed by disciplinary authority, the AGM preferred an appeal before the Appellate Authority, who vide its order dated 11.07.2023 modified the major penalty to a minor penalty.

Outcome: Imposition of minor penalty on the official by the Appellate Authority is a deviation from Commission's advice.

Case - 2:

Five officials including one Deputy Chief Engineer, one Executive Engineer and one Engineering Assistant, Damodar Valley Corporation (DVC) were found responsible for processing and passing fake transport bills.

Advice: The Commission vide its office memorandum dated 14.06.2018 tendered its First Stage Advice of initiation of major penalty proceedings against all the five officials including Deputy Chief Engineer, Executive Engineer and Engineering Assistant.

Brief: On the basis of a complaint, relating to corrupt practices by officials of DVC in processing of bills, detailed investigation was conducted. During the investigation process, it was found that officials of DVC were engaged in corrupt practices in processing and passing of transport bills. On the basis of advice tendered by the Commission, major penalty proceedings were initiated and on conclusion of the same, major penalty was imposed by the disciplinary authority against all the officials vide order dated 10.11.2020. Aggrieved with the decision of Disciplinary Authority, all the five officials preferred an appeal before the Appellate Authority who turned down the same vide his order dated 13.07.2021. Subsequently, all the five officials filed revision petition before the DVC Board. The Board vide order dated 21.09.2022 modified the major penalty to minor penalty in respect of Deputy Chief Engineer, Executive Engineer and Engineering Assistant.

Outcome: Imposition of minor penalty on the officials by the Revising Authority is a deviation from Commission's advice.

Ministry of Steel

Case – 1:

Several officials of MECON, including one General Manager were found responsible for committing various irregularities in a tender for coal handling package relating to NTPC Limited.

Advice: The Commission vide its office memorandum dated 22.03.2021 had tendered its First Stage Advice of initiation of major penalty proceedings against the GM and other officials involved in the case.

Brief: The case pertains to irregularities in termination of contract for coal handling package of a project of NTPC, which resulted in encashment of bank guarantee of MECON Ltd., of a huge amount. Several serious flaws including falsification of records and inordinate delay were noticed in the procedures adopted for tendering process and execution of work. As advised by the Commission, major penalty proceedings were initiated against all the officials involved in the case, including the GM. Later on, after completion of the departmental inquiry, the Commission vide its office memorandum dated 14.10.2022 advised imposition of minor penalty as its second stage advice. The disciplinary authority vide its office memorandum dated 16.11.2022 imposed a minor penalty on the GM. Aggrieved with the penalty imposed by disciplinary authority, the GM preferred an appeal before the Appellate Authority, who vide its order dated 22.05.2023 exonerated the official from all the charges.

Outcome: Exoneration of the official is a deviation from the Commission's advice.

Case – 2:

One Regional Manager of Metal Scrap Trade Corporation (MSTC) was found responsible for various acts of omission and commission in award and execution of a contract for hiring of vehicles.

Advice: The Commission vide its office memorandum dated 18.06.2020 tendered its First Stage Advice for initiation for Major Penalty

Proceedings against the Regional Manager, which was reiterated vide its office memorandum dated 25.06.2020. In its Second Stage Advice, the Commission vide its office memorandum dated 31.08.2022 advised for imposition of major penalty against the Regional Manager.

Brief: During investigation, it was found that the Regional Manager, being the contract approving authority allowed serious irregularities in award and execution of a contract for hiring of vehicles by ignoring the issues raised by tender committee members and by relaxing the condition in favour of the private party, in violation of the clauses of NIT. After conclusion of inquiry proceedings, the Commission vide its office memorandum dated 31.08.2022 advised imposition of suitable major penalty on the Regional Manager. The Disciplinary Authority, by deviating from the Commission's advice, imposed a minor penalty vide his order dated 26.09.2022. As the Regional Manager had retired at the time of imposition of penalty, imposition of minor penalty had no impact.

Outcome: Imposition of minor penalty by the disciplinary authority after retirement of the official is a major deviation from Commission's advice.

Case - 3:

One General Manager, one Manager, two Deputy Managers and other officials of Orissa Minerals Development Company (OMDC) were found responsible for not taking action in a case of encroachment of OMDC's properties.

Advice: The Commission vide its office memorandum dated 02.8.2019 tendered its First Stage Advice for initiation of major penalty proceedings against one GM and two Deputy Managers and minor penalty proceedings against one Deputy Manager and two other officials. Later on, the Commission tendered its Second Stage Advice vide Office Memorandum dated Advice 11.4.2022 for imposition of major penalty against the GM, two Deputy Managers and imposition of Minor Penalty against one Deputy Manager.

Brief: No demarcation of the total land was made by OMDC, leaving it vulnerable to encroachments. Various properties belonging to OMDC were encroached by outsiders and illegal constructions were being made on these properties. No legal action or any other concrete steps were taken to stop illegal construction or to remove encroachment. Even the CAG report also pointed out that OMDC had spent crores of rupees on security but could not protect its land from encroachment. The Commission vide its office memorandum dated 11.04.2022 had tendered its Second Stage Advice and advised imposition of major penalty against the GM, two Dy Managers and minor penalty against one Dy. Manager. However, the disciplinary authority vide orders dated 02.06.2022 and 02.07.2022 awarded a minor penalty to the GM and one Dy. Manager and exonerated two other Dy. Managers from all the charges.

Outcome: Awarding of minor penalty to two officials and exoneration of two officials against the advice of Commission is a major deviation from Commission's advice.

National Fertilizer Limited

Case - 1:

One Director of National Fertilizer Limited (NFL), who was on deputation from Container Corporation of India (CCL), was found responsible for committing irregularities in appointment of wholesale dealers.

Advice: The Commission vide its office memorandum dated 23.06.2017 advised initiation of major penalty proceedings against the Director and later on, vide its office memorandum dated 22.12.2021, tendered its second stage advice for imposition of major penalty against him.

Brief: In a case relating to appointment of wholesale dealers at NFL, violation of laid down procedures by the Director was observed. The Commission had advised imposition of major penalty on Director, NFL,

but the disciplinary authority from CCL vide his order dated 17.08.2023, exonerated the Director from all the charges.

Outcome: Exoneration of the official is a major deviation from the Commission's advice.

Delhi Jal Board

Case - 1:

Some officials of Delhi Jal Board (DJB) including one Junior Engineer (JE) were found responsible for irregularities in execution of contracts resulting in acceptance of sub-standard work and causing loss to the organization.

Advice: The Commission vide its office memorandum dated 03.07.2019 tendered First Stage Advice for initiation of major penalty proceedings against one Junior Engineer in addition to advising action against other officials.

Brief: It was noticed that during execution of certain works irregularities like acceptance of incomplete / sub-standard work, booking of extra material, overpayment and bogus payment to the contractor had taken place, which caused huge monetary loss to the government exchequer. The Commission had tendered first stage advice for initiation of major penalty proceedings against the JE and the disciplinary authority vide its order dated 27.06.2022 imposed a major penalty on the JE. Aggrieved by the penalty imposed by the disciplinary authority, the Junior Engineer preferred an appeal before the Appellate Authority, who vide his order dated 24.01.2023 reiterated the order of the disciplinary authority. The JE preferred a revision petition before Revisionary Authority, who vide its order dated 03.07.2023 modified the major penalty into minor penalty.

Outcome: Imposition of minor penalty by the Revisionary Authority is a deviation from Commission's advice.

Government of National Capital Territory of Delhi

Case - 1:

Officials of Government of the National Capital Territory of Delhi (GNCTD) including an Administrative Officer were found responsible for irregularities in award of tender for engagement of manpower.

Advice: The Commission vide its office memorandum dated 09.08.2021 tendered its First Stage Advice for initiation of major penalty proceedings against the Administrative Officer in addition to advising action against other officials. Commission's advice was reiterated vide Office Memorandum dated 17.02.2023.

Brief: Gross misconduct was observed in award of contract to a private firm for engagement of manpower, by violating the guidelines issued by Department of Expenditure and the Central Vigilance Commission. The tender was awarded to a private firm without obtaining approval of the competent authority and by ignoring the fact that the firm did not have the required licenses. The Commission had advised initiation of major penalty proceedings against Administrative Officer and other officials involved in the case, which was also reiterated. The disciplinary authority vide its order dated 06.07.2023 dropped the article of charges served upon the Administrative Officer.

Outcome: Dropping of charges by the disciplinary authority is a major deviation from the Commission's advice.

NBCC (India) Limited

Case - 1:

8 officials of NBCC (India) Ltd. including two Chief General Manager (CGM), one General Manager (GM), one Dy. Project Manager, one Project Manager and one Manager were found responsible for irregularities in construction work.

Advice: The Commission vide its office memorandum dated 09.09.2021 tendered its First Stage Advice for initiation of major penalty

proceedings against 8 officials including two CGMs, one GM, one Dy. Project Manager, one Project Manager and one Manager, in addition to other officials. The Commission's advice was reiterated vide office memorandum dated 01.04.2022.

Brief: During the intensive examination of a construction work, Chief Technical Examiner Organisation (CTEO) of the Commission observed certain serious irregularities in a construction work carried out by NBCC. After detailed investigation, the Commission tendered advice for initiation of major penalty proceedings against all the officials involved in the case, which was reiterated by the Commission. Disciplinary Authority vide order dated 03.11.2022 and 13.12.2022 imposed minor penalty on Project Manager and Manager. In addition, the disciplinary authority vide order dated 26.09.2022 issued Caution Memorandum to one Chief General Manager and decided to take no action against one Chief General Manager, one General Manager and one Dy. Project Manager.

Outcome: Reduction of penalty and no action against other officials by the Disciplinary Authority is a major deviation from the Commission's Advice.

Case – 2:

The General Manager was found responsible for irregularities and overpayment in construction of a building.

Advice: The Commission vide its office memorandum dated 16.08.2021 tendered its First Stage Advice for initiation of major penalty proceedings against GM, which was reiterated vide Office Memorandum dated 25.11.2021.

Brief: It was observed that some serious irregularities, including overpayment to the contractor had taken place in the construction of an office building. Noticing the irregularities, the Commission had advised initiation of major penalty proceedings against the GM. Disciplinary Authority diluted the penalty and vide order dated 18.04.2022, issued a caution memorandum to the GM with the advice to be more careful in future.

Outcome: Issuance of caution against the Commission's advice is a major deviation.

OTHER AREAS OF CONCERN

Expeditious Disposal of Complaints

- 4.3 The Commission considers it imperative that complaints of any malpractices / irregularities are examined expeditiously by the authorities concerned. Some delays have been noticed at various levels of processing of the complaints along with the level at which decisions are to be taken by the competent authorities. The Commission's constant endeavour is to sensitize the organizations about the importance of timely and efficient handling of complaints.

Non-Observance of Laid Down Procedure in Vigilance Cases

- 4.4 While examining cases received for advice, it has been noted that on some occasions the laid down procedures is not followed. It includes failure on part of the disciplinary authority to consult the Commission and / or DoPT, delays in seeking advice and lack of knowledge of rules / regulations in disciplinary proceedings. An illustrative list of such lapses is as under:
- (i) In some cases, the DoPT is not approached for resolution of difference of opinion between the Commission and the Disciplinary Authority, in case of officials for whom the appointing authority is the President.
 - (ii) It has also been noted that in some cases the Disciplinary Authority issued Caution after conclusion of departmental inquiry. As per extant instructions, either the charges are to be dropped or one of the statutory penalties is to be imposed on conclusion of the departmental inquiry.

Delays in Disciplinary Proceedings

- 4.5 The Commission has been impressing upon the organisations about the need for prompt action in vigilance related matters. The Commission emphasizes on expeditious investigation into complaints to determine the accountability for any improper conduct and finalisation of disciplinary proceedings within the prescribed time-schedule. These factors not only contribute to the efficiency

of the organisations but also send a message to the erring officials that any inappropriate action or misconduct on their part would not go unpunished.

- 4.6 The Commission while tendering its FSA also gives timeline for further action which has produced positive result. However, in some of the cases delay has been observed due to the factors mentioned below:
- (i) Some organizations while approaching the Commission for advice do not furnish the proposal in the prescribed format and complete records / documents are not provided.
 - (ii) In some cases, specific recommendations of the Disciplinary Authority are not forwarded while seeking advice of the Commission, thus causing avoidable delay.
 - (iii) In some cases, the administrative authorities are not adhering to the time-schedules prescribed for completion of disciplinary proceedings.
- 4.7 Some organisations take more than the prescribed time for implementation of Commission's advice which includes delay in issuance of charge sheet. Sometimes, the delinquent officer retires in the meantime, and the misconduct becomes time barred for initiation of departmental action.
- 4.8 It has been observed that in some cases after the issuance of final orders, the authorities concerned did not ensure implementation of the penalty orders.



Intensive Examination of Flyover Project during December, 2023 by CTE Team



Intensive Examination of Hydropower project during November, 2023 by CTE Team



Intensive Examination of Metro Rail projects during December, 2023 by CTE Team

CHAPTER 5

CHIEF TECHNICAL EXAMINERS' ORGANISATION

BACKGROUND

- 5.1 The Chief Technical Examiners' Organisation (CTEO) was established in the year 1957 under the erstwhile Ministry of Works, Housing and Supply, which is today known as Ministry of Housing and Urban Affairs. The mandate of CTEO was to conduct technical audit of works undertaken by the Central Public Works Department (CPWD), with the objective of achieving economy in expenditure and better technical and financial control.
- 5.2 The Committee on 'Prevention of Corruption', known as Santhanam Committee, while appreciating the contribution of CTEO, recommended for strengthening it so as to make it more effective. It also recommended enlarging the jurisdiction of CTEO to cover construction works undertaken by other Ministries / Departments and to place it under administrative control of the Central Vigilance Commission. On acceptance of these recommendations by the Government, CTEO was placed under the administrative control of the Commission in the year 1964.
- 5.3 The CTEO initially undertook intensive examination of selected civil and electrical construction works only. Subsequently, with the increasing expenditure on purchase of goods, services etc., CTEO began conducting intensive examination of supply and service contracts as well. At present, CTEO conducts intensive examinations of all contractual activities of the Central Government, Central Public Sector Undertakings, Public Sector Banks and other Central Government organizations. The scope of its examination includes execution of works, purchase of goods, hiring of services, etc. which are mainly funded by the Central Government.
- 5.4 The CTEO is headed by two Chief Technical Examiners (CTEs). One of them is responsible for examination of civil / horticulture related procurement cases and matters and the other one for all other types of procurement contracts viz., supply contracts, electrical / mechanical contracts, IT procurements,

consultancy and service contracts, transport contracts etc. and related matters. The CTEs are assisted by a team of Technical Examiners (TEs), Assistant Technical Examiners (ATEs) and Junior Technical Examiners (JTEs).

- 5.5 The main functions of CTEO include technical and financial scrutiny of various procurement cases of the different organisations to provide its opinion to the Commission on policy matters related to public procurement and matters referred to the Commission for its advice by the Ministries, Departments of the Government of India and other organisations covered under the jurisdiction of the Commission. As part of preventive vigilance and system improvement, CTEs / TEs participate in workshops and seminars on issues related to public procurement.

INTENSIVE EXAMINATION OF PROCUREMENT CASES

- 5.6 The selection of cases for intensive examination is primarily based on the Quarterly Progress Reports (QPRs) submitted by the Chief Vigilance Officers (CVOs) of respective organisations, as also complaints received from various sources. Intensive examination is also done on the basis of the criticality, nature and the time and cost overrun involved in the procurement cases reported. The CVOs are required to furnish every quarter, details pertaining to different type of procurement cases, completed or on-going, with a contract value above the prescribed threshold values. As per extant instructions, the threshold values are Rs. 5.0 crore and above for civil and turnkey works, supply contracts, Public Private Partnerships, sale of scrap and land etc., Rs. 1.0 crore and above for electrical, mechanical works, maintenance and service contracts, manpower supply and consultancy contracts, Rs. 50 lakh and above for medical equipment, Rs. 10 lakh and above for horticulture works and four largest value contracts for supply of medicines. During 2023, 390 organisations submitted their QPRs. At times, intensive examination is also undertaken based on complaint alleging specific misconduct / irregularities.
- 5.7 During the year 2023, CTEO undertook intensive examinations of 80 procurement cases, covering 64 organisations. The value of these procurement cases was over Rs. 29,574.36 crore as given in the following table:-

Table –5.1 Intensive examinations conducted by CTEO during the year 2023.

Organization	No. of Organisations	No. of Intensive Examinations
Government Departments	15	17
Autonomous Bodies	03	03
Public Sector Undertakings	46	60
Total	64	80

5.8 Some of the organizations where intensive examinations were undertaken in the year 2023, are Ministry of Road Transport and Highways (MoRTH), Central Public Works Department (CPWD), Border Roads Organization (BRO), Deptt. of Space, Northern Railway (NR), National Highways Authority of India (NHAI), National Highways and Infrastructure Development Corporation Limited (NHIDCL), National Buildings Construction Corporation India Ltd (NBCC), Delhi Metro Rail Corporation Limited (DMRC), Airports Authority of India (AAI), Western Coalfields Ltd (WCL), Employees State Insurance Corporation (ESIC), National Thermal Power Corporation (NTPC), Power Grid Corporation India Ltd (PGCIL), Satluj Jal Vidyut Nigam Ltd (SJVN), Indian Railway Catering and Tourism Corporation (IRCTC), Goa Shipyard Ltd (GSL), Indian Oil Corporation Ltd. (IOCL), Nuclear Power Corporation of India Ltd. (NPCIL), Oil India Limited (OIL), Mangalore Refinery and Petrochemicals Limited (MRPL), Artificial Limbs Manufacturing Corporation of India (ALIMCO), All India Institute of Medical Sciences, New Delhi (AIIMS), Hindustan Antibiotics Limited (HAL), Delhi Development Authority (DDA), State Bank of India (SBI), India Post Payments Bank (IPPB) etc.

5.9 On completion of intensive examination of the selected procurement cases, the CTEO prepares the examination report. Deviations, if any, from the General Financial Rules, policies of Government of India, prescribed guidelines as well from the procurement manual of the organisations are brought to the notice of the concerned procurement agency. In addition, issues related to transparency, efficiency, fair and equal treatment of bidders, over-payments, deficiencies in quality, time and cost overruns, tax avoidance, non-compliance of statutory and other norms, etc. are included in the report. Some of the important irregularities observed during the intensive examinations carried out during 2023 are at Appendix VI.

- 5.10 Intensive examination reports, after approval of CTE are forwarded to the CVO of the organisation for obtaining comments / action taken report from Management/officials concerned in respect of the observations raised in the report. Cases of irregularities, with perceived vigilance angle, are referred to the CVOs for detailed vigilance investigation and for fixing of responsibility. 05 such cases were referred to the CVOs during the year. The action taken on the observations made in the intensive examination report resulted in a large number of systemic improvements, besides punitive action against erring officials. Recovery of Rs. 124.30 crore was also effected by the organisations concerned from the contractors / suppliers / service providers, based on the observations in intensive examination report. Some of the cases, which were referred to CVOs of the organizations for detailed vigilance investigations during 2023, are listed at Appendix VII.
- 5.11 As a result of observations made by CTEO during the course of intensive examinations, a number of systemic improvements were initiated by respective organisations. These systemic improvements were on issues like proper scrutiny of the estimates submitted by the consultants and approval of the same by the Competent Authority, publishing of tenders on CPP portal, rationalisation of the eligibility criteria, ensuring rate reasonability by working out realistic estimates, payment to sub-contractors/sub-vendors, penalties for late/non-submission of PBG in tender documents, appropriately defining the procurement as Works or Goods or Services and ensuring related compliances, etc. Some of the significant systemic improvements are listed at Appendix VIII.

CTE TYPE INTENSIVE EXAMINATION BY CVOs

- 5.12 The Commission decided that intensive examinations, similar to those being carried out by CTEO, be also carried out by the CVOs, in their respective organisations. CVOs carry out intensive examination of some selected procurement contracts, broadly representing spectrum of the core activities of the organisation and report the outcome to the Commission. As reported by the CVOs of 297 organisations, 1833 CTE type examination of procurement activities were conducted during the year 2023, leading to recovery of Rs.1271.27 lakh, 319 vigilance cases and 2402 systemic improvements.

EXAMINATION OF VIGILANCE CASES

5.13 While examining vigilance cases, various branches of the Commission, as and when required, refer issues related to procurement / technical aspects to CTEO for inputs and advice. During the year, CTEO furnished advice in 238 vigilance / complaint cases referred to it.

IMPORTANT INITIATIVES TAKEN BY THE CTEO

5.14 Under the guidance of the Commission, CTEO during the year 2023, in continuation of the efforts towards emphasis on preventive vigilance, provided technical inputs to various organisations towards capacity building and sensitizing officials about various aspects of vigilance; especially, areas pertaining to tenders and contracting, estimation of rates, legal aspects in contracting etc. were covered in training programs and seminars organized by various organizations during the year.



Walkathon by Employees of UCO Bank on the occasion of VAW 2023



Integrity Pledge by School Students on VAW 2023



Integrity Club of Students of Miranda House, Delhi University

CHAPTER 6

SUPERINTENDENCE OVER CENTRAL BUREAU OF INVESTIGATION

INTRODUCTION

- 6.1 The Central Bureau of Investigation (CBI) is the premier investigating police agency of the country. It is also the country's nodal agency to coordinate investigation on behalf of Interpol Member countries.
- 6.2 A Central Government Police Force, by the name of Special Police Establishment (SPE) was set up by an executive order of the Government of India in 1941, in the early stages of World War-II, with the purpose of conducting investigation in cases of bribery and corruption in transactions with which War and Supply Department of the Government of India was concerned. After the war, a need was felt to have a permanent Central Government Agency, which could be mandated to investigate corruption related matters in respect of Central Government employees. To address this issue, Delhi Special Police Establishment Act, 1946 was passed, through which the scope of SPE was extended to cover all departments of Government of India. Later on, its jurisdiction was extended over all Union Territories and also States, with their prior consent.
- 6.3 After independence, in the year 1962, the Government of India had setup a Committee on 'Prevention of Corruption', which is popularly known as Santhanam Committee. The committee in its recommendations dated 17.11.1962, advised the Government to give additional responsibilities to SPE. As a consequence of that, the Government of India notified a Resolution dated 01.04.1963, giving the agency a new name, Central Bureau of Investigation and expanding its scope. Initially, CBI's role covered corruption related issues by Central Government employees. Later on, employees of Central Public Sector Enterprises, Public Sector Banks and other organisations were also brought within ambit of CBI.
- 6.4 CBI's reputation as a competent investigating agency has led to increased demand to take up investigation of cases of diversified nature. The Hon'ble Supreme Court of India and Hon'ble High Courts have also started entrusting

cases to CBI for investigation. With the increase in scope of work, in 1987, it was decided to constitute two investigation divisions in CBI i.e. (i) Anti-Corruption Division; and (ii) Special Crimes Division. The Special Crimes Division was given the responsibility of dealing with cases of conventional crime and economic offences. A separate Banking Fraud and Securities Cell was also created in the wake of securities scam of 1992. In 1994, CBI's work was further reorganised into three divisions, namely Anti-Corruption, Economic Crimes and Special Crimes.

SUPERINTENDENCE OF CVC OVER CBI

6.5 The Hon'ble Supreme Court, in its order dated 18-12-1997 in Criminal Writ Petition Nos 340-343/93 in the matter of Vineet Narain and others v/s Union of India case envisioned greater autonomy and objectivity for CBI. In pursuance of the orders of the Hon'ble Supreme Court, the Central Vigilance Commission (CVC) Act, 2003 was enacted which statutorily mandated CVC to exercise superintendence over the functioning of CBI in respect of investigations of offences under the provisions of Prevention of Corruption Act, 1988, by the agency.

6.6 Section 8(1) of the CVC Act, 2003, defines that the functions and powers of CVC in respect of CBI shall be to:

- (a) exercise superintendence over the functioning of the Delhi Special Police Establishment in so far as it relates to the investigation of offences alleged to have been committed under the Prevention of Corruption Act, 1988 or an offence with which a public servant specified in sub-section (2) may, under the Code of Criminal Procedure, 1973, be charged at the same trial; [Section 8(1)(a) of CVC Act, 2003].
- (b) give directions to the Delhi Special Police Establishment for the purpose of discharging the responsibility entrusted to it under sub-section (1) of section 4 of the Delhi Special Police Establishment Act, 1946:

Provided that while exercising the powers of superintendence under clause (a) or giving directions under this clause, the Commission shall

not exercise powers in such a manner so as to require the Delhi Special Police Establishment to investigate or dispose of any case in a particular manner; [Section 8(1)(b) of CVC Act, 2003].

- (c) review the progress of investigations conducted by the Delhi Special Police Establishment into offences alleged to have been committed under the Prevention of Corruption Act, 1988 or the public servant may, under the Code of Criminal Procedure, 1973, be charged at the same trial. [Section 8(1)(e) of CVC Act, 2003].

6.7 Similarly, Section 4 of Delhi Special Police Establishment Act, 1946 was also amended w.e.f. 01.09.2003. The amended section 4 reads as follows:

“4. Superintendence and administration of Special Police Establishment.

- (1) The superintendence of the Delhi Special Police Establishment in so far as it relates to investigation of offences alleged to have been committed under the Prevention of Corruption Act, 1988 (49 of 1988), shall vest in the Commission.
- (2) Save as otherwise provided in sub-section (1), the superintendence of the said police establishment in all other matters shall vest in the Central Government.”

6.8 In order to comply with the statutory requirement of exercising superintendence over the functioning of CBI, the Commission undertakes the following functions:

- i) Monthly review meetings with the Director, CBI to discuss progress of cases under investigation / inquiry, reasons for delay, if any, status of pending prosecution sanctions, etc.;
- ii) To forward complaints for enquiry, inquiry or investigation, if deemed necessary;
- iii) To issue directions for investigation and report in exercise of powers under Section 8(1) (d) of CVC Act, 2003;
- iv) To examine the reports of investigation received from CBI about misconducts committed by officers covered under the jurisdiction of

the Commission and to advise the Competent Authorities for initiation of disciplinary proceedings and / or grant of sanction for prosecution;

- v) To review progress of sanction for prosecution pending with the competent authorities and to get decisions expedited;
- vi) To call for reports / returns, as may be required;
- vii) To recommend officers for appointment to posts of the level of SP and above in CBI (except Director) and also extension or curtailment of tenure of such officers. [Section 26 of CVC Act, 2003]
- viii) Recommending appointment to the post of Director of Prosecution [under Section 4BA of DSPE Act, 1946].

CBI'S ACTIVITIES

6.9 CBI sends monthly report of its activities to the Commission about corruption related cases registered, their disposal and cases pending for trial. A gist of CBI activities during the year 2023 is given below:-

Table 6.1: Registration of Cases

Year	Total Cases	Regular Cases	Preliminary Inquiries
2023	876	768	108

6.10 As stated in the above table, during the year 2023, 876 Regular Cases / Preliminary Enquiries were registered by CBI. 198 Traps were laid for detection of bribery cases during 2023 and 37 cases for possession of disproportionate assets were registered during the year. Out of 876 cases, 91 cases were taken up on the orders of the Constitutional Courts and 84 cases were initiated on references received from State Governments / Union Territories.

Investigation

Table 6.2: Pendency

Year	Cases pending (Both Regular Cases and Preliminary Enquiries)
End of 2022	1025
End of 2023	1028

6.11 During the year 2023, CBI completed investigation in 873 cases, which comprised of 755 Regular cases (RCs) and 118 Preliminary Enquiries (PEs). At the end of year 2023, a total of 1028 cases were pending, out of which 956 were regular cases, in addition to 72 preliminary inquiries. 510 regular cases were pending for more than one year and 58 preliminary enquiries were pending for more than 3 months, at the end of 2023.

Trial and Conviction (Including Non-PC Act Cases)

Table 6.3: Trial and Conviction

In 636 No. of court cases judgement was received in the year 2023	Resulting in Conviction : 411
	Resulting in acquittal : 140
	Resulting in Discharge : 24
	Disposed off for other reasons : 61

6.12 During the year 2023, the conviction rate was 71.47% against the rate of 74.59% for the year 2022. At the end of the year 2023, 10,959 court cases were pending under trial in various courts.

Cases dealt with under PC Act, 1988 during the Year 2023

6.13 A gist of cases dealt by the Central Bureau of Investigation under PC Act, 1988 during the year 2023 is as under:-

Table 6.4: Cases Dealt Under PC Act, 1988 during 2023

Sl. No.	Particulars	Cases
1	No. of cases registered	552
	No. of Public Servants involved in these cases	674
	No. of Gazetted Officers involved in these cases	195
2.	Disposal investigation	588
	Departmental Action as well as Prosecution	61
	Prosecution only	457
	Departmental action only	05
	Such Action as deemed fit	00
	Closed	62
	Otherwise disposed off	03
3 (a)	Disposal from Trial (Court Case wise)	430
	Conviction	280
	Acquittal	105
	Discharge	14
	Otherwise disposed off	31
3(b)	Break-up of No. of Public Servants and Private Persons involved in cases disposed of from trial	1704
	Conviction	682
	Acquittal	547
	Discharge	96
	Otherwise disposed off	379
4	Total no. of cases under investigation (as on 31.12.2023)	658
5	No. of pending Trials (Court Case wise)	6903

6.14 It is expected of CBI to complete investigation within one year of registration of case. Completion of investigation would imply filing of charge sheet in a court of law wherever warranted, after receipt of sanction from the competent authority, if required. Some delay has been observed in completion of investigation in certain cases. The reasons for delay in completion of investigation includes:

- a) delay due to excessive work,
- b) inadequate manpower,

- c) delay in obtaining responses to Letters Rogatory (LRs),
- d) time consumed in verification of documents / title deeds, etc., in disproportionate asset cases,
- e) delay in providing forensic reports by the forensic laboratories and reports by other experts,
- f) delay in granting prosecution sanction by the competent authorities, etc.,
- g) delay in providing of relevant records / documents by the authorities concerned,
- h) time consuming efforts required for scrutiny of voluminous records, especially in economic offences and bank fraud cases, and
- i) time and efforts required to locate and examine witnesses available at remote locations.

Table 6.5: PC Act, 1988 Cases Pending Investigation as on 31.12.2023

Length of pendency	As on 31.12.2023
Less than one year	286
More than one year but less than 2 years	175
More than 2 year but less than 3 years	75
More than 3 year but less than 5 years	74
More than 5 years	48
Total	658

Disposal of Cases Under Trial Before Courts

6.15 It was noted that, 6,903 number of cases were pending for trials as on 31.12.2023. It is a matter of concern that 2461 cases were pending for more than 10 years at the end of 2023.

Table 6.6: PC Act, 1988 Cases and Pending Trial as on 31.12.2023

Length of Pendency	As on 31.12.2023
Less than 3 years	1379
More than 3 years and upto 5 years	875
More than 5 years and upto 10 years	2188
More than 10 years and upto 20 years	2100
More than 20 years	361
Total	6903

Table 6.7: Appeals and Revision Pending as on 31.12.2023 in Various Courts, in respect of PC Act, 1988 Cases

	High Court		Supreme Court		Total
	Filed by CBI	Filed by Accused	Filed by CBI	Filed by Accused	
Appeal	776	10237	190	399	11602
Revision	430	741	00	00	1171
Total	1206	10978	190	399	12773

Table 6.8: Age Wise Analysis of Pending Appeals and Revisions

AGE	High Court		Supreme Court		TOTAL
	APPEALS	REVISIONS	APPEALS	REVISIONS	
	PC ACT 1988	PC ACT 1988	PC ACT 1988	PC ACT 1988	
Less than 2 years	1827	471	256	00	2554
More than 2 years but less than 5 years	1762	286	124	00	2172
More than 5 years but less than 10 years	3433	271	146	00	3850

More than 10 years but less than 15 years	2392	109	57	00	2558
More than 15 years but less than 20 years	1109	23	06	00	1138
More than 20 years	490	11	00	00	501
Total	11013	1171	589	00	12773

PREVIOUS SANCTION FOR PROSECUTION AGAINST CENTRAL GOVERNMENT EMPLOYEES

- 6.16 Section 19 (1) of Prevention of Corruption Act, 1988 (as amended in 2018) provides that no court shall take cognizance of an offence punishable under Sections 7, 11, 13 and 15 of PC Act, alleged to have been committed by a public servant, who is employed or as the case may be, was at the time of commission of the alleged offence, employed in connection with the affairs of the Union / State, except with the previous sanction of Central Govt. / State Govt. / the authority competent to remove him from his office.
- 6.17 The amended provision also stipulates that no request can be made, by a person other than a police officer or an officer of an investigation agency or other law enforcement authority, to the appropriate Government or competent authority, as the case may be, for the previous sanction of such Government or authority for taking cognizance by the court of any of the offences specified, unless – (i) such person has filed a complaint in a competent court about the alleged offences for which the public servant is sought to be prosecuted; and (ii) the court has not dismissed the complaint under Section 203 of the CrPC and directed the complainant to obtain the sanction for prosecution against the public servant for further proceeding.
- 6.18 Further, it has also been specified that in case of request from the person other than a police officer or an officer of an investigation agency or other law enforcement authority, the appropriate Government or competent authority shall not accord sanction to prosecute a public servant without providing an opportunity of being heard to the concerned public servant.

- 6.19 On receipt of a request for grant of previous sanction for prosecution under Section 19(1) of Prevention of Corruption Act, 1988 from CBI or other investigating agency and while processing such requests, all the Ministries / Departments / Organisations need to take decisions expeditiously and in accordance with the guidelines issued by the Commission vide its circular Nos. 31/05/05 dated 12.05.2005, 07/03/12 dated 28.03.2012 and 08/05/15 dated 25.05.2015. The amended PC Act, 1988 also provides that the appropriate Government or any competent authority shall, after the receipt of the proposal requiring sanction for prosecution of a public servant endeavour to convey the decision on such proposal within a period of 3 months from the date of its receipt.
- 6.20 In case where, for the purpose of grant of sanction of prosecution, consultation is required with the Attorney General or any Law Officer in the Attorney General's office, the period may be extended by further one month, for reasons to be recorded in writing. The Commission, in terms of its mandate under Section 8(1)(f) of the CVC Act, 2003, has issued directions that all administrative authorities should methodically follow the guidelines while considering and deciding requests for sanction for prosecution from the investigating agency.
- 6.21 The Commission reviews the progress of cases pending with respective authorities for sanction for prosecution under PC Act, 1988. CBI reported that at the end of the year 2023, a total of 201 cases were pending for grant of prosecution sanction under PC Act, 1988, which belong to 51 different organisations. In these cases pending with various organisations, 543 requests have been made for granting prosecution sanction, as some of the cases involved more than one accused person.

Table 6.9: Ministry-wise PC Act Cases Pending for Prosecution Sanction as on December 31, 2023

Ministry	Total Cases	Total Requests (Persons)	Pending for more than 3 months as on 31.12.2023	
			Total cases	Total Requests
COMPTROLLER AND AUDITOR GENERAL	2	2	2	2
MINISTRY OF LABOUR AND EMPLOYMENT	4	12	0	0

Ministry	Total Cases	Total Requests (Persons)	Pending for more than 3 months as on 31.12.2023	
			Total cases	Total Requests
MINISTRY OF CIVIL AVIATION	1	4	0	0
MINISTRY OF COAL AND MINES	1	1	1	1
MINISTRY OF COMM. AND IT (DEPTT. OF POSTS)	2	5	0	0
MINISTRY OF COMM. AND IT (DEPTT. OF TELECOMM.)	3	3	2	2
MINISTRY OF COMMERCE AND INDUSTRY	1	1	0	0
MINISTRY OF CORPORATE AFFAIRS	5	7	3	3
MINISTRY OF CULTURE	1	1	0	0
MINISTRY OF DEFENCE	19	38	7	14
MINISTRY OF EDUCATION	6	19	1	1
MINISTRY OF ENVIRONMENT AND FORESTS	1	1	1	1
MINISTRY OF EXTERNAL AFFAIRS	1	9	0	0
MINISTRY OF FINANCE (CUSTOM AND CENTRAL EXCISE)	11	15	4	4
MINISTRY OF FINANCE (DEPT. OF REVENUE)	4	4	4	4
MINISTRY OF FINANCE (DEPTT.OF ECONOMIC AFFAIRS)	2	5	2	5
MINISTRY OF FINANCE (DEPTT.OF FINANCIAL SERVICES)	53	161	12	63
MINISTRY OF FINANCE (INCOME TAX)	5	12	3	10
MINISTRY OF FOOD AND SUPPLY	2	11	1	10
MINISTRY OF HEALTH AND FAMILY WELFARE	3	7	0	0
MINISTRY OF HEAVY INDUSTRIES	1	1	0	0
MINISTRY OF HOME AFFAIRS	5	5	2	2
MINISTRY OF HOUSING AND URBAN AFFAIRS	4	6	2	3
MINISTRY OF LAW AND JUSTICE	2	3	1	2
MINISTRY OF MINORITY AFFAIRS	1	1	1	1
MINISTRY OF PERSONNEL PUBLIC GR. AND PENSIONS	7	10	3	5
MINISTRY OF RAILWAYS	13	25	1	1

Ministry	Total Cases	Total Requests (Persons)	Pending for more than 3 months as on 31.12.2023	
			Total cases	Total Requests
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS	3	3	0	0
MINISTRY OF SCIENCE AND TECHNOLOGY	2	2	0	0
MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS	1	1	0	0
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT	1	1	0	0
MINISTRY OF STEEL	2	2	0	0
MINISTRY OF TEXTILES	1	2	0	0
UNION TERRITORIES	2	3	1	1
LOK SABHA	1	4	1	4
GOVT. OF ARUNACHAL PRADESH	1	2	0	0
GOVT.OF ASSAM	1	1	0	0
GOVT.OF BIHAR	2	2	2	2
GOVT.OF GUJRAT	1	1	0	0
GOVT.OF HARYANA	1	2	0	0
GOVT.OF HIMACHAL PRADESH	1	6	0	0
GOVT.OF JAMMU AND KASHMIR	4	19	3	10
GOVT.OF JHARKHAND	2	4	2	4
GOVT.OF MADHYA PRADESH	1	1	0	0
GOVT.OF MAHARASHTRA	3	41	3	41
GOVT.OF MANIPUR	1	8	0	0
GOVT.OF NAGALAND	1	4	1	4
GOVT. OF PUNJAB	4	6	3	5
GOVT.OF TAMILNADU	2	3	1	2
GOVT. OF UTTAR PRADESH	10	31	7	17
GOVT. OF WEST BENGAL	4	25	4	25
TOTAL	212 *	543	81 **	249
* However, a total of 201 cases are pending for prosecution sanction, as 11 cases are common to more than one Ministry/State Govt etc.				
** However, a total of 76 cases are pending for prosecution sanction, as 05 cases are common to more than one Ministry/State Govt etc.				

- 6.22 The Commission regularly reminds the authorities concerned in the Central Govt. Departments and organisations to expedite decision in cases pending for sanction for prosecution beyond the mandatory time limit given in PC Act, 1988.
- 6.23 The Commission has also emphasized on the need for the competent authorities to decide upon the grant or denial of prosecution sanction by issue of appropriately worded speaking orders. In case of difference of opinion between the competent authorities in the Ministries / Departments / Organizations and CBI / other investigating agencies, where the latter have, after investigation sought sanction for prosecution of public servants, the Commission resolves such matters of difference of opinion on the basis of available documents / materials and after taking into consideration, the tentative views of the competent authorities of the concerned Ministries / Departments / Organizations concerned, in accordance with Commission's Circular No. 05/03/15 dated 16.04.2015.
- 6.24 The Commission has also taken note of that as on 31.12.2023, 117 references involving 259 officers were pending with different organisations for previous approval sought by CBI under Section 17 A of the PC Act, 1988 (as amended in 2018), for conducting investigation. The Commission, on its part advises the authorities concerned on regular basis, for prompt disposal of requests for conducting investigation, as received by them from CBI.

PENDING CASES AGAINST OFFICERS / OFFICIALS OF CBI

- 6.25 Pendency of cases against CBI officers reflects on the reputation and image of the country's premier investigation agency. As on 31.12.2023, 54 departmental cases against Group 'A' officers and 28 cases against Group 'B' and 'C' officials of CBI were pending at various stages.

Table 6.10 : Departmental Action Against CBI Personnel - Group A

Total pending	Less than 1 year	Between 1 year to 2 years	Between 2 years to 3 years	Between 3 years to 4 years	More than 4 years
54	09	08	08	04	25

Table 6.11 : Breakup of the total pending cases

Status	Cases
Enquiry in progress at various stages	51
Pending with DoPT for final orders	03
Total	54

Table 6.12 : Departmental Action Against CBI Personnel - Group B and C

Total pending	Less than 1 year	Between 1 year to 2 years	Between 2 years to 3 years	Between 3 years to 4 years	More than 4 years
28	14	4	1	2	7

Table 6.13 : Breakup of the total pending cases :

Status	Cases
Enquiry in progress at various stages	28
Pending with DoPT for final orders	0
Total	28

MANPOWER

6.26 The total sanctioned strength of CBI as on December 31, 2023 was 7295, against which 5685 officials were in positions. 1610 posts were lying vacant. The details of vacancy position are given in Table 6.14

Table 6.14: Overall Vacancy Position of CBI as on 31.12.2023

Designation of posts	Sanctioned Strength	Actual Strength	Vacancy
Executive Ranks	5045	4005	1040
Law Officers	377	293	84
Technical Officers	119	66	53
Ministerial Staff	1693	1305	388
Canteen Staff	61	16	45
GRAND TOTAL	7295	5685	1610

MONTHLY REVIEW MEETINGS WITH DIRECTOR CBI AND REVIEW OF SPECIFIC CASES

- 6.27 The Commission holds monthly meeting with Director, CBI to review the progress and pendency of cases registered under PC Act, 1988, which are under investigation and / or under trial. The reasons for delay in investigations / inquiry are discussed and the expected date for completion of investigation / inquiry is also confirmed from CBI authorities. Sanction for prosecution requests made under PC Act, 1988 and pending for decision of the competent authorities are also reviewed. Subsequently, the Commission takes up the issue with authorities concerned for expediting decision within the stipulated time limit, as per directions of Hon'ble Supreme Court and as given in the PC Act, 1988 (as amended in 2018).
- 6.28 Other issues of concern are also discussed during the monthly review meetings with Director, CBI, with a view to find solution to clear bottlenecks in conducting investigation / inquiry and to exchange ideas about other relevant issues. Details of certain pending cases, as specifically included in the agenda are also discussed. The Commission also invites suitably Senior Officers from CBI to discuss specific cases wherein the Commission, on examination of the reports of CBI, identifies certain shortcomings.

APPOINTMENT FOR CERTAIN POSTS IN CBI

6.29 Section 26 of CVC Act, 2003 read with Section 4C of Delhi Special Police Establishment Act, 1946 provides for a Committee to recommend officers for appointment to the posts of the level of Superintendent of Police and above (except Director) and also recommend the extension or curtailment of the tenure of such officers in the Delhi Special Police Establishment after consulting the Director, CBI. The Committee functions under the chairmanship of the Central Vigilance Commissioner with the Vigilance Commissioners, Secretary, Ministry of Home Affairs in the Government of India and Secretary, Department of Personnel and Training in the Government of India as Members. The aforesaid Selection Committee made their recommendations to the Central Government in respect of various appointments, proposals for extension of tenure, etc.



Release of Booklet on “Systemic Improvements” by Bharat Dynamics Limited



Observance of Vigilance Awareness Week 2023



Release of Booklets on VIGEYE VANI, Best Practices in Vigilance Administration and Public Procurement Challenges and Way forward at Satarkta Bhawan, New Delhi on 30.10.2023



Organization of Gram Sabha on the occasion of VAW 2023

CHAPTER 7

PREVENTIVE VIGILANCE AND SYSTEMIC IMPROVEMENTS

BACKGROUND

- 7.1 The main aim of preventive vigilance is to put in place a system of governance, by which the scope of indulging in inappropriate activities is eliminated or reduced to the minimum extent possible. Effective Preventive Vigilance measures include identification and plugging vulnerable areas through systemic improvements and structural remedies. These measures fulfill the dual objective of pre-empting corrupt practices and misconducts as well as further enhancing organizational efficiency. Standardization, automation, leveraging technology, reducing discretion and human interface, simplification of rules and procedures, transparency, accountability, training and awareness are important tools of preventive vigilance.
- 7.2 The report of Santhanam Committee recognized the importance of preventive vigilance in reducing or eliminating corruption. The committee observed that unless planned preventive measures are implemented in a sustained and effective manner, corruption cannot be eliminated or even reduced significantly. The main effort for checking corruption must come from within the organisation and it is vital to have a continuous watch on sensitive areas rather than merely acting after occurrence of an irregularity.
- 7.3 The Commission has identified the following broad areas, which need special attention while implementing preventive vigilance measures:-
- ❖ Allocation of resources like rights, lease, licenses, loans etc.
 - ❖ Public procurement and management of contracts,
 - ❖ Auction/sale of Goods,
 - ❖ Recruitment, promotion, transfer and posting,
 - ❖ Delivery of public services,

- ❖ Social welfare schemes,
- ❖ Determination of tax liabilities,
- ❖ Misappropriation of public assets.

COMMISSION'S INITIATIVES IN AREA OF PREVENTIVE VIGILANCE

7.4 As a precursor to Vigilance Awareness Week 2023, the Commission had launched a three-month campaign in six areas focusing on preventive vigilance and capacity building measures to be taken by all the Ministries / Departments / Organizations. These six focus areas were as follows:-

- ❖ Awareness building about Public Interest Disclosure and Protection of Informers (PIDPI) Resolution;
- ❖ Capacity Building programs;
- ❖ Identification and implementation of Systemic Improvement measures;
- ❖ Leveraging of IT for complaint disposal;
- ❖ Updation of Circulars / Guidelines / Manuals;
- ❖ Disposal of outstanding complaints received before 30.06.2023.

7.5 These initiatives have developed a consciousness among the organizations in the field of preventive vigilance. Over 400 organizations had actively participated and took significant action in these preventive vigilance focus areas.

7.6 There is a scope of implementing preventive vigilance measures in almost all operational areas of an organization. Preventive vigilance measures can broadly be categorized as the following:-

Simplification and Standardization of Rules

Simplification and standardization of rules and procedures facilitates elimination of discretion and arbitrariness and helps to reduce corruption. Identifying

areas involving exercise of discretion which are not properly regulated by clear guidelines, as well as a complete review of existing rules and regulations needs to be undertaken to promote clarity and accountability. Similarly, simplification and standardization of forms / applications also reduces scope for corruption.

Leveraging Technology and Automation

Experience suggests that technology plays an enabling and effective role in fighting corruption. E-procurements, E-payments, use of websites for dissemination of information and creating awareness, use of CCTV in places of public dealing, use of Global Positioning System (GPS) enabled devices / Radio Frequency Identification (RFIDs), computer assisted audit techniques for detecting frauds are some of the examples as to how technology provides considerable strength to the system of preventive vigilance. Automation reduces interface / interaction between public officials and the common public. It also removes a monopoly on delivery of services and reduces personal discretion of the concerned official.

Business Process Re-engineering (BPR)

BPR is very important as it helps the organisations rethink how they fulfil their core objectives, and in the process, encourages a full-scale re-creation of processes for fulfilling the objectives of the organisation. Existing processes may be re-engineered to prevent revenue leakage as well.

Transparency

Transparency removes asymmetry of information between the public and public officials and thus in turn reduces corruption. For example, the website of every Department / Organisation should contain its rules and regulations, process details and procedures, contact details of concerned officials and all other information useful for common public / customers.

Accountability

It is very difficult to take punitive action due to lack of accountability. A system with clear accountability and assigned responsibility at each level is necessary not only for smooth functioning but also for ensuring timely and effective punitive action in case of misconduct.

Control and Supervision

Regular and routine inspections, surprise inspections, audit and reviews keep a check on aberrant and corrupt behaviour.

Early Detection of Misconducts

Early detection of misconducts apart from bringing to light the deficiencies of the system, will also enable recouping of losses wherever possible and facilitate prevention of further damage and financial loss.

Time-Bound and Effective Punitive Action

Punitive action within a short period of occurrence of the misconduct and finalisation of such cases in a time-bound manner resulting in award of exemplary and adequate punishment, deters others from committing such misconduct in future. At the same time, any prolonged delay in awarding punishment to wrong doers sends negative signal to other people in the organisation who are working as per norms and following systems and procedures.

Training and Awareness

Capacity building and sensitization at all levels and across all functional areas is important. Public officials should be made aware of their duties and responsibilities, code of conduct, rules and regulations, etc., through regular training and awareness programs. Knowledge sharing initiatives such as publishing / circulating information relating to areas where fraud / misconduct has been detected and sharing information on best practices are other effective awareness generation methods for better preventive vigilance.

Conducive Work Environment

Conducive work environment may include drawing up lists of sensitive posts, implementing a rotational transfer policy for sensitive posts, identification of persons of doubtful integrity and keeping them away from sensitive posts / public dealing. It would be necessary also to create an environment that promotes ethical behaviour. Protection to Whistle Blowers must be ensured in order to bring to light cases of corruption. Non-provision of adequate infrastructural facilities such as accommodation, conveyance, utilities, etc.

also induces corruption.

Awareness Among Public

If public is made aware of their rights and also of rules and regulations, then they may be able to resist unfair treatment and arbitrary exercise of power by public officials. Public organizations should prominently display information relevant/useful to the common public on their office notice board/website.

Inculcating Ethical Behaviour

Inculcating ethical behaviour among employees and public, particularly the younger generation is an important tool of preventive vigilance. Vigilance Awareness Week (VAW), observed every year intends to create such public awareness. This opportunity is utilized by all CVOs/Organisations to create awareness among public as well as among their own officials regarding the need to uphold correct values.

Whistle Blower Mechanism

The Commission encourages all organisations to establish Whistle Blower mechanisms as a method of identifying corrupt practices and as a means to achieve improvement of systems within an organisation.

- 7.7 The Central Vigilance Commission has been emphasizing preventive vigilance measures to tackle areas susceptible to corruption, which has led to various successful initiatives undertaken by Govt. organizations including Ministries/ Departments, Central Public Sector Enterprises (CPSEs) and Public Sector Banks (PSBs) to enhance good governance. The Commission has proactively taken forward the agenda of preventive vigilance. Some of the significant initiatives taken in this direction include the following measures:-

Guidelines on Preventive Vigilance

The Commission, as part of its focus on Preventive Vigilance mechanism has included it in its Vigilance Manual, which is updated at intervals. Chapter on e-Vigilance has been added in the updated version of Vigilance Manual published in the year 2021.

Training and Awareness

The Commission believes that preventive vigilance is a continuous process and there should be a culture and environment developed in organisations to nurture it. Accordingly, the Commission has advised the centralized training institutes as well as the PSUs and Public Sector Banks to include modules on preventive vigilance in their induction training programs for young officers and in-service and mid-career training courses.

Dissemination of Good Practices

For dissemination of good practices adopted by organisations in the area of preventive vigilance, the Commission has published a booklet on preventive vigilance initiatives taken by different organizations during the year 2023.

Inculcating Ethical Behaviour Among Employees and the Public

The Commission's Vigilance Awareness Week (VAW) activities are a significant step for awareness generation among all stake holders, particularly the students and youth through outreach activities. Commission has propagated that all organizations must send their officers and staff during the induction and mid-career training for exposure to the good practices adopted in organizations.

Training, Capacity Building and Skill Upgradation

The Commission has been training the CVOs/ Dy. CVOs as well as management of the departments/ organisations through customized programs conducted at reputed training institutions. Commission has also organized nationwide training programs for Inquiry Officers and Presenting Officers to build their capacity to handle departmental inquiries in a timely and professional manner.

Review of Preventive Vigilance Initiatives by Organisations

During the Review meetings / Annual Sectoral Review meetings with the Ministries / Departments / Organisations in 2023, the Commission has been reviewing initiatives taken by various organisations for effective preventive vigilance. This is also reviewed through the CVO's Quarterly Performance Reports.

Scrutiny of Audit Reports by Chief Vigilance Officers (CVOs)

The Commission has been reiterating that the audit reports (internal audit, statutory audit and C and AG audit) should be thoroughly examined by the CVOs to identify audit observations that have a vigilance angle so that timely action may be taken to prevent any misdeed. The Commission has insisted on submission of detailed reports from CVOs in this area. The point has been included in the CVOs' Quarterly Performance Reports furnished during each quarter. During the Annual Sectoral Review meetings, the Commission reviews the status of scrutiny of audit reports with the CVOs.

Continuous Revision of Manuals

The Commission has been advising the CVOs to ensure that the organisations have prepared Manuals on important areas of their functioning such as contracts, procurements, recruitment etc. and that these are updated and conform to guidelines of CVC as well as their respective Ministries. Additionally, the CVOs have been advised to identify which Manuals are needed and which are available in the organisation. The Commission has desired that these Manuals may be available on the concerned organisation's website.

Continuous Revision of Processes

The Commission has been advising the CVOs to carry out regular review of various processes and systems with a view to dovetail the systems with the latest available technology, and to generate exception reports on the use of discretionary powers with the help of these systems.

Asset Registers

Given that the public sector organisations / departments control a large inventory of assets, there is a need for better asset management. The Commission has advised organisations to prepare Asset Registers in digital form after taking stock of all their assets.

SYSTEMIC IMPROVEMENTS SUGGESTED BY THE COMMISSION

- 7.8 The Commission has suggested several systemic improvements in the year 2023, some of them are mentioned in the succeeding paragraphs.

Ministry of Railways

- 7.9 While tendering advice in a case, the Commission observed that unauthorised parking contracts were being run at various places, after expiry of the contract period, without payment of license fee.

On the advice of the Commission, Railway Board has taken the following measures for systemic improvements:-

- (a) a policy with standardized conditions has been issued for awarding commercial and non-fare revenue contracts through e-auction, which has an inbuilt online payment mode for license fee etc., to be monitored at Divisional level.
 - (b) officials have been designated for monitoring the receipt of license fee and other dues for parking contracts.
 - (c) all ongoing parking contracts are summarized in a prescribed format at monthly intervals, to be shared with the authorities concerned.
- 7.10 In another case, the Commission observed following shortcomings in purchase of medicines and other medical equipments:-
- (a) There was no uniformity in the mechanism for local purchase of medicines and other medical items across railway zones.
 - (b) There was delay in placing annual medical indents, leading to irregularities in procurement of medicines.

The Railway Board has issued a detailed guideline for streamlining the system of procurement of medicines, surgical items and consumable etc., so that uniformity could be maintained across all zones and establishments.

Manganese Ore India Ltd. (MOIL)

- 7.11 During the processing of cases, certain shortcomings in confirming/verifying of the credentials of the vendors /contractors etc. for registration, were noticed.

The following systemic measures were advised in this regard:-

- (a) all relevant details of suppliers / vendors / contractors etc. should be obtained at the time of registration.
- (b) in order to substantiate the applicability of GST, ITRs, balance sheets, profit and loss accounts etc. should be obtained.
- (c) special drive may be conducted for updation of details of proprietors / partners, in case of existing vendors, with name, PAN No., GST No. etc. to be mentioned mandatorily.

On the advice of the Commission, the MOIL conducted e-KYC of nearly 6000 vendors to ensure genuineness of their particulars /credentials. Further, 2100 vendors, not having GST or PAN No. had been blocked and are being unblocked on receipt of relevant details/documents.

7.12 The Commission has advised the following systemic improvements to avoid conflict of interest and to undertake updation of manual in MOIL:-

- (a) all officials involved in procurement processes and bill payments etc. must give undertaking to the organization that firms are not related to their close relatives, directed to inform/intimate the organization about ownership of any firm by their close relatives.
- (b) all officials should be clearly instructed not to process officials matters involving the firms owned by their close relatives.
- (c) purchase manuals and manuals on procurements of works, goods, consultancy and other services should be updated immediately as the same had not been updated for more than a decade.

MOIL has implemented following systemic improvements: -

- (a) MOIL has made it mandatory for the members of TPC (Tenders and Procurements Committee) to give an undertaking that they do not have any personal interest in the companies/agencies/bidder participating in the tender.

- (b) a combined purchase and contract manual has been updated and issued by the organisation.

7.13 Further, MOIL management was advised to ensure that all Corporate Social Responsibility (CSR) schemes should preferably be scrutinized by MOIL Foundation Internal Committee and to discontinue the practice of delegation of powers for allocation of CSR funds to any single executive. If required, powers may be delegated to a committee of functional directors, to be appointed with Board's approval.

MOIL has implemented following systemic improvements: -

- (a) an inter-disciplinary internal committee of senior officials has been constituted to scrutinize CSR proposals received in the company.
- (b) a committee of Functional Directors is being formed to review CSR proposals submitted by the internal committee and also to scrutinize the proposals, which are covered under CMD's power.

Power Grid Corporation of India Ltd. (PGCIL)

7.14 The Commission advised PGCIL to prepare detailed guideline to bring out improvements in the policy for disposal of high value failed equipment like transformer etc. as scrap and to ensure that failed equipment be dismantled and parts be segregated as per class of material used.

On Commission's advice, as a systemic improvement measures, PGCIL has formulated a manual for scrap identification and disposal, which covers all areas including fixation of reserve price and formation of Scrap and Surplus Identification and Disposal (SSID) Committee at various levels. Officials are being sensitized about upkeep and maintenance of stores.

7.15 The Commission had advised that changes in quantities of spares at any stage, should be communicated immediately to departments concerned.

On Commission's advice, as a systemic improvement measure, PGCIL has launched DREAMS (Drawing Review and Approval Management system) Portal. All engineering approvals are released to respective contractors through the

DREAMS portal. Real time online transmittals of same are accessible to all departments concerned.

Department of Atomic Energy (DAE)

7.16 The Commission observed serious lapses in investment of NPCIL Employees Provident Fund, which resulted in huge amount becoming Non Performing Assets (NPA).

The Commission advised NPCIL to adopt the following systemic improvement measures:-

- (a) Investment made as per NPCIL policy / guidelines must be checked whether any of the investment made is unsecured. NPCIL may explore the possibility of securitization of unsecured investments as per the extant guidelines of SEBI in this regard. As far as possible, investments may be made in secured funds.
- (b) NPCIL must ensure that all the investments made are in accordance with the provisions of the company law, Ministry of Finance guidelines on PF investments, Government of India instructions and other relevant legislation and rules as applicable. Also, due diligence must be exercised by continuous monitoring during the period when the fund is held.
- (c) The Investment Committee must take steps to strengthen the monitoring process of the investments made by the organization and alert the decision makers if any sign of degradation and / or deterioration of market standability is noticed to enable them to take quick steps for saving the PF money of employees by exercising right steps as deemed fit.

On Commission's advice, the following systemic improvement measures have been adopted by NPCIL Board:-

- (a) NPCIL Board has approved a SoP according to which, investments are being made only in Government or Government backed securities which addresses the aspect of safety of investment also.
- (b) The receipt of interest and principal and credit rating of all investments

are being monitored regularly by the investment monitoring committee and reports confirming repayments are available on NPCIL's intranet.

- (c) The status of investments, receipt of interest, principal repayment, current credit rating and any downgrading in rating is being regularly submitted to the NPCIL Board.
- (d) As per NPCIL PF Scheme, the investments shall be exited / sold on first instance of downgrading by any credit rating agency or any default in payment of proceeds (either interest or principal) to NPCIL.

Bharat Petroleum Corporation Ltd. (BPCL)

7.17 Certain irregularities in award of tender for hiring of tank lorries were noticed by the Commission. The Commission advised following systemic improvements:-

- (a) streamlining the procurement mechanism and reframing certain clauses in tender documents, to make the procurement system transparent, non-discretionary and without restrictive processes.
- (b) development of additional vendors and framing policy for dealing with cases of tampering / theft.

On the advice of the Commission, BPCL has implemented following systemic improvements:-

- (a) entire tendering process has been made uniform by transferring it to Central Procurement Organization (Marketing Division of BPCL).
- (b) BPCL is facilitating vendors in developing the necessary capabilities and obtaining clarification from Petroleum and Explosive Safety Organization.
- (c) centralized real time online monitoring of tank lorries, depot installations etc. to avoid pilferage and adulteration.
- (d) vehicle tracking system SOP has been modified and new traceable revocation procedure has been implemented.
- (e) Approved SOP for checking integrity of Electro Magnetic (EM) locks and

tampering investigation in the presence of third-party inspection agency has been put in place.

Munitions India Limited (MIL)

- 7.18 Certain irregularities in execution of a supply orders and granting undue favour to suppliers by repeatedly extending the delivery period without imposing any penalty as specified in the contract were observed.

The Commission advised systemic improvements by way of making suitable amendments in the Procurement Manual and in other terms and conditions for purchase contracts.

On the advice of the Commission, MIL implemented the following systemic improvements:-

- (a) To protect the interest of the organisation, MIL's store procurement manual has been amended and aligned with the provisions contained in clause 6.6. of Manual for Procurement of Goods, issued by Department of Expenditure (As updated in June 2022).
- (b) In respect of contracts having multistage process and inspection, in order to provide effective hand holding of new firms, a realistic delivery period has been fixed for all stages of contract i.e. raw material clearance, advance sample and gauge clearance and pro rata delivery.

Engineers India Limited

- 7.19 Certain irregularities in investment of funds by Engineers India Ltd. Provident Fund Trust were observed.

On examination of the matter, the Commission advised the following systemic improvements:-

- (a) Introduction of SEBI guidelines on Arm's Length Policy.
- (b) Implementation of investment policy.
- (c) Conduct of regular internal audit of EIL EPF Trust including independent investment decision.

(d) Effective monitoring by employer through a robust MIS system.

On the basis of advice tendered by the Commission, EIL has implemented the following systemic improvements measures:-

- (a) Revision of investment policy w.e.f. 12.01.2023, with the following major inclusions:-
 - (i) Role of Investment Committee and Investment Advisor delineated.
 - (ii) Bar on investment in unsecured securities of private sector.
 - (iii) Preference to Central Govt. guaranteed instruments over state instruments.
 - (iv) Appointment of an independent expert to examine investments of EIL PF Trust. The expert is also entitled to participate in Audit Committee meetings for matters relating to EIL PF Trust.
 - (v) Purchase of Government Securities directly through RBI Portal.
 - (vi) Invitation of investment enquiry through Central Public Procurement Portal.

Chennai Port Authority

7.20 Certain irregularities were observed in award of contract for supply and installation of equipments with comprehensive annual maintenance contract for 5 years.

On examination of the matter, the Commission advised Chennai Port Authority to put in place systemic improvement measures to ensure that the laid down tender procedures including vetting of the same by financial department are followed scrupulously.

On the basis of advice tendered by the Commission, Chennai Port Authority has implemented the following systemic improvements measures:-

- (a) Draft Tender Document shall be based on approved Model Tender

Document and in case of modification from the approved Model Document, approval of the Competent Authority and concurrence of Finance Department shall be obtained.

- (b) Vetting of commercial conditions in draft tender document shall be done by Finance Department in line with the provisions of the extant Tender Procedure of the organisation.
- (c) Estimated cost of tender shall be clearly indicated in figures, “exclusive of GST” in the Notice Inviting Tender and in Tender Document wherever applicable. The same nomenclature shall be used everywhere in the tender document.
- (d) Value of similar completed work indicated under eligibility criteria in the tender document shall be indicated “exclusive of Taxes (Service Tax / GST)” to maintain transparency in bid evaluation.
- (e) In the tender document, it would be specified that the bid evaluation shall be made on the basis of base cost of similar completed work(s) excluding Tax components (Service Tax / GST). In case, the supporting documents submitted by the firms are not clear to consider the base cost completed work, necessary clarification/ supporting documents shall be obtained from the firm(s) during the bid evaluation.

Bharat Sanchar Nigam Ltd. (BSNL)

7.21 The Commission observed serious irregularities in preparation of tender documents for sensitive work having huge financial implications.

On examination of the case, the Commission advised the following systemic improvement measures:-

- (a) Senior officers should be involved in the process of deciding terms and conditions of tenders of sensitive nature and having huge financial implications, to reduce the scope of irregularity / any serious mistake.
- (b) Standard bidding documents should be used to minimize irregularities.

- (c) Eligibility criteria and definition of similar nature of work should be standardized for specific works, with the approval of competent authorities.
- (d) BSNL's procurement manual should be aligned with the latest procurement manuals issued by Department of Expenditure.
- (e) It should be ensured that due benefits are extended to eligible bidders of MSME sector in eligible category for procurement.
- (f) Capacity building programme should be organized at regular basis for officers handling procurement activities.

On the advice tendered by the Commission, BSNL has implemented the following systemic improvements:-

- (a) BSNL has issued instructions stating that "the terms and conditions of the tender document including eligibility criteria need to be finalized preferably by a committee comprising of senior and experienced officers at the level of GM and above from Planning, Commercial and Financial Cell. The officers, even if, junior in rank as indicated above, but having experience in procurement / tendering, may also be co-opted as members of such committees."
- (b) BSNL also issued instructions to the effect that "The Tender Enquiry / bid documents need to be aligned with the standard tender enquiry under Procurement Manual of BSNL to minimize irregularities. Work- specific special terms and conditions may be accommodated in the section for special conditions of the standard tender enquiry format (or in the buyer-specific ATC for tenders through GeM). If any of the conditions in the standard general conditions are not suited for a particular procurement case, the same may be marked as 'Not Applicable' and excluded. If any supplementary clauses are required in addition to the existing general conditions, they should be indicated in the special conditions section, with a reference of the same may be made in general conditions."
- (c) BSNL has issued instructions specifying that "The eligibility criteria should be determined based on factors such as the volume of the

requirement, the availability of bidders, the past performance of bidders, and any defaults that have occurred in the procurement of the same or similar items in the past. It is possible that bidders may lack experience in the exact type of work outlined in the tender but have successfully completed similar projects for other organizations. Therefore, past experience with similar nature works may also be accepted. The list of similar nature works should be clearly defined, to the extent possible, in tender enquiry documents for the specific works put to tender after getting due approval by competent authorities in tender inviting Unit”.

- (d) BSNL has constituted a committee to finalize alignment of BSNL’s procurement manual with the procurement manuals of Department of Expenditure.
- (e) BSNL has also issued clarification that “Extension of benefits for MSME sector bidders, as per the latest guidelines of Ministry of Micro, Small and Medium Enterprises (MSME), must be ensured for eligible categories of procurement. This includes exemptions from tender fee and Earnest Money Deposit (EMD), as well as relaxation in past turnover and experience requirements, provided that these relaxations do not compromise on quality and technical requirements of tender item. The relaxation in eligibility conditions for MSEs are also to be extended to Startups (as defined by DPIIT).”
- (f) BSNL stated that “capacity building programmes for officers handling procurement / tendering cases be conducted at regular intervals.”

7.22 On scrutiny of a case, the Commission observed absence of effective monitoring mechanism for checking delays, indicating towards system failure.

The Commission advised BSNL to look into the issue and take up the matter with management for putting in place an effective monitoring mechanism to avoid repetition of such systemic failures.

On the advice tendered by the Commission, BSNL has implemented the following systemic improvements:-

- (a) Emphasis is given on posting of vendor invoices in a timely manner. Restriction of invoice booking after 60 days from date of invoice was implemented in SAP so that timely payment in transparent manner can be ensured. In case any invoices older than 60 days in terms of date of invoice is required to be entered in Enterprises Resource Planning (ERP) system, the specific approval of Vertical Director is required along with detailed justification and report on fixation of responsibility.
- (b) A system of invoice submission through digital mode in Bill Suvidha has been implemented through portal www.billsuvidha.bsnl.co.in, to facilitate vendor invoice tracking system. BSNL vendors can register themselves on Bill Suvidha Portal and can submit and track the status of the invoices upto payment stage in real time.
- (c) All payments have been gradually centralized to BSNL corporate office to avoid delay in payments to vendors at circle level. Also, weekly time schedule has been defined for releasing the payments under all heads of accounts to promote transparency in the system.

SYSTEMIC IMPROVEMENTS IMPLEMENTED BY THE ORGANIZATIONS

7.23 Organisations have implemented various systemic improvements in the year 2023. Some of the systemic improvements are mentioned below:

Ministry of Railway	❖ Misuse of tatkal quota booking facility at remote locations. To check the blocking of Tatkal quota berths by booking at far away locations, where the printed ticket cannot possibly reach the originating station by the time of departure of train, and fake ticket being printed at the originating station by the same details, zonal railways have incorporated a facility wherein an exception report of details of Tatkal tickets booked from far away locations from the journey location will be generated. This system improvement measure intends to stop misuse of Tatkal quota booking.
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	❖ Eastern Railway Authorities as a principal employer failed to ensure compliance of provisions regarding Minimum Wages Act / EPF and ESI contribution by the contractor, as per latest Govt. instructions. Payments were released to contractor as per schedule, but verification of payment of ESI, EPF contribution and wages by the agency to the outsourced staff was not done. Records relating to the presence of work force at the site were not maintained or sought by Railways authority, to ensure that payment was being made for actual work done. The Eastern Zonal Railways has issued the following instructions for systemic improvement:- (i) Strict compliance of the provisions in contract agreement regarding Minimum Wages Act, EPF and ESI contributions as per the latest Govt. instructions. (ii) Proper registration of contractors on Shramik Kalyan Portal. ❖ It was observed that bills were being processed for payments without confirming whether security deposits were received in the account office or not. The Northern Railway Zone has implemented the following system improvements:- (i) Security Deposit Maintenance Module has been linked with Integrated Payroll and Accounting System (IPAS) and Indian Railway Electronic Procurement System (IREPS). It has been made mandatory that bills would not be generated / submitted without confirmation from the system about receipt of security deposits. ii) Modification in Security Deposit Maintenance Module have been made for making officials of account
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	department, responsible for handling, verification, confirmation and custody of security deposits. iii) Instructions have been issued for strict compliance of Railway Board's guidelines issued vide letter no. 2010/AC-II/25/11 dated 08.04.2011 on maintenance of security deposits. ❖ The Central Zonal Railways noticed that full-fledged site labs were not being set up at some worksites and there was no penalty clause to the effect in the contract agreement. It resulted in quality check tests of materials being done through outside labs, making it difficult for Railway Engineers to witness the testing. The following systemic improvements have been implemented:- (i) Guidelines have been issued for incorporating penalty clause in all work contracts (Non-EPC tenders) for non- establishment of site laboratory by contractor.
Shipping Corporation of India Ltd. (SCI)	❖ After due scrutiny of ship repair bills, vigilance wing of SCI observed certain shortcomings and pointed out the same to the authorities concerned for issuance of appropriate systemic improvement measures. Based on the observations and recommendations of vigilance wing of SCI, the following instructions have been issued as systemic improvement measures in respect of ship repair work:- (i) Technical Superintendents should ensure that the work done certificates which are issued and endorsed by the ship staff should be specific and corroborate to the type of job carried out on board. (ii) Vendors empaneled with SCI should adhere to the tariff terms and conditions and delayed submission of invoices to Shipping Corporation of India Ltd. (SCI) Head Office should be suitably dealt with.

	(iii) Work completion certificates issued by the vessels should clearly mention the condition of the machinery after the repair works are carried out and if such post-repair trials could not be carried out successfully due to unavoidable circumstances, same should be clearly mentioned in the work completion certificates, providing scope for carrying out inspections of repair work done later when the invoices are being processed.
Paradip Port Authority (PPA)	❖ During inspection by the vigilance unit of Paradip Port Authority, certain systemic flaws and irregularities were observed in operation of weigh bridges in the port area. Based on the observations of vigilance unit, the following systemic improvements have been implemented by the management of port:- (i) Unmanned weigh bridges have been introduced in the port with integrated harbour entry permit to bring about reliability, transparency and faster clearances. (ii) Generation of QR based harbour entry permit has been implemented to ensure paperless access control system and seamless entry of vessels.
Mormugao Port Authority (MPA)	❖ During inspection by vigilance unit, it was observed that there was no uniform system of maintaining the expenditure record of petty cash across departments. The vigilance unit highlighted all issues and recommended for systemic improvement measures.

	The management in consultation with Vigilance Unit, IT Cell and Finance Department has developed and implemented a SAP program for Petty Cash Accounting, which is being used for recording transactions by all officials dealing with local and small value purchases. ❖ During CTE type intensive examination of a work, certain deficiencies were observed based on which systemic improvement measures were suggested for implementation of Central Govt's policy on procurement by MSMEs and to make tender documents more specific and transparent. Based on the observations, the following systemic improvements have been implemented by Mormugao Port Authority:- (i) In accordance with the preference policy of Central Government about Procurement of Goods and Services produced and provided by MSME, the provision for Micro, Small, Medium Enterprises (MSME) and Startups shall be mandatorily included in all tenders. (ii) In contracts of long duration, the price escalation clause should be included to safeguard against the fluctuation of rate of various inputs required for execution of the contract. (iii) The condition that the bidder shall submit the documents with bid for absolute ownership of tug or a legally enforceable agreement / authorization with the tug owner, should be included in the terms and conditions for all future tenders so that the port would be in a position to determine the availability of tug of required specifications from the successful bidder to start the work.
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	(iv) All Tender Advisory Committee (TAC) members should be instructed to sign the declaration stating that “I declare that I have no conflict of interest with any of the bidders in this tender” at the end of the TAC report in all future tenders.
Mumbai Port Authority (MbPA)	❖ In one CTE type of Inspection it was observed that only signature/initials of the concerned officers were available in the measurement book without any entry of relevant data in it. During inspection of a work, the vigilance unit of Mumbai Port Authority observed that no proof of any specific test check / measurement done by the official concerned was available and no certificate/statement was attached, which could indicate the quantum of test check done by individual officer. It could not be confirmed whether required quantum of test check of measurements was done by each official concerned or not. Based on the observations of vigilance unit, a circular for systemic improvement has been issued directing that :- (i) Presently, for processing the bills, a certificate in the prescribed format, showing percentage of check done by each officer would be necessary. (ii) Submission of e-Measurement Book and e-Invoice in Enterprise Business Solution (EBS) system has been made compulsory.

	❖ During inspection of tenders, the vigilance unit observed the following shortcomings: (i) The reasons for granting extension of time either was not recorded or was not convincing. (ii) The required registers were neither indexed nor paginated. (iii) The official concerned has not signed the Progress Book and Hindrance Register. (iv) In a tender for repair of heavy equipments, the cost of spares was not included in the estimate, which resulted in multifold increase in cost of spares. (v) While approving cost of spares were not insisted upon by the authorities concerned. Based on the observations of vigilance unit, systemic improvement has been implemented by Mumbai Port Authority by way of issuance of circular to all concerned, directing the following:- (i) The registers at work site should be maintained in prescribed format, should be indexed and paginated. (ii) The registers at work site should be regularly signed by the competent authority. (iii) It has to be ensured that all the bills for procurement of spares should accompanied with purchase voucher.
BPCL	❖ BPCL felt need for having an improved system of real time monitoring of BPCL's operating locations / petrol pumps and tracking of vehicles, carrying petroleum products. In this regard, BPCL has implemented the following systemic improvements:-

	(i) BPCL has implemented IRIS as its digital nerve center to enable seamless connectivity and visibility across the supply chain. It is a single system to monitor real time performance of BPCL's operating locations and petrol pumps etc. This advance system intelligently ensures that there is no retail price selling mismatch, no unauthorized decantation of products, in addition to dispenser flow monitoring and adherence to standard operating procedures on other account. IRIS raises alert and notification for violations with prescribed responsibility centers and regular monitoring through a centralized control center, with capability to handle process / system exceptions remotely. (ii) Vehicle Tracking System (VTS) has also been reconfigured with IRIS which pushes data of VTS violation by tank lorries to IRIS portal on real-time basis. New functionalities like secondary route planner, creation of no halt zones, suspicious pilferage points, device tampering reports, intrinsically safe device etc. have been added to VTS to make the system more robust and effective. (iii) In case of VTS violation by tank lorries exceeding threshold value, IRIS sends a command to SAP to block the tank lorry instantly and e-mail / SMS triggers are sent to all stake holders for further necessary action. ❖ Irregularities were observed in reconciliation of stock and accounting of part-filled barrels in the Lube oil filling plant. On examination, the vigilance unit recommended that QR code based robust warehouse management
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	system should be implemented for identification of oil barrels through software/labels and proper record of procurement, issuance, filling and dispatch of barrels should be maintained. BPCL has issued guidelines for implementation of QR Code system for finished products.
GAIL	❖ CVO, GAIL observed irregularities in submission of document for Line of Credit (LC) in support of Working Capital, in order to meet the financial criteria. Scanned copy of LC, which had already been returned to the bank by the contractor, was fraudulently uploaded by the contractor on e-tendering portal. CVO, GAIL, as a systemic improvement measure suggested that original LC document in physical form be obtained within seven days from Bid due date, so that the bidders are not able to indulge into any fraudulent activity. The recommendation of CVO has been accepted by the management and contract and procurement procedure has been suitably amended. ❖ It was observed that during execution of contracts, main contractors were getting work executed by sub-contractor without permission from GAIL, in violation of contractual provisions. On scrutiny of such cases, CVO, GAIL gave following suggestions for systemic improvements to the management for making appropriate provisions in the tender / contract documents:-

	(i) To display a Digital Notice Board at each site office / main gate of plant indicating details of main contractor/ approved sub- contractor with the declaration that no other contractor or party shall be considered by GAIL for issues related with payment etc. (ii) To seek declaration from main contractor in every running account bill about the details of sub-contractor engaged by them and to give declaration that no other sub-contractor is working under them. No running account bill to be processed without such declaration. (iii) To stop payment of running account bill, till the matter is resolved, in case the information furnished by the main contractor is found to be misleading. (iv) In case of engagement of sub-contractor by the main contractor, copy of agreement between the two, along with quantum of work awarded to sub-contractor and monetary consideration thereof, to be submitted to GAIL. These recommendations have been accepted by the management and appropriate provisions have been made in the contract / tender documents.
Coal India Limited (CIL)	❖ During investigation by vigilance unit, serious irregularities in procurement process for purchase of critical spares for Heavy Earth Moving Machinery (HEMM) were revealed along with variation in policies for procurement of different items. To address the issue, thorough examination of data relating to procurement, processes and policies was conducted, based on which following systemic improvements was suggested by vigilance unit and the same has been implemented:-

	(i) There should be uniformity in the list of critical spares for the same make, capacity or model of HEMM deployed across different subsidiaries. (ii) The process of identification of Original Parts Manufacturers (OPMs), needs to be standardized. (iii) Vulnerability in eligibility conditions needs to be addressed and competitive bidding needs to be promoted. On the basis of recommendations made by the vigilance unit, a Standard Operating Procedure (SOP) for identification of procurement of spares has been issued by CIL management.
PGCIL	❖ An IT enabled Project Management system has been developed by Power Grid Corporation of India Limited with the following advantage:- (i) Real-time monitoring of transmission line passing through mountains, rivers and various others non-accessible areas, is possible through Geographic Information System (GIS) Mapped Transmission line dashboard. (ii) Day to day real progress data is submitted by site executives through SAP. (iii) Digital Hindrance Register developed by POWERGRID, accessible to vendors and site executives helps in timely resolution of hindrances in construction of the project. (iv) A Capex Dashboard has been developed by POWERGRID to monitor and track financial progress and real time expenditure for a project. (v) As the data base for all the monitoring dashboard is linked to SAP system, the data is always authentic.

	(vi) Since log of each activity is created in SAP data base, the source of data entered can be traced. (vii) For entering data, SAP has to be accessed through username and password and hence accountability for correctness of data can be ensured. (viii) The data once entered is accessible to a number of stakeholders, which ensures greater transparency in the system.
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CVC administering the Integrity Pledge at Satarkta Bhawan, New Delhi on 30.10.2023



Integrity Pledge taken at South Eastern Coalfields Ltd. during the VAW-2023



Drawing competition of School Students on the occasion of VAW – 2023

CHAPTER 8

PARTICIPATIVE VIGILANCE - VIGILANCE AWARENESS WEEK

BACKGROUND

“In the long run, the fight against corruption will succeed only to the extent to which a favorable social climate is created. When such a climate is created and corruption becomes abhorrent to the minds of the public and the public servants and social controls become effective, other administrative, disciplinary and punitive measures may become unimportant and may be relaxed and reduced to a minimum.”

(Excerpt from the Santhanam Committee Report - 1964)

- 8.1 The Central Vigilance Commission is of the firm view that a lasting solution for eradication of corruption from public life can only be found if anti-corruption strategies are developed with active participation of all stakeholders of society. Support and involvement of public is therefore an essential ingredient in the fight to eradicate corruption from society.
- 8.2 As a measure to create awareness amongst public about the harmful effects of corruption and to engage them in development and implementation of effective strategies for eliminating corruption, the Commission started observing Vigilance Awareness Week every year, to coincide with the birth anniversary of Sardar Vallabhbhai Patel, the first Home Minister of Independent India. It is an opportunity to recognize the role of every individual citizen in battle against corruption and in promoting governance with integrity. It is not only an occasion to carry forward the Commission's initiatives across the country but also to encourage the common citizen to join hands with the Commission in its endeavors.

VIGILANCE AWARENESS WEEK- 2023

- 8.3 Vigilance Awareness Week (VAW) was observed from 30.10.2023 to 05.11.2023, during the year with the theme “Say no to corruption; commit to the Nation : भ्रष्टाचार का विरोध करें; राष्ट्र के प्रति समर्पित रहें”.

MESSAGES FROM DIGNITARIES

8.4 The observance of Vigilance Awareness Week, 2023 by the Commission has been acknowledged by the following dignitaries:

8.4.1 The President of India, in her message emphasized that bringing about transparency and accountability in governance is one of the most important factors in ensuring all round growth and development of the country. She also stressed upon the collective responsibility of all citizens of the country to fight for the ideals of ethics and integrity. She solicited participation of citizens in the Commission's initiative of observing VAW and also expressed the view that the Commission's efforts would go a long way in spreading awareness and promoting ideals of ethics and integrity in public life.

8.4.2 The Vice-President of India, in his message observed that corruption erodes the foundation of our democracy and poses hinderance to growth and development. He added that VAW serves as a powerful reminder of our collective responsibility to promote a corruption free society and uphold transparency and ethical conduct in governance. He also expressed the view that active participation of all government employees in VAW would contribute towards ensuring accountability in administration which in turn will pave the way for a more virtuous society.

8.4.3 The Prime Minister of India, in his message, appreciated the Commission's initiatives to hold Vigilance Awareness Week which coincides with birth anniversary of Sardar Vallabhbhai Patel whose life's message was about service and integrity. He commended the efforts of the Commission in combating corruption and its contribution to the nation's socio-economic development. He also acknowledged the Commission's manifold initiatives to bolster its anti-corruption efforts. He also pointed out that our commitment to maintain zero tolerance towards corruption is unwavering and elimination of corruption is necessary for the country's development. He acknowledged the crucial role of youngsters in strengthening the fight against corruption and stressed that all our efforts are aimed at building a new India which stands for pro people progress and corruption free governance. He expressed his belief that India would become a developed nation by 2047 and that the anti-corruption initiatives would play an important role in making it possible. He conveyed his best wishes for the success of Vigilance Awareness Week – 2023 and hoped that Commission's efforts will go a long way in enhancing transparency and probity in public life.

8.4.4 Messages of encouragement from the following dignitaries were also received:

S. No.	Name of Ministers	Designation
1	Shri Rajnath Singh	Minister of Defence
2	Shri Nitin Gadkari	Minister of Road Transport and Highways
3	Smt. Nirmala Sitharaman	Minister of Finance and Corporate Affairs
4	Dr. S. Jaishankar	Minister of External Affairs
5	Shri Arjun Munda	Minister of Tribal Affairs
6	Shri Pralhad Joshi	Minister of Parliamentary Affairs; Minister of Coal and Mines
7	Shri Sarbananda Sonowal	Minister of Ports, Shipping and Waterways; and Minister of AYUSH
8	Shri Jyotiraditya M. Scindia	Minister of Civil Aviation and Steel
9	Shri Ashwini Vaishnaw	Minister of Railways, Communications and Electronics and Information Technology
10	Shri Raj Kumar Singh	Minister of Power and Minister of New and Renewable Energy
11	Shri Hardeep S Puri	Minister of Housing and Urban Affairs and Petroleum and Natural Gas
12	Shri Bhupender Yadav	Minister of Environment Forest and Climate Change; and Labour and Employment
13	Shri Parshottam Rupala	Minister of Fisheries, Animal Husbandry and Dairying
14	Rao Inderjit Singh	Minister of State (Independent Charge) of the Ministry of Statistics and Programme Implementation; Minister of State (Independent Charge) of the Ministry of Planning; and Minister of State in the Ministry of Corporate Affairs
15	Dr. Jitendra Singh	Minister of State (Independent Charge) of the Ministry of Science and Technology; Minister of State in the Prime Minister's Office; Minister of State in the Ministry of Personnel, Public Grievances and Pensions; Minister of State in the Department of Atomic Energy; and Minister of State in the Department of Space

A CAMPAIGN INITIATED BY COMMISSION AS RUN UP TO THE VIGILANCE AWARENESS WEEK - 2023

- 8.5 The Central Vigilance Commission is of the firm view that preventive vigilance measures are essential to maintain transparency, accountability, efficiency and objectivity in public life. These objectives can only be achieved if proper systems and procedures are in place.
- 8.6 During the year 2023, as a run-up to Vigilance Awareness Week, the Commission issued advisory to all organisations to start a three-month campaign focusing on specific preventive vigilance measures. Six major areas identified for focused attention with actionable points are summarized below: -

Awareness Building About Public Interest Disclosure And Protection Of Informers (PIDPI) Resolution

- 8.7 As per policy, no action is required to be taken on anonymous / pseudonymous complaints. However, the provisions of Public Interest Disclosure and Protection of Informers (PIDPI) Resolution can be used by complainant to file complaints of corruption, which would ensure that identity of such complainant is kept confidential, if he wishes so. There is a specified procedure which is to be followed for filing complaints, using the provisions of PIDPI Resolution, to ensure confidentiality about a complainant's identity. The Commission advised all organizations to undertake an awareness campaign to popularize PIDPI Resolution explaining the correct procedure of lodging complaints under this resolution to the designated agency, i.e. Central Vigilance Commission and Chief Vigilance Officers of the Ministries / Departments as designated authorities.

Capacity Building

- 8.8 The Commission emphasizes on training and capacity building of the employees, which helps in improving their productivity by way of updating of knowledge and enhancement of their skills. All organizations were advised by the Commission to ensure extensive training of officials in some of the critical areas, which included training to potential and existing Inquiry Officer(s)/ Presenting Officer(s), public procurement, cyber hygiene and security,

systems and procedures of the organization and ethics and governance. The organizations were also advised to select officials as master trainers and to train them extensively so that such master trainers could be subsequently utilized as resource persons for imparting in-house training.

Identification and Implementation of Systemic Improvement Measures

- 8.9 For a pro-active approach in the fight against corruption, preventive vigilance initiative is one of the most important tool. To achieve this goal, the organisations were advised to analyze cases of last 05 years for identification of areas prone to corruption and for implementation of systemic improvements. Besides, the Commission had also advised for conducting a special drive for implementation of systemic improvement measures which were already advised by the Commission.

Leveraging of IT for Complaint Disposal

- 8.10 Timely monitoring and disposal of complaints is essential for identification of corrupt activity and for stopping them promptly. Such timely actions also bring about a sense of trust in the complainants, who report acts of improper conduct of the officials concerned in the hope that appropriate measures would be taken to stop such irregular acts. In this regard technology can be used as an enabler in the fight against corruption. All organizations were advised to develop and make effective use of online portals/digital mechanisms for receipt, processing and tracking of complaints received by respective organisations.

Updation of Circulars / Guidelines / Manuals

- 8.11 The Commission has been emphasizing on preparation of manuals by respective organisations in areas of critical importance such as contracts, procurement, recruitment etc. The organisations were again advised to work towards identification of circulars / guidelines / manuals which were required to be updated and to take required steps to bring them in sync with the policy guidelines issued by the Commission and other Government agencies from time to time.

Disposal of Complaints

- 8.12 As already stated, complaints provide valuable information which helps in curbing unethical and corrupt practices. Hence, promptness in processing and disposal of complaints is of paramount importance to ensure that the guilty are brought to book at the earliest possible. Such prompt action would also make sure that the honest officials do not remain under the shadow of suspicion.
- 8.13 The Commission, however, noted that in many organisations complaints forwarded by the Commission or received directly by the organisations remained unattended for long durations. To ensure disposal of complaints without further delay, the Commission initiated campaign to bring all complaints pending as on 30.06.2023, to logical conclusion latest by 15th November, 2023.

OUTCOME OF 3 MONTHS' CAMPAIGN

- 8.14 From the action taken reports received from respective organisations, it has been observed that they have participated with enthusiasm in the 3 months' campaign, as advised by the Commission, resulting in a positive outcome.

PARTICIPATIVE ACTIVITIES DURING VIGILANCE AWARENESS WEEK – 2023

- 8.15 The observance of Vigilance Awareness Week commenced with the Integrity Pledge administered to employees in the Ministries / Departments and other Organisations on 30th October, 2023 at 1100 hrs. As per reports received from more than 400 organisations, they participated actively in the VAW, with Integrity Pledge taken by 43,24,891 individuals / organisations, including students, private persons and government employees.
- 8.16 The participating organisations conducted sensitisation / training programs and workshops for the benefit of their employees and other stake holders. As per reports received, there was enthusiastic participation by all stakeholders in the activities conducted by respective organisations.
- 8.17 The Commission advised the organisations to conduct outreach programs at community level also. In this direction, the organisations had conducted chaupal meetings, performed “street plays” and arranged other cultural

activities to spread the message of “Say no to corruption; commit to the Nation”. The outreach programs of the organisations included interaction with students at various schools, colleges and other educational institutes.

- 8.18 Competitive activities such as essay writing, quiz competition, debates, slogan writing, poster making, etc. were also conducted as part of outreach programs undertaken by different organisations across the country. A total of 10,677 schools with 10,41,650 students actively participated in various activities. In addition, 2,15,382 students from 2263 colleges / educational institutions had also participated in the activities related to VAW.
- 8.19 The organisations also interacted with gram sabhas to increase awareness against corruption by conveying and displaying anti-corruption messages in vernacular languages in such meetings. A total number of 17,128 meetings with gram sabhas were organised during the Vigilance Awareness Week, 2023.

ACTIVITIES IN THE COMMISSION

- 8.20 Vigilance Awareness Week in the Commission commenced with Integrity Pledge administered by the Central Vigilance Commissioner to all the employees of the Commission.
- 8.21 During Vigilance Awareness Week, officers of the Commission participated in several outreach activities in various organisations. Several workshops, quiz programs, debate and slogan writing competitions were also organised within the Commission.
- 8.22 Besides, a quiz was formulated and uploaded on Commission’s website in public domain, in which 33,317 persons participated during the Vigilance Awareness Week-2023.
- 8.23 As a part of observance of Vigilance Awareness Week, a panel discussion on various issues relating to ‘Disciplinary Proceedings’ was held on 2nd November, 2023 at New Delhi. Senior officers from different Government organizations, having expertise and domain knowledge took part as panelists. The panel discussion was also attended by senior officers of the Government and CVOs of major Central Government organizations.

- 8.24 The panel discussed various aspects relating to the timely completion of disciplinary proceedings within the stipulated time period so that guilty officials are punished appropriately and innocent officials are not harassed due to delay in completion of departmental proceedings. These sessions inter alia included expeditious disposal of bias petitions of charged officials (COs) by the competent authority and delayering of levels of processing of vigilance cases to ensure timely completion of disciplinary proceedings. The matter related to keeping in abeyance the vigilance cases of officials already dismissed or removed from service in other vigilance cases was also discussed in detail. Besides, issue relating to disciplinary action against retired employees of Central Public Sector Enterprises and harmonious construction of CVC Act 2003 and Commission's guidelines with Act / Rules governing employees of Central Armed Police Forces etc. were also discussed.
- 8.25 As an outcome of panel discussion and further deliberations that took place subsequently, the Commission has issued a set of guidelines focusing on steps for timely completion of disciplinary proceedings and has also taken up the matter with other Govt. agencies for initiating appropriate steps in this direction.



Walkathon by the Indian Oil Corporation Ltd. on the occasion of VAW-2023



Integrity Pledge taken at Embassy of India School, Moscow on the occasion of VAW-2023



Nukkad Natak at South Eastern Coalfields Ltd on the occasion of VAW-2023



Induction Training Programme of Newly Appointed CVOs at Satarkta Bhawan, New Delhi



Question answer session during Training and Interaction with Vigilance Officers at Chennai on 15.09.2023

CHAPTER 9

KNOWLEDGE MANAGEMENT AND CAPACITY BUILDING

BACKGROUND

- 9.1 The Commission attaches priority to capacity building as an important measure of preventive vigilance mechanism. Training and capacity building of vigilance functionaries is emphasised, due to specialized nature of vigilance work. Training is also essential for developing confidence of employees by updation of their knowledge, which also helps in improving their productivity. Further, the training of vigilance functionaries is a regular exercise as the officials posted in vigilance units are rotated periodically.
- 9.2 The main aim of capacity building exercise is to bridge the competency gap through training. After assessing the need to build capacity, domain competencies and functional competencies have been identified as core areas requiring special attention. Training interventions are also provided to build role specific competencies, which is another area requiring attention.
- 9.3 The Commission's Annual Capacity Building Plan (ACBP) is being aligned with the framework of Capacity Building Commission. Training needs for all officials of the Commission have been identified at each level from JSA / Steno onwards. Opportunities for training are made available to officers working in the Central Vigilance Commission and also those working in vigilance units of Central Govt. organizations, who are nominated for training programmes as per job requirements.
- 9.4 In addition to offline training programmes, Commission is also utilizing the Digital Learning Framework iGOT-Karmayogi (Integrated Government Online Training Karmayogi Platform). Commission's employees have registered on the iGOT-Karmayogi platform and are using the courses available on this platform to enhance their skills. Commission, on its part has also uploaded online training modules on its website, which can be used by all stakeholders to upgrade their skills and for educative purpose. Upgradation of these modules is being considered to align them with iGOT modules.

9.5 During 2023, the Commission had advised the organisations covered under its jurisdiction to undertake a three months campaign from 16th August 2023 to 15th Nov 2023, as a run-up to Vigilance Awareness Week-2023. During the campaign period, respective organizations were asked to conduct training programmes on identified themes as mentioned below:-

- (i) Training of Inquiry Officers (IOs) and Presenting Officers (POs)
- (ii) Training on Public Procurement
- (iii) Training on Preventive Vigilance
- (iv) Training on Ethics and Governance
- (v) Training on Cyber Hygiene and Security

9.6 During the campaign period, training programmes to train Master Trainers were organized by the Commission through the following training institutes:-

- (i) CBI Academy, Ghaziabad
- (ii) Arun Jaitley National Institute of Financial Management, Faridabad (AJNIFM)
- (iii) Indian Institute of Management (IIM), Visakhapatnam
- (iv) State Bank Staff College, Hyderabad
- (v) Management Training Institute, SAIL, Ranchi
- (vi) Hindustan Petroleum Corporation Ltd. (HPCL) Training Academy, Mumbai
- (vii) Indian Institute of Bank Management (IIBM), Guwahati
- (viii) National Institute of Electronics and Information Technology (NIELIT), New Delhi
- (ix) Delhi Metro Rail Academy (DMRA)

9.7 A total of 964 Master Trainers were given training on different themes. Number of officers trained on each theme is given in the table below:-

Table 9.1

S. No.	Training Domain	Officers Trained
1	IOs/POs	215
2	Public Procurement	191
3	Preventive Vigilance	156
4	Ethics and Governance	181
5	Cyber Hygiene and Security	221
	Total	964

DOMESTIC TRAINING PROGRAMMES FOR VIGILANCE FUNCTIONARIES

Induction Training Course for newly appointed CVOs:

9.8 The Commission has undertaken an initiative of holding 2 days' Induction Training on a quarterly basis, for newly appointed CVOs. This training is conducted in the last month of each quarter. Four such training programmes were scheduled in the year 2023. However, the training programme scheduled for the last quarter of 2023 had to be rescheduled for the first week of January 2024 due to some administrative reasons. Details of such orientation programmes are given below:-

Table 9.2

S. No.	Dates	Number of Participants
1	23.03.2023 to 24.03.2023	11
2	15.06.2023 to 16.06.2023	11
3	21.09.2023 to 22.09.2023	6
4*	04.01.2024 to 05.01.2024	16

* rescheduled from last week of December, 2023.

Training Programme In Preventive Forensics:

9.9 Recognizing the utility of forensic sciences in investigation of vigilance cases, a program suitable for vigilance functionaries, including CVOs has been designed in collaboration with National Forensic Sciences University (NFSU), Gandhinagar. During the year 2023, a number of three days' residential training programmes on forensics and preventive vigilance were conducted at NFSU, Gandhinagar campus in which 238 participants from different government organisations, including CPSEs and PSBs had participated. The details of programme conducted in the year 2023 is as under:-

Table 9.3

S. No.	Dates	Number of Participants
1	16.01.2023 to 18.01.2023	27
2	01.03.2023 to 03.03.2023	28
3	21.06.2023 to 23.06.2023	26
4	26.07.2023 to 28.07.2023	27
5	21.08.2023 to 23.08.2023	33
6	25.09.2023 to 27.09.2023	32
7	09.10.2023 to 11.10.2023	35
8	18.12.2023 to 20.12.2023	30

9.10 During the year 2023, the Commission also organized an advance training on “Vigilance Investigation” at National Police Academy, Hyderabad for full time CVOs of various organization of Central Govt. The programme was conducted from 4th-6th September, 2023 in which 27 full time CVOs had participated. The training covered different areas important to the functioning of CVOs, including challenges in the field of procurement, critical examination of cases for granting prosecution sanction, digital forensics, conduct of departmental inquiries, examination of audit inspection reports etc. from vigilance angle. During the training, the participants were also divided into groups to share best practices and areas of improvement in respective organizations, leading to peer learning.

Training Programme For Inquiry Officers/Presenting Officers (IOs/POs)

9.11 While reviewing the cases to find out the reasons for delay in finalization / conclusion of departmental inquiries, it has been observed that one of the main reasons for delay was lack of knowledge of rules, procedures etc., which govern the whole process of conducting departmental inquiries. In order to overcome this problem, a comprehensive training programme has been envisioned by the Commission to train and create a pool of potential Inquiry Officers and Presenting Officers, who would be able to conduct and finalize departmental inquiries without delay and by following proper procedure.

9.12 To roll out the IOs / POs training programme, Commission identified six training institutes namely Institute of Secretariat Training and Management, Hindustan Petroleum Corporation Limited Training Academy, CBI Academy, Central Academy for Police Training (CAPT), Indian Institute of Bank Management (IIBM) and National Productivity Council. These institutes are conducting IOs / POs training, based on the uniform training module prepared by the Commission. Through these institutes, 624 officers have been trained in 22 batches during the year 2023. The trainings were conducted in both, online and offline mode. The details are given in the following table: -

Table 9.4

S. No.	Academy/Institute	Date of Training Programs	No. of Participants
1	National Productivity Council	15.03.2023 to 17.03.2023	26
2	Hindustan Petroleum Corporation Limited	12.06.2023 to 14.06.2023	37
3	CBI Academy	28.11.2023 to 30.11.2023	37

		13.12.2023 to 15.12.2023	35
		27.12.2023 to 29.12.2023	33
4	CAPT	23.01.2023 to 25.01.2023	17
5	IIBM	13.02.2023 to 15.02.2023	27
		14.02.2023 to 16.02.2023	19
		27.02.2023 to 01.03.2023	12
		28.02.2023 to 02.03.2023	16
		12.06.2023 to 14.06.2023	39
		13.06.2023 to 15.06.2023	30
		17.07.2023 to 19.07.2023	27
		18.07.2023 to 20.07.2023	28
		07.08.2023 to 09.08.2023	33
		21.08.2023 to 23.08.2023	25
		06.09.2023 to 08.09.2023	18
		11.09.2023 to 13.09.2023	29
		04.10.2023 to 06.10.2023	35
		09.10.2023 to 11.10.2023	35
		06.12.2023 to 08.12.2023	35
		11.12.2023 to 13.12.2023	31

Training On Vigilance Administration

9.13 Recognizing the importance of vigilance functionaries, below the level of CVO, a comprehensive 5-days' training programmes on vigilance administration has been formulated by the Commission for such officers. These training programmes are being conducted through CBI Academy, situated at Ghaziabad. During the year 2023, four such programmes were conducted, the details of which are mentioned below:-

Table 9.5

S. No.	Dates	Total Number Participants
1	20.02.2023 to 24.02.2023	38
2	24.04.2023 to 28.04.2023	28
3	15.05.2023 to 19.05.2023	31
4	18.12.2023 to 22.12.2023	40

Training On Public Procurement

9.14 The Commission has also designed a 3-days' training module on public procurement, in consultation with Arun Jaitley National Institute of Financial Management (AJNIFM). Based on this module, trainings were conducted at AJNIFM and IIM, Vishakhapatnam for officers belonging to different Central Govt. organisations. During the year 2023, 10 such trainings were organized, the details of which are given below:

Table 9.6

S. No.	Institute Name	Dates	Total Number of Participants
1	AJNIFM	01.03.2023 to 03.03.2023	22
		22.03.2023 to 24.03.2023	30
		10.05.2023 to 12.05.2023	42
		31.05.2023 to 02.06.2023	36
		12.07.2023 to 14.07.2023	31
		26.07.2023 to 28.07.2023	31
		09.08.2023 to 11.08.2023	35
		29.11.2023 to 01.12.2023	35
2	IIM Vishakhapatnam	21.12.2023 to 23.12.2023	33
		28.12.2023 to 30.12.2023	35

Regional Conference /Training Programmes by The Commission

9.15 As part of the outreach programme, various regional conferences / training programmes, for CVOs and other vigilance functionaries have also been organized by the Commission, across different geographical regions. The details of such outreach programmes are given in the following table:

Table 9.7

S. No.	Date	Description	Region	No. of Participants
1	08.02.2023-09.02.2023	Training of Vigilance Officers of GAIL and its subsidiaries	Western region	85
2	15.09.2023	Training on Vigilance Administration and Procurement for Vigilance Officers (CPCL and UIICL)	Southern region	94
3	17.11.2023	Regional Conference of Vigilance Officers	Southern region	82
4	08.12.2023	Training-cum-interaction programme (HAL)	Southern region	88
5	22.12.2023	Training programme on Vigilance Administration and Procurement (BOB and BOI)	Western region	93

9.16 Deliberations / interaction with CVOs and training of vigilance functionaries of various departments were aimed at sharing the new initiatives of the Commission, including the new guidelines issued and also to understand the issues relating to vigilance administration of the respective organizations. The participants were addressed by the Commission and Secretary, CVC. Sessions on technical issues, Commission's role, functions and its guidelines and capacity building were addressed by the Additional Secretaries, Chief Technical Examiners, Director (Policy) and Director (Training).

APPENDIX

Group wise staff strength and related information as on 31.12.2023 in CVC

	Group A	Group B	Group C (Other than MTS)	Group C (Multi Task- ing Staff)	Total
Sanctioned Strength	65	108	69	73	315
Officials in position	57	100	36	54	247
Percentage vacancy	12.30%	7.40%	47.82%	26.02%	21.90%

**DEPARTMENT - WISE DETAILS OF PUNISHMENTS IMPOSED DURING 2023 IN
RESPECT OF CASES WHERE COMMISSION'S ADVICE WAS OBTAINED**

S. No.	Name of the Department / Organization	Prosecution	Major Penalty	Minor Penalty	Administrative Action
1	AIRPORTS AUTHORITY OF INDIA	0	2	13	14
2	BANARAS LOCOMOTIVE WORKS	1	0	1	0
3	BANK OF BARODA	1	16	10	0
4	BANK OF INDIA	0	33	12	1
5	BANK OF MAHARASHTRA	0	4	5	0
6	BHARAT COKING COAL LIMITED	0	3	4	10
7	BHARAT HEAVY ELECTRICALS LIMITED	0	1	5	2
8	BHARAT SANCHAR NIGAM LIMITED	0	3	1	0
9	BORDER ROADS ORGANISATION	0	2	0	0
10	BUREAU OF INDIAN STANDARDS	0	0	0	0
11	CANARA BANK	6	21	3	1
12	CENTRAL BANK OF INDIA	0	5	2	0
13	CENTRAL BOARD OF DIRECT TAXES	3	22	8	0
14	CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS	15	114	17	0
15	CENTRAL BOARD OF SECONDARY EDUCATION	0	1	0	0
16	CENTRAL BUREAU OF INVESTIGATION	1	3	0	0
17	CENTRAL COALFIELDS LIMITED	0	9	8	0
18	CENTRAL INDUSTRIAL SECURITY FORCE	1	0	0	0
19	CENTRAL MINES PLANNING AND DESIGN INSTITUTE LIMITED	0	0	0	1
20	CENTRAL PUBLIC WORKS DEPARTMENT	2	1	3	1

21	CENTRAL RAILWAY	0	3	1	0
22	COAL MINES PROVIDENT FUND ORGANIZATION	0	1	0	0
23	COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH	0	4	1	0
24	DAMODAR VALLEY CORPORATION	0	26	7	0
25	DELHI DEVELOPMENT AUTHORITY	0	12	2	0
26	DELHI JAL BOARD	0	7	0	0
27	DELHI STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION	0	1	0	0
28	DELHI TRANSCO LIMITED	0	1	0	0
29	DELHI URBAN SHELTER IMPROVEMENT BOARD	0	0	0	0
30	DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING	0	1	0	0
31	DEPARTMENT OF ATOMIC ENERGY	0	2	10	2
32	DEPARTMENT OF COMMERCE	0	4	1	0
33	DEPARTMENT OF DEFENCE PRODUCTION	0	7	1	0
34	DEPARTMENT OF EXPENDITURE	1	0	0	0
35	DEPARTMENT OF FERTILIZERS	0	0	4	0
36	DEPARTMENT OF FINANCIAL SERVICES	0	2	0	0
37	DEPARTMENT OF FISHERIES	0	0	0	0
38	DEPARTMENT OF HEALTH AND FAMILY WELFARE	6	3	0	0
39	DEPARTMENT OF HIGHER EDUCATION	7	3	1	0
40	DEPARTMENT OF HOMEOPATHY	0	0	1	0
41	DEPARTMENT OF LEGAL AFFAIRS	0	0	0	0
42	DEPARTMENT OF PERSONNEL AND TRAINING	8	2	0	0
43	DEPARTMENT OF POSTS	0	7	0	0

44	DEPARTMENT OF SCIENCE AND TECHNOLOGY	0	1	0	0
45	DEPARTMENT OF TELECOMMUNICATIONS	2	6	1	1
46	DEPARTMENT OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION	0	0	1	0
47	DEPTT. OF COMMERCE (SUPPLY DIVISION)	0	0	0	1
48	EAST CENTRAL RAILWAY	3	3	0	1
49	EAST COAST RAILWAY	0	2	0	0
50	EASTERN COALFIELDS LIMITED	1	14	7	1
51	EMPLOYEES PROVIDENT FUND ORGANISATION	0	2	2	0
52	EMPLOYEES STATE INSURANCE CORPORATION	0	5	1	0
53	FOOD CORPORATION OF INDIA	2	2	5	0
54	GAIL (INDIA) LIMITED	0	3	1	3
55	GENERAL INSURANCE CORPORATION OF INDIA	0	1	0	0
56	GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI	1	11	0	0
57	HEAVY ENGINEERING CORPORATION LIMITED	0	0	2	0
58	HINDUSTAN AERONAUTICS LIMITED	0	0	0	3
59	HINDUSTAN PETROLEUM CORPORATION LIMITED	0	0	0	3
60	HOUSING AND URBAN DEVELOPMENT COMPANY LIMITED	0	1	0	0
61	INDIA POST PAYMENTS BANK	0	1	0	0
62	INDIAN BANK	0	16	7	0
63	INDIAN COUNCIL OF AGRICULTURAL RESEARCH	0	1	0	0
64	INDIAN OIL CORPORATION LIMITED	0	1	14	18
65	INDIAN OVERSEAS BANK	2	8	0	0

66	INDIRA GANDHI NATIONAL OPEN UNIVERSITY	0	0	0	2
67	INDRAPRASTHA POWER GENERATION COMPANY LIMITED	0	0	0	0
68	INDUSTRIAL DEVELOPMENT BANK OF INDIA	0	3	2	1
69	INDUSTRIAL FINANCE CORPORATION OF INDIA	5	1	0	0
70	INTEGRAL COACH FACTORY	0	3	0	0
71	KENDRIYA VIDYALAYA SANGATHAN	0	3	0	0
72	KHADI AND VILLAGE INDUSTRIES COMMISSION	0	16	0	0
73	KOLKATA PORT TRUST (NOW SYAMA PRASAD MOOKERJEE PORT AUTHORITY, KOLKATA)	0	1	0	0
74	KONKAN RAILWAY CORPORATION LIMITED	0	2	1	0
75	KUDREMUKH IRON AND ORE COMPANY LIMITED	0	0	0	0
76	LIFE INSURANCE CORPORATION OF INDIA	0	4	10	0
77	M.C.D.	0	17	6	0
78	MAHANADI COALFIELDS LIMITED	0	0	0	3
79	MANGANESE ORE INDIA LIMITED	0	0	4	0
80	MAULANA AZAD NATIONAL INSTITUTE OF TECHNOLOGY	0	0	1	0
81	MAZAGON DOCK LIMITED	0	0	1	0
82	MILITARY ENGINEER SERVICES	1	6	1	0
83	MINISTRY OF COAL	5	12	0	0
84	MINISTRY OF DEFENCE	5	2	0	0
85	MINISTRY OF EARTH SCIENCES	0	0	0	0
86	MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY	0	2	0	0
87	MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE	2	0	0	0

88	MINISTRY OF EXTERNAL AFFAIRS	0	1	0	0
89	MINISTRY OF HEAVY INDUSTRIES	0	0	5	0
90	MINISTRY OF HOME AFFAIRS	6	4	1	0
91	MINISTRY OF HOUSING AND URBAN AFFAIRS	2	15	5	0
92	MINISTRY OF INFORMATION AND BROADCASTING	0	4	0	0
93	MINISTRY OF LABOUR AND EMPLOYMENT	0	0	0	0
94	MINISTRY OF MINES	0	0	0	0
95	MINISTRY OF PORTS, SHIPPING AND WATERWAYS	4	3	0	0
96	MINISTRY OF POWER	0	0	2	1
97	MINISTRY OF ROAD TRANSPORT AND HIGHWAYS	0	0	0	1
98	MINISTRY OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP	0	0	0	0
99	MINISTRY OF STEEL	0	0	0	0
100	MINISTRY OF TEXTILES	0	3	1	1
101	MINISTRY OF TOURISM	1	1	0	0
102	MINISTRY OF WOMEN AND CHILD DEVELOPMENT	0	1	0	0
103	MMTC LIMITED	0	5	0	0
104	MODERN COACH FACTORY	0	0	1	0
105	MUMBAI PORT TRUST	0	1	0	0
106	NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT	0	1	0	0
107	NATIONAL BUILDINGS CONSTRUCTION CORPORATION	0	7	2	1
108	NATIONAL COUNCIL FOR TEACHERS EDUCATION	0	0	0	0
109	NATIONAL HIGHWAY AUTHORITY OF INDIA	3	0	5	2
110	NATIONAL INSTITUTE OF OPEN SCHOOLING	0	2	0	0

111	NATIONAL INSURANCE COMPANY LIMITED	0	1	1	0
112	NATIONAL MINERAL DEVELOPMENT CORPORATION LIMITED	0	1	6	1
113	NAVODAYA VIDYALAYA SAMITI	0	1	0	0
114	NEHRU YUVA KENDRA SANGATHAN	0	2	0	0
115	NEW DELHI MUNICIPAL COUNCIL	0	1	0	5
116	NEW INDIA ASSURANCE COMPANY LIMITED	0	0	2	0
117	NEW MANGALORE PORT TRUST	0	3	1	0
118	NORTH EASTERN RAILWAY	0	1	4	0
119	NORTH WESTERN RAILWAY	0	2	2	2
120	NORTHEAST FRONTIER RAILWAY	2	3	5	0
121	NORTHERN COALFIELDS LIMITED	0	3	4	0
122	NORTHERN RAILWAY	0	4	0	1
123	NTPC LIMITED	0	2	25	16
124	NUCLEAR POWER CORPORATION OF INDIA LIMITED	0	0	0	5
125	OFFICE OF THE CONTROLLER GENERAL OF ACCOUNTS	0	0	1	0
126	ORDNANCE FACTORY BOARD	0	2	0	0
127	ORIENTAL INSURANCE COMPANY LIMITED	0	0	4	0
128	PARADEEP PORT TRUST	0	2	0	0
129	PETROLEUM AND EXPLOSIVES SAFETY ORGANIZATION, NAGPUR	2	0	0	0
130	POWER FINANCE CORPORATION LIMITED	0	0	1	0
131	POWER GRID CORPORATION OF INDIA LIMITED	0	0	5	2
132	PRASAR BHARATI	0	13	1	0
133	PROJECTS AND DEVELOPMENT INDIA LIMITED	0	0	0	0
134	PROJECTS EQUIPMENTS CORPORATION LIMITED	0	2	0	0

135	PUDUCHERRY ADMINISTRATION	0	1	0	0
136	PUNJAB AND SIND BANK	0	7	0	0
137	PUNJAB NATIONAL BANK	5	9	0	0
138	RAILWAY BOARD	27	47	52	22
139	RAILWAY ELECTRIFICATION	0	0	0	0
140	RAJASTHAN ELECTRONICS AND INSTRUMENTS LIMITED	0	1	0	0
141	RASHTRIYA ISPAT NIGAM LIMITED	0	3	1	0
142	rites LTD	0	3	0	0
143	RURAL ELECTRIFICATION CORPORATION	0	2	4	0
144	SJVN LIMITED	0	0	0	3
145	SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA	0	0	0	0
146	SOUTH CENTRAL RAILWAY	0	1	3	0
147	SOUTH EASTERN COALFIELDS LIMITED	0	31	3	9
148	SOUTH EASTERN RAILWAY	0	4	2	0
149	SOUTH WESTERN RAILWAY	2	1	5	3
150	SPORTS AUTHORITY OF INDIA	0	0	0	0
151	STATE BANK OF INDIA	13	123	51	1
152	STEEL AUTHORITY OF INDIA LIMITED	0	3	11	5
153	TELECOMMUNICATION CONSULTANTS INDIA LIMITED	0	0	3	0
154	UCO BANK	0	16	24	0
155	UNION BANK OF INDIA	1	33	23	0
156	UNITED INDIA INSURANCE COMPANY LIMITED	0	7	21	0
157	V.O. CHIDAMBARANAR PORT TRUST	0	0	1	0
158	WEST CENTRAL RAILWAY	3	0	0	0
159	WESTERN COALFIELDS LIMITED	1	12	10	2
	TOTAL	153	871	486	152

Appendix - III-A (i)
(Para 3.14 and 3.22)

DETAILS OF COMPLAINTS SENT BY CVC FOR NA TO CVOs IN 2023

S No	Ministry/ Department / Sector	Total Received	Disposal	Pending	Pending for more than 3 months
1	AGRICULTURE	19	13	6	3
2	ALL PUBLIC SECTOR BANKS	917	849	68	8
3	CBDT	156	137	19	10
4	CBIC	227	216	11	0
5	CHEMICALS AND FERTILIZERS	87	51	36	22
6	CIVIL AVIATION	88	79	9	1
7	COAL	439	417	22	2
8	COMMERCE AND INDUSTRY	24	22	2	1
9	CONSUMER AFFAIRS, FOOD AND PUB. DSTBN.	103	103	0	0
10	DEFENCE	477	473	4	0
11	ATOMIC ENERGY	190	182	8	1
12	EARTH SCIENCES	13	7	6	3
13	ENVIRONMENT, FOREST AND CLIMATE CHANGE	19	17	2	2
14	FINANCE	82	76	6	0
15	GOVT. OF NCT DELHI	669	639	30	0
16	HEALTH AND FAMILY WELFARE	32	29	3	1
17	HEAVY INDUSTRIES AND PUBLIC ENTERPRISES	45	43	2	1
18	HOUSING AND URBAN AFFAIRS	651	582	69	14
19	HUMAN RESOURCE DEVELOPMENT	24	18	6	1
20	INFORMATION AND BROADCAST-ING	33	28	5	3

21	ALL PUBLIC SECTOR INSURANCE COMPANIES	287	262	25	2
22	JAL SHAKTI	30	28	2	1
23	LABOUR	223	215	8	3
24	LOCAL BODIES EXCEPT G.N.C.T.D*	2942	2931	11	5
25	HOME AFFAIRS	319	311	8	7
26	MINES	33	30	3	0
27	AYUSH	28	28	0	0
28	COOPERATION	1	0	1	1
29	CORPORATE AFFAIRS	5	5	0	0
30	CULTURE	35	35	0	0
31	ELECTRONICS AND INFORMATION TECHNOLOGY	37	28	9	2
32	EXTERNAL AFFAIRS	2	0	2	2
33	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	10	10	0	0
34	FOOD PROCESSING INDUSTRIES	0	0	0	0
35	MICRO, SMALL AND MEDIUM ENTERPRISES	25	25	0	0
36	MINORITY AFFAIRS	0	0	0	0
37	TEXTILES	33	33	0	0
38	TRIBAL AFFAIRS	2	1	1	1
39	MISCELLANEOUS	53	45	8	5
40	NEW AND RENEWABLE ENERGY	3	1	2	2
41	PERSONNEL, P.G. AND PENSIONS	415	69	346	339
42	PETROLEUM	442	406	36	8
43	POSTS	225	189	36	0
44	POWER	111	101	10	3
45	RAILWAYS	1187	1186	1	0

46	ROAD TRANSPORT AND HIGHWAYS	138	126	12	1
47	RURAL DEVELOPMENT	0	0	0	0
48	SCIENCE AND TECHNOLOGY	93	83	10	6
49	SHIPPING	82	78	4	3
50	SOCIAL JUSTICE AND EMPOWERMENT	3	0	3	3
51	STEEL	197	183	14	0
52	TELECOMMUNICATION	276	264	12	7
53	TOURISM	7	7	0	0
54	UNION TERRITORIES OTHER THAN DELHI	40	40	0	0
55	YOUTH AFFAIRS AND SPORTS	22	9	13	13
	TOTAL	11601	10710	891	487

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

DETAILS OF COMPLAINTS RECEIVED BY CVOs AND DEALT WITH BY CVOs IN 2023

S No	Ministry/ Department / Sector	Total Received	Disposal	Pending	Pending for more than 3 months
1	AGRICULTURE	170	131	39	21
2	ALL PUBLIC SECTOR BANKS	6087	5818	269	53
3	CBDT	1672	1304	368	266
4	CBIC	978	913	65	0
5	CHEMICALS AND FERTILIZERS	196	167	29	18
6	CIVIL AVIATION	464	426	38	6
7	COAL	3981	3783	198	27
8	COMMERCE AND INDUSTRY	134	113	21	1
9	CONSUMER AFFAIRS, FOOD AND PUB. DSTBN.	826	761	65	10
10	DEFENCE	1384	1335	49	10
11	DELHI POLICE	5298	3312	1986	154
12	ATOMIC ENERGY	409	377	32	7
13	EARTH SCIENCES	20	7	13	11
14	ENVIRONMENT, FOREST AND CLIMATE CHANGE	76	59	17	8
15	FINANCE	1316	1244	72	39
16	GOVT. OF NCT DELHI	5969	5607	362	0
17	HEALTH AND FAMILY WELFARE	68	48	20	6
18	HEAVY INDUSTRIES AND PUBLIC ENTERPRISES	278	259	19	4
19	HOUSING AND URBAN AFFAIRS	3825	3141	684	298

20	HUMAN RESOURCE DEVELOPMENT	590	479	111	29
21	INFORMATION AND BROADCASTING	69	60	9	7
22	ALL PUBLIC SECTOR INSURANCE COMPANIES	673	627	46	17
23	JAL SHAKTI	88	67	21	10
24	LABOUR	2994	2870	124	53
25	LOCAL BODIES EXCEPT G.N.C.T.D *	4723	4347	376	298
26	HOME AFFAIRS ⁵	2005	1717	288	233
27	MINES	125	118	7	0
28	AYUSH	37	30	7	0
29	COOPERATION	26	10	16	14
30	CORPORATE AFFAIRS	207	116	91	79
31	CULTURE	78	78	0	0
32	ELECTRONICS AND INFORMATION TECHNOLOGY	59	48	11	2
33	EXTERNAL AFFAIRS	79	61	18	15
34	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	4	4	0	0
35	FOOD PROCESSING INDUSTRIES	0	0	0	0
36	MICRO, SMALL AND MEDIUM ENTERPRISES	185	182	3	1
37	MINORITY AFFAIRS	0	0	0	0
38	TEXTILES	187	175	12	3
39	TRIBAL AFFAIRS	16	6	10	10
40	MISCELLANEOUS	121	95	26	22
41	NEW AND RENEWABLE ENERGY	22	17	5	3
42	PERSONNEL, P.G. AND PENSIONS	474	176	298	260

43	PETROLEUM	2307	2164	143	26
44	POSTS	534	523	11	1
45	POWER	819	694	125	48
46	RAILWAYS	9260	8695	565	8
47	ROAD TRANSPORT AND HIGHWAYS	319	305	14	0
48	RURAL DEVELOPMENT	0	0	0	0
49	SCIENCE AND TECHNOLOGY	251	238	13	9
50	SHIPPING	473	414	59	25
51	SOCIAL JUSTICE AND EMPOWERMENT	16	5	11	9
52	STEEL	925	864	61	4
53	TELECOMMUNICATION	1181	1141	40	8
54	TOURISM	93	75	18	16
55	UNION TERRITORIES OTHER THAN DELHI	358	358	0	0
56	YOUTH AFFAIRS AND SPORTS	153	99	54	55
	TOTAL	62602	55663	6939	2203

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

\$ Home Affairs and allied organizations excluding Delhi Police.

DETAILS OF COMPLAINTS RECEIVED IN RESPECT OF ALL CATEGORIES OF OFFICERS/EMPLOYEES IN 2023

S No	Ministry/ Department / Sector	Total Received	Disposal	Pending	Pending for more than 3 months
1	AGRICULTURE	189	144	45	24
2	ALL PUBLIC SECTOR BANKS	7004	6667	337	61
3	CBDT	1828	1441	387	276
4	CBIC	1205	1129	76	0
5	CHEMICALS AND FERTILIZERS	283	218	65	40
6	CIVIL AVIATION	552	505	47	7
7	COAL	4420	4200	220	29
8	COMMERCE AND INDUSTRY	158	135	23	2
9	CONSUMER AFFAIRS, FOOD AND PUB. DSTBN.	929	864	65	10
10	DEFENCE	1861	1808	53	10
11	DELHI POLICE	5313	3325	1988	154
12	ATOMIC ENERGY	599	559	40	8
13	EARTH SCIENCES	33	14	19	14
14	ENVIRONMENT, FOREST AND CLIMATE CHANGE	95	76	19	10
15	FINANCE	1398	1320	78	39
16	GOVT. OF NCT DELHI	6638	6246	392	0

17	HEALTH AND FAMILY WELFARE	100	77	23	7
18	HEAVY INDUSTRIES AND PUBLIC ENTERPRISES	323	302	21	5
19	HOUSING AND URBAN AFFAIRS	4476	3723	753	312
20	HUMAN RESOURCE DEVELOPMENT	614	497	117	30
21	INFORMATION AND BROADCASTING	102	88	14	10
22	ALL PUBLIC SECTOR INSURANCE COMPANIES	960	889	71	19
23	JAL SHAKTI	118	95	23	11
24	LABOUR	3217	3085	132	56
25	LOCAL BODIES EXCEPT G.N.C.T.D *	7665	7278	387	303
26	HOME AFFAIRS ^s	2309	2015	294	239
27	MINES	158	148	10	0
28	AYUSH	65	58	7	0
29	COOPERATION	27	10	17	15
30	CORPORATE AFFAIRS	212	121	91	79
31	CULTURE	113	113	0	0
32	ELECTRONICS AND INFORMATION TECHNOLOGY	96	76	20	4
33	EXTERNAL AFFAIRS	81	61	20	17
34	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	14	14	0	0
35	FOOD PROCESSING INDUSTRIES	0	0	0	0
36	MICRO, SMALL AND MEDIUM ENTERPRISES	210	207	3	1
37	MINORITY AFFAIRS	0	0	0	0
38	TEXTILES	220	208	12	3
39	TRIBAL AFFAIRS	18	7	11	11

40	MISCELLANEOUS	174	140	34	27
41	NEW AND RENEWABLE ENERGY	25	18	7	5
42	PERSONNEL, P.G. AND PENSIONS	889	245	644	599
43	PETROLEUM	2749	2570	179	34
44	POSTS	759	712	47	1
45	POWER	930	795	135	51
46	RAILWAYS	10447	9881	566	8
47	ROAD TRANSPORT AND HIGHWAYS	457	431	26	1
48	RURAL DEVELOPMENT	0	0	0	0
49	SCIENCE AND TECHNOLOGY	344	321	23	15
50	SHIPPING	555	492	63	28
51	SOCIAL JUSTICE AND EMPOWERMENT	19	5	14	12
52	STEEL	1122	1047	75	4
53	TELECOMMUNICATION	1457	1405	52	15
54	TOURISM	100	82	18	16
55	UNION TERRITORIES OTHER THAN DELHI	398	398	0	0
56	YOUTH AFFAIRS AND SPORTS	175	108	67	67
	TOTAL	74203	66373	7830	2689

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

\$ Home Affairs and allied organizations excluding Delhi Police.

DETAILS OF PIDPI COMPLAINTS RECEIVED BY CVOs FROM CVC AND DESIGNATED AUTHORITIES

S No	Ministry/ Department / Sector	Total Received	Disposal	Pending	Pending for more than 3 months
1	AGRICULTURE	12	3	9	7
2	ALL PUBLIC SECTOR BANKS	33	26	7	3
3	CBDT	19	10	9	9
4	CBIC	23	13	10	10
5	CHEMICALS AND FERTILIZERS	4	4	0	0
6	CIVIL AVIATION	5	4	1	1
7	COAL	42	23	19	1
8	COMMERCE AND INDUSTRY	8	2	6	6
9	CONSUMER AFFAIRS, FOOD AND PUB. DSTBN.	44	35	9	9
10	DEFENCE	45	33	12	4
11	ATOMIC ENERGY	18	10	8	7
12	EARTH SCIENCES	1	0	1	1
13	ENVIRONMENT, FOREST AND CLIMATE CHANGE	6	4	2	1
14	FINANCE	9	8	1	1
15	GOVT. OF NCT DELHI	3	0	3	3
16	HEALTH AND FAMILY WELFARE	1	0	1	0
17	HEAVY INDUSTRIES AND PUBLIC ENTERPRISES	3	1	2	2
18	HOUSING AND URBAN AFFAIRS	26	20	6	6
19	HUMAN RESOURCE DEVELOPMENT	5	2	3	1

20	INFORMATION AND BROADCAST- ING	3	3	0	0
21	ALL PUBLIC SECTOR INSURANCE COMPANIES	31	29	2	0
22	JAL SHAKTI	0	0	0	0
23	LABOUR	8	5	3	2
24	LOCAL BODIES EXCEPT G.N.C.T.D *	5	1	4	1
25	HOME AFFAIRS	24	7	17	15
26	MINES	4	1	3	0
27	AYUSH	2	1	1	0
28	COOPERATION	0	0	0	0
29	CORPORATE AFFAIRS	3	3	0	0
30	CULTURE	7	0	7	5
31	ELECTRONICS AND INFORMATION TECHNOLOGY	0	0	0	0
32	EXTERNAL AFFAIRS	0	0	0	0
33	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	0	0	0	0
34	FOOD PROCESSING INDUSTRIES	0	0	0	0
35	MICRO, SMALL AND MEDIUM ENTERPRISES	1	1	0	0
36	MINORITY AFFAIRS	0	0	0	0
37	TEXTILES	2	2	0	0
38	TRIBAL AFFAIRS	0	0	0	0
39	MISCELLANEOUS	10	7	3	3
40	NEW AND RENEWABLE ENERGY	1	0	1	1
41	PERSONNEL, P.G. AND PENSIONS	0	0	0	0
42	PETROLEUM	35	24	11	2
43	POSTS	27	18	9	2
44	POWER	18	11	7	3

45	RAILWAYS	113	68	45	4
46	ROAD TRANSPORT AND HIGHWAYS	3	2	1	1
47	RURAL DEVELOPMENT	4	0	4	2
48	SCIENCE AND TECHNOLOGY	11	3	8	5
49	SHIPPING	30	19	11	4
50	SOCIAL JUSTICE AND EMPOWERMENT	0	0	0	0
51	STEEL	11	10	1	1
52	TELECOMMUNICATION	25	17	8	5
53	TOURISM	1	1	0	0
54	UNION TERRITORIES OTHER THAN DELHI	2	2	0	0
55	YOUTH AFFAIRS AND SPORTS	0	0	0	0
	TOTAL	688	433	255	128

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

**DETAILS OF DEPARTMENTAL INQUIRIES AGAINST OFFICERS
(UNDER CVC JURISDICTION) IN 2023**

S No	Ministry/ Department / Sector	Total Received	Disposal	Pending	Pending for more than 3 months
1	AGRICULTURE	4	0	4	1
2	ALL PUBLIC SECTOR BANKS	318	218	100	39
3	CBDT	124	43	81	77
4	CBIC	203	118	85	57
5	CHEMICALS AND FERTILIZERS	9	1	8	8
6	CIVIL AVIATION	8	0	8	5
7	COAL	102	63	39	36
8	COMMERCE AND INDUSTRY	15	3	12	11
9	CONSUMER AFFAIRS, FOOD AND PUB. DSTBN.	7	1	6	4
10	DEFENCE	40	27	13	8
11	ATOMIC ENERGY	6	4	2	2
12	EARTH SCIENCES	0	0	0	0
13	ENVIRONMENT, FOREST AND CLIMATE CHANGE	0	0	0	0
14	FINANCE	19	9	10	5
15	GOVT. OF NCT DELHI	14	11	3	2
16	HEALTH AND FAMILY WELFARE	2	2	0	0
17	HEAVY INDUSTRIES AND PUBLIC ENTERPRISES	7	3	4	0
18	HOUSING AND URBAN AFFAIRS	70	37	33	28
19	HUMAN RESOURCE DEVELOPMENT	5	4	1	0
20	INFORMATION AND BROADCASTING	5	0	5	2

21	ALL PUBLIC SECTOR INSURANCE COMPANIES	27	8	19	7
22	JAL SHAKTI	0	0	0	0
23	LABOUR	42	21	21	20
24	LOCAL BODIES EXCEPT G.N.C.T.D *	41	19	22	19
25	HOME AFFAIRS	18	8	10	8
26	MINES	3	1	2	0
27	AYUSH	0	0	0	0
28	COOPERATION	0	0	0	0
29	CORPORATE AFFAIRS	3	0	3	3
30	CULTURE	0	0	0	0
31	ELECTRONICS AND INFORMATION TECHNOLOGY	2	0	2	0
32	EXTERNAL AFFAIRS	2	1	1	0
33	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	0	0	0	0
34	FOOD PROCESSING INDUSTRIES	0	0	0	0
35	MICRO, SMALL AND MEDIUM ENTERPRISES	0	0	0	0
36	MINORITY AFFAIRS	0	0	0	0
37	TEXTILES	7	4	3	3
38	TRIBAL AFFAIRS	0	0	0	0
39	MISCELLANEOUS	0	0	0	0
40	NEW AND RENEWABLE ENERGY	0	0	0	0
41	PERSONNEL, P.G. AND PENSIONS	60	9	51	45
42	PETROLEUM	27	9	18	6
43	POSTS	8	3	5	5
44	POWER	50	37	13	6
45	RAILWAYS	152	45	107	86

46	ROAD TRANSPORT AND HIGHWAYS	14	3	11	8
47	RURAL DEVELOPMENT	0	0	0	0
48	SCIENCE AND TECHNOLOGY	18	3	15	15
49	SHIPPING	16	5	11	10
50	SOCIAL JUSTICE AND EMPOWERMENT	0	0	0	0
51	STEEL	10	5	5	3
52	TELECOMMUNICATION	36	8	28	12
53	TOURISM	0	0	0	0
54	UNION TERRITORIES OTHER THAN DELHI	1	0	1	1
55	YOUTH AFFAIRS AND SPORTS	1	0	1	1
	TOTAL	1496	733	763	543

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

Appendix - III-C
(Para 3.19 and 3.22)

DETAILS OF DEPARTMENTAL INQUIRIES AGAINST OTHER EMPLOYEES IN 2023

S No	Ministry/ Department / Sector	Total Received	Disposal	Pending	Pending for more than 3 months
1	AGRICULTURE	12	4	8	5
2	ALL PUBLIC SECTOR BANKS	3547	2398	1149	328
3	CBDT	157	44	113	88
4	CBIC	426	186	240	158
5	CHEMICALS AND FERTILIZERS	13	6	7	4
6	CIVIL AVIATION	11	3	8	8
7	COAL	96	40	56	18
8	COMMERCE AND INDUSTRY	6	2	4	4
9	CONSUMER AFFAIRS, FOOD AND PUB. DSTBN.	144	86	58	30
10	DEFENCE	113	80	33	10
11	ATOMIC ENERGY	45	11	34	21
12	EARTH SCIENCES	0	0	0	0
13	ENVIRONMENT, FOREST AND CLIMATE CHANGE	0	0	0	0
14	FINANCE	12	7	5	4
15	GOVT. OF NCT DELHI	73	33	40	39
16	HEALTH AND FAMILY WELFARE	28	7	21	15
17	HEAVY INDUSTRIES AND PUBLIC ENTERPRISES	25	19	6	3
18	HOUSING AND URBAN AFFAIRS	38	15	23	22
19	HUMAN RESOURCE DEVELOPMENT	82	17	65	44
20	INFORMATION AND BROADCASTING	0	0	0	0

21	ALL PUBLIC SECTOR INSURANCE COMPANIES	116	78	38	15
22	JAL SHAKTI	2	1	1	1
23	LABOUR	231	145	86	62
24	LOCAL BODIES EXCEPT G.N.C.T.D *	187	103	84	40
25	HOME AFFAIRS	70	31	39	29
26	MINES	20	10	10	9
27	AYUSH	0	0	0	0
28	COOPERATION	0	0	0	0
29	CORPORATE AFFAIRS	2	0	2	2
30	CULTURE	0	0	0	0
31	ELECTRONICS AND INFORMATION TECHNOLOGY	0	0	0	0
32	EXTERNAL AFFAIRS	26	10	16	13
33	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	0	0	0	0
34	FOOD PROCESSING INDUSTRIES	0	0	0	0
35	MICRO, SMALL AND MEDIUM ENTERPRISES	10	1	9	1
36	MINORITY AFFAIRS	0	0	0	0
37	TEXTILES	17	15	2	0
38	TRIBAL AFFAIRS	0	0	0	0
39	MISCELLANEOUS	17	7	10	3
40	NEW AND RENEWABLE ENERGY	0	0	0	0
41	PERSONNEL, P.G. AND PENSIONS	29	9	20	16
42	PETROLEUM	61	38	23	9
43	POSTS	2163	860	1303	944
44	POWER	7	5	2	1
45	RAILWAYS	941	461	480	327

46	ROAD TRANSPORT AND HIGHWAYS	0	0	0	0
47	RURAL DEVELOPMENT	1	1	0	0
48	SCIENCE AND TECHNOLOGY	38	19	19	9
49	SHIPPING	29	17	12	8
50	SOCIAL JUSTICE AND EMPOWERMENT	0	0	0	0
51	STEEL	38	10	28	7
52	TELECOMMUNICATION	73	32	41	32
53	TOURISM	7	0	7	5
54	UNION TERRITORIES OTHER THAN DELHI	42	16	26	24
55	YOUTH AFFAIRS AND SPORTS	0	0	0	0
	TOTAL	8955	4827	4128	2358

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

Appendix - III-D
(Para 3.22 and 3.24)

**DETAILS OF REQUESTS FOR PROSECUTION SANCTION RECEIVED AND DISPOSED
BY ORGANISATION IN 2023**

S No	Ministry/ Department / Sector	Total Case for sanction	Sanctioned	Re- fused	Pending	Pending for more than 6 months
1	AGRICULTURE	0	0	0	0	0
2	ALL PUBLIC SECTOR BANKS	329	127	116	86	37
3	CBDT	20	6	2	12	2
4	CBIC	34	20	0	14	11
5	CHEMICALS AND FERTILIZERS	0	0	0	0	0
6	CIVIL AVIATION	1	0	0	1	0
7	COAL	45	35	9	1	0
8	COMMERCE AND INDUSTRY	8	8	0	0	0
9	CONSUMER AFFAIRS, AND FOOD PUB. DSTBN.	25	19	0	6	0
10	DEFENCE	15	12	0	3	3
11	ATOMIC ENERGY	0	0	0	0	0
12	EARTH SCIENCES	0	0	0	0	0
13	ENVIRONMENT, FOREST AND CLIMATE CHANGE	2	0	0	2	2
14	FINANCE	9	7	2	0	0
15	GOVT. OF NCT DELHI	52	18	3	31	20
16	HEALTH AND FAMILY WELFARE	0	0	0	0	0
17	HEAVY INDUSTRIES AND PUBLIC ENTERPRISES	3	3	0	0	0
18	HOUSING AND URBAN AFFAIRS	17	2	1	14	3
19	HUMAN RESOURCE DEVELOPMENT	5	4	0	1	0

20	INFORMATION AND BROADCASTING	3	2	0	1	1
21	ALL PUBLIC SECTOR INSURANCE COMPANIES	1	0	0	1	0
22	JAL SHAKTI	2	1	0	1	1
23	LABOUR	33	26	0	7	0
24	LOCAL BODIES EXCEPT G.N.C.T.D *	37	28	1	8	0
25	HOME AFFAIRS	24	9	6	9	5
26	MINES	4	2	2	0	0
27	AYUSH	0	0	0	0	0
28	COOPERATION	0	0	0	0	0
29	CORPORATE AFFAIRS	5	2	0	3	0
30	CULTURE	0	0	0	0	0
31	ELECTRONICS AND INFORMATION TECHNOLOGY	0	0	0	0	0
32	EXTERNAL AFFAIRS	8	0	8	0	0
33	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	0	0	0	0	0
34	FOOD PROCESSING INDUSTRIES	0	0	0	0	0
35	MICRO, SMALL AND MEDIUM ENTERPRISES	2	2	0	0	0
36	MINORITY AFFAIRS	0	0	0	0	0
37	TEXTILES	0	0	0	0	0
38	TRIBAL AFFAIRS	0	0	0	0	0
39	MISCELLANEOUS	0	0	0	0	0
40	NEW AND RENEWABLE ENERGY	1	1	0	0	0
41	PERSONNEL, P.G. AND PENSIONS	5	5	0	0	0
42	PETROLEUM	10	9	1	0	0
43	POSTS	31	23	0	8	0

44	POWER	1	1	0	0	0
45	RAILWAYS	41	33	3	5	0
46	ROAD TRANSPORT AND HIGHWAYS	8	7	0	1	0
47	RURAL DEVELOPMENT	0	0	0	0	0
48	SCIENCE AND TECHNOLOGY	4	4	0	0	0
49	SHIPPING	6	2	0	4	1
50	SOCIAL JUSTICE AND EMPOWERMENT	0	0	0	0	0
51	STEEL	4	3	0	1	0
52	TELECOMMUNICATION	4	3	0	1	0
53	TOURISM	0	0	0	0	0
54	UNION TERRITORIES OTHER THAN DELHI	2	2	0	0	0
55	YOUTH AFFAIRS AND SPORTS	0	0	0	0	0
	TOTAL	801	426	154	221	86

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

DETAILS OF PUNISHMENT AWARDED (ALL CATEGORIES) IN MINOR PENALTY PROCEEDINGS IN 2023

S No	Ministry/ Department / Sector	Reduction to lower stage	Postponement / withholding of increment	Recovery from pay	With holding of promotion	Censure /Warn- ing	No Action
1	AGRICULTURE	0	0	0	0	0	0
2	ALL PUBLIC SECTOR BANKS	416	61	60	1	386	37
3	CBDT	3	4	1	0	13	5
4	CBIC	12	0	0	0	27	19
5	CHEMICALS AND FERTILIZERS	0	1	0	0	1	0
6	CIVIL AVIATION	0	0	0	0	20	0
7	COAL	19	7	0	0	71	2
8	COMMERCE AND INDUSTRY	0	0	1	0	0	0
9	CONSUMER AFFAIRS, FOOD AND PUB. DSTBN.	160	31	990	0	228	47
10	DEFENCE	5	10	0	1	24	4
11	ATOMIC ENERGY	1	0	0	0	9	0
12	EARTH SCIENCES	0	0	0	0	0	0
13	ENVIRONMENT, FOREST AND CLIMATE CHANGE	0	0	0	0	0	0
14	FINANCE	0	0	0	0	3	3
15	GOVT. OF NCT DELHI	4	2	0	0	0	0
16	HEALTH AND FAMILY WELFARE	0	1	0	0	1	0
17	HEAVY INDUSTRIES AND PUBLIC ENTER- PRISES	3	0	2	0	26	0
18	HOUSING AND URBAN AFFAIRS	13	2	1	0	10	5

19	HUMAN RESOURCE DEVELOPMENT	4	1	1	0	12	1
20	INFORMATION AND BROADCASTING	0	0	0	0	0	0
21	ALL PUBLIC SECTOR INSURANCE COMPANIES INSURANCE	31	8	29	0	372	66
22	JAL SHAKTI	0	0	0	0	2	2
23	LABOUR	2	10	2	0	7	1
24	LOCAL BODIES EXCEPT G.N.C.T.D *	6	3	511	0	115	34
25	HOME AFFAIRS	2	7	6	0	1380	3760
26	MINES	0	1	0	0	4	3
27	AYUSH	0	0	0	0	0	0
28	COOPERATION	0	0	0	0	0	0
29	CORPORATE AFFAIRS	0	0	0	0	0	0
30	CULTURE	0	0	0	0	0	0
31	ELECTRONICS AND INFORMATION TECHNOLOGY	1	0	0	0	0	0
32	EXTERNAL AFFAIRS	0	0	0	0	0	0
33	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	0	0	0	0	0	0
34	FOOD PROCESSING INDUSTRIES	0	0	0	0	0	0
35	MICRO, SMALL AND MEDIUM ENTERPRISES	0	1	0	0	1	0
36	MINORITY AFFAIRS	0	0	0	0	0	0
37	TEXTILES	0	2	0	0	3	0
38	TRIBAL AFFAIRS	0	0	0	0	0	0
39	MISCELLANEOUS	0	0	0	0	0	0

40	NEW AND RENEWABLE ENERGY	0	0	0	0	0	0
41	PERSONNEL, P.G. AND PENSIONS	0	2	0	0	4	1
42	PETROLEUM	0	9	1	11	102	4
43	POSTS	715	1450	570	11	1380	76
44	POWER	0	6	0	0	44	8
45	RAILWAYS	4	1110	5	6	415	160
46	ROAD TRANSPORT AND HIGHWAYS	0	0	0	0	0	0
47	RURAL DEVELOPMENT	0	0	0	0	0	0
48	SCIENCE AND TECHNOLOGY	0	0	0	0	0	0
49	SHIPPING	0	1	0	0	1	0
50	SOCIAL JUSTICE AND EMPOWERMENT	0	0	0	0	0	0
51	STEEL	13	6	0	1	48	1
52	TELECOMMUNICATION	4	1	0	0	20	1
53	TOURISM	0	1	0	0	2	0
54	UNION TERRITORIES OTHER THAN DELHI	0	0	0	0	2	0
55	YOUTH AFFAIRS AND SPORTS	0	0	0	0	0	0
	TOTAL	1418	2738	2180	31	4733	4240

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

Appendix - III-F
(Para 3.22 and 3.23)

DETAILS OF PUNISHMENTS AWARDED (ALL CATEGORIES) IN MAJOR PENALTY PROCEEDINGS IN 2023

S No	Ministry/ Department / Sector	Cut in pension	Dismissal / Removal / Compulsory Retirement	Reduction to lower time scale / rank	Other Major Penalties	Minor Penalties other than Censure / Warning	Censure / Warning	No Action
1	AGRICULTURE	0	1	0	0	0	0	0
2	ALL PUBLIC SECTOR BANKS	58	434	1625	540	21	70	43
3	CBDT	46	12	13	1	1	0	31
4	CBIC	144	24	114	13	0	22	93
5	CHEMICALS AND FERTILIZERS	0	1	1	0	0	2	0
6	CIVIL AVIATION	0	0	3	0	0	5	0
7	COAL	5	16	63	11	1	2	6
8	COMMERCE AND INDUSTRY	0	1	2	3	0	0	0
9	CONSUMER AFFAIRS, FOOD AND PUB. DSTBN.	0	26	101	13	5	24	29
10	DEFENCE	8	6	24	7	5	1	13
11	ATOMIC ENERGY	1	4	8	1	0	0	1
12	EARTH SCIENCES	0	0	0	0	0	0	0
13	ENVIRONMENT FOREST AND CLIMATE CHANGE	0	0	0	0	0	0	0
14	FINANCE	0	1	3	1	0	0	3
15	GOVT. OF NCT DELHI	3	0	1	0	0	1	1
16	HEALTH AND FAMILY WELFARE	0	1	1	0	0	0	1

17	HEAVY INDUSTRIES AND PUBLIC ENTER- PRISES	0	0	23	0	0	4	2
18	HOUSING AND URBAN AFFAIRS	8	0	18	1	0	1	3
19	HUMAN RESOURCE DEVELOPMENT	3	4	11	1	3	2	0
20	INFORMATION AND BROADCASTING	9	0	0	0	0	0	1
21	ALL PUBLIC SECTOR IN- SURANCE COMPANIES	22	9	53	0	9	5	12
22	JAL SHAKTI	0	0	1	0	0	0	1
23	LABOUR	20	13	2	40	4	2	10
24	LOCAL BODIES EXCEPT G.N.C.T.D *	32	74	39	49	31	27	45
25	HOME AFFAIRS	3	28	16	117	13	70	146
26	MINES	0	2	2	0	0	1	0
27	AYUSH	0	0	0	0	0	0	0
28	COOPERATION	0	0	0	0	0	0	0
29	CORPORATE AFFAIRS	0	0	0	0	0	0	0
30	CULTURE	0	0	0	0	0	0	0
31	ELECTRONICS AND INFORMATION TECHNOLOGY	0	1	0	0	0	0	0
32	EXTERNAL AFFAIRS	2	3	0	0	0	0	0
33	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	0	0	0	0	0	0	0
34	FOOD PROCESSING INDUSTRIES	0	0	0	0	0	0	0
35	MICRO, SMALL AND MEDIUM ENTERPRISES	5	0	4	0	0	1	1
36	MINORITY AFFAIRS	0	0	0	0	0	0	0
37	TEXTILES	0	0	0	0	1	1	0
38	TRIBAL AFFAIRS	0	0	0	0	0	0	0
39	MISCELLANEOUS	0	0	1	0	1	0	1

40	NEW AND RENEWABLE ENERGY	0	0	0	0	0	0	0
41	PERSONNEL, P.G. AND PENSIONS	4	1	1	3	1	2	6
42	PETROLEUM	0	14	12	9	2	6	1
43	POSTS	38	180	285	80	51	25	98
44	POWER	6	0	9	22	0	5	5
45	RAILWAYS	0	62	744	7	67	8	39
46	ROAD TRANSPORT AND HIGHWAYS	0	0	0	0	0	0	0
47	RURAL DEVELOPMENT	0	0	0	0	0	0	0
48	SCIENCE AND TECHNOLOGY	0	1	0	0	0	0	1
49	SHIPPING	3	5	10	1	0	2	9
50	SOCIAL JUSTICE AND EMPOWERMENT	0	0	0	0	0	0	0
51	STEEL	0	1	10	3	1	6	0
52	TELECOMMUNICATION	10	4	12	2	0	0	0
53	TOURISM	0	0	1	0	0	0	0
54	UNION TERRITORIES OTHER THAN DELHI	2	3	0	0	0	0	1
55	YOUTH AFFAIRS AND SPORTS	0	0	0	0	0	0	1
	TOTAL	432	932	3213	925	217	295	604

The data for each Ministry/ Department / Sector includes the data of its allied organisations also.

The data is based on the Annual Reports submitted by CVO.

* Local Bodies (except GNCTD) includes DSIDC, DJB, DTTDC, DTC, DTL, DUSIB, IPGCL, MCD, and NDMC.

Appendix - IV

(Para 3.17)

ORGANIZATION-WISE LIST OF COMPLAINTS REFERRED BY COMMISSION AND PENDING WITH CVOS FOR INQUIRY AND REPORT AS ON 31.12.2023

S. No.	Name of Department	Complaints Pending for Investigation		
		Upto one year	Between one - Three years	More than Three years
1	ALL INDIA INSTITUTE OF MEDICAL SCIENCES	0	1	0
2	ARCHEOLOGICAL SURVEY OF INDIA	1	3	0
3	BALMER LAWRIE AND COMPANY LIMITED	1	0	0
4	BANARAS LOCOMOTIVE WORKS	6	0	0
5	BANK OF INDIA	2	0	0
6	BHARAT COKING COAL LIMITED	1	0	0
7	BHARAT IMMUNOLOGICALS AND BIOLOGICALS CORPORATION	1	0	0
8	BHARAT SANCHAR NIGAM LIMITED	8	0	0
9	BORDER ROADS ORGANISATION	2	0	0
10	CENTRAL BOARD OF DIRECT TAXES	2	2	1
11	CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS	4	3	0
12	CENTRAL BUREAU OF INVESTIGATION	1	0	0
13	CENTRAL PUBLIC WORKS DEPARTMENT	5	0	0
14	CENTRAL RAILWAY	1	0	0
15	CHANDIGARH ADMINISTRATION	1	0	0
16	CHENNAI PORT TRUST	0	1	0
17	CHITTARANJAN LOCOMOTIVE WORKS	1	0	0
18	COIR BOARD	1	0	0
19	CONTROLLER GENERAL OF DEFENCE ACCOUNTS	1	0	0
20	COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH	2	0	0
21	DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA LIMITED	1	0	0
22	DELHI DEVELOPMENT AUTHORITY	2	0	0
23	DELHI JAL BOARD	2	0	0
24	DELHI POLICE	2	0	0

25	DELHI TRANSPORT CORPORATION	0	1	0
26	DEPARTMENT FOR PROMOTION OF INDUSTRY AND INTERNAL TRADE	1	1	0
27	DEPARTMENT OF ATOMIC ENERGY	2	1	0
28	DEPARTMENT OF BIOTECHNOLOGY	0	2	0
29	DEPARTMENT OF COMMERCE	1	0	0
30	DEPARTMENT OF ECONOMIC AFFAIRS	0	0	1
31	DEPARTMENT OF EMPOWERMENT OF PERSONS WITH DISABILITIES	0	0	1
32	DEPARTMENT OF EXPENDITURE	1	0	0
33	DEPARTMENT OF FERTILIZERS	1	0	0
34	DEPARTMENT OF FOOD AND PUBLIC DISTRIBUTION	3	0	0
35	DEPARTMENT OF HEALTH AND FAMILY WELFARE	1	1	0
36	DEPARTMENT OF HIGHER EDUCATION	6	10	2
37	DEPARTMENT OF HOMEOPATHY	2	0	0
38	DEPARTMENT OF POSTS	2	0	0
39	DEPARTMENT OF REVENUE	0	0	1
40	DEPARTMENT OF SCIENCE AND TECHNOLOGY	3	0	0
41	DEPARTMENT OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION	1	0	0
42	EAST CENTRAL RAILWAY	1	0	0
43	EMPLOYEES PROVIDENT FUND ORGANISATION	1	0	0
44	ENGINEERS INDIA LIMITED	1	0	0
45	FOOD CORPORATION OF INDIA	2	0	0
46	GEOLOGICAL SURVEY OF INDIA	2	0	0
47	GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI	13	8	0
48	HEAVY ENGINEERING CORPORATION LIMITED	0	1	0
49	HINDUSTAN COPPER LIMITED	1	0	0
50	HINDUSTAN SALTS LIMITED	1	0	0
51	HLL LIFECARE LIMITED	1	0	0
52	HOUSING AND URBAN DEVELOPMENT COMPANY LIMITED	1	2	0

53	INDIA TOURISM DEVELOPMENT CORPORATION LIMITED	1	0	0
54	INDIAN COUNCIL OF AGRICULTURAL RESEARCH	2	0	0
55	INDIAN MARITIME UNIVERSITY	2	0	0
56	INDIAN OIL CORPORATION LIMITED	17	0	0
57	INDIAN RAILWAY CATERING AND TOUR. CORPORATION LIMITED	1	0	0
58	JAMMU AND KASHMIR ADMINISTRATION	1	0	0
59	KENDRIYA VIDYALAYA SANGATHAN	2	0	0
60	KOLKATA PORT TRUST (NOW SYAMA PRASAD MOOKERJEE PORT AUTHORITY, KOLKATA)	1	0	0
61	LIFE INSURANCE CORPORATION OF INDIA	1	0	0
62	M.C.D.	3	0	0
63	MADRAS FERTILIZERS LIMITED	2	0	0
64	MAHANAGAR TELEPHONE NIGAM LIMITED	1	0	0
65	MANGLORE REFINERIES AND PETROCHEMICALS LIMITED	1	0	0
66	MAZAGON DOCK LIMITED	1	0	0
67	MILITARY ENGINEER SERVICES	1	0	0
68	MINERAL EXPLORATION CORPORATION LIMITED	1	0	0
69	MINISTRY OF COAL	1	0	0
70	MINISTRY OF DEFENCE	6	4	0
71	MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION	1	0	0
72	MINISTRY OF HEAVY INDUSTRIES	1	0	0
73	MINISTRY OF HOME AFFAIRS	2	1	0
74	MINISTRY OF LABOUR AND EMPLOYMENT	1	0	0
75	MINISTRY OF MINES	1	0	0
76	MINISTRY OF NEW AND RENEWABLE ENERGY	1	0	0
77	MINISTRY OF PETROLEUM AND NATURAL GAS	1	1	0
78	MINISTRY OF PORTS, SHIPPING AND WATERWAYS	4	0	0
79	MINISTRY OF POWER	4	0	0
80	MODERN COACH FACTORY	17	0	0

81	NATIONAL ALUMINIUM COMPANY LIMITED	1	0	0
82	NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT	1	0	0
83	NATIONAL HIGHWAYS AUTHORITY OF INDIA	1	0	0
84	NEW DELHI MUNICIPAL COUNCIL	2	0	0
85	NEYVELI LIGNITE CORPORATION LIMITED	1	0	0
86	NORTH EASTERN RAILWAY	5	0	0
87	NORTHERN COALFIELDS LIMITED	2	0	0
88	NORTHERN RAILWAY	7	0	0
89	NTPC LIMITED	2	0	0
90	NUMALIGARH REFINERY LIMITED	1	0	0
91	OFFICE OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA	2	0	0
92	OIL AND NATURAL GAS CORPORATION LIMITED	3	0	0
93	ORDNANCE FACTORY BOARD	4	0	0
94	PETROLEUM AND EXPLOSIVES SAFETY ORGANIZATION, NAGPUR	0	1	0
95	PUDUCHERRY ADMINISTRATION	0	1	0
96	RAIL COACH FACTORY	1	0	0
97	RAILWAY BOARD	3	0	0
98	RESEARCH DESIGN AND STANDARDS ORGANISATIONS	1	0	0
99	SOUTH EAST CENTRAL RAILWAY	1	0	0
100	SOUTH EASTERN RAILWAY	1	0	0
101	SOUTH WESTERN RAILWAY	3	0	0
102	SOUTHERN RAILWAY	4	0	0
103	WEST CENTRAL RAILWAY	5	0	0
	TOTAL	225	45	6

ORGANIZATION-WISE LIST OF FIRST AND SECOND STAGE ADVICE PENDING FOR IMPLEMENTATION OF COMMISSION'S ADVICE

S. No.	Name of Department	No. of cases pending implementation of CVC's advice for more than 6 months	
		First Stage Advice	Second Stage Advice
1.	AIRPORTS AUTHORITY OF INDIA	11	0
2.	ALL INDIA COUNCIL FOR TECHNICAL EDUCATION	1	0
3.	BANK OF BARODA	3	0
4.	BANK OF INDIA	0	2
5.	BHARAT SANCHAR NIGAM LTD.	4	0
6.	BRIDGE AND ROOF CO. (INDIA) LTD.	2	1
7.	CANARA BANK	1	0
8.	CENTRAL BOARD OF DIRECT TAXES	22	0
9.	CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS	51	19
10.	CENTRAL PUBLIC WORKS DEPARTMENT (CPWD)	1	0
11.	COUNCIL OF SCIENTIFIC INDUSTRIAL RESEARCH (CSIR)	12	0
12.	DELHI DEVELOPMENT AUTHORITY	2	0
13.	DELHI TRANSCO LTD.	0	1
14.	DELHI URBAN SHELTER IMPROVEMENT BOARD (DUSIB)	1	1
15.	DEPARTMENT OF BIO TECHNOLOGY	1	1
16.	DEPARTMENT OF COMMERCE	2	0
17.	DEPARTMENT OF COMPANY AFFAIR	1	0
18.	DEPARTMENT OF ECONOMIC AFFAIRS	3	0
19.	DEPARTMENT OF EXPENDITURE	1	0
20.	DEPARTMENT OF FERTILIZERS	1	0
21.	DEPARTMENT OF FINANCIAL SERVICES	1	0
22.	DEPARTMENT OF HEALTH AND FAMILY WELFARE	1	0
23.	DEPARTMENT OF HIGHER EDUCATION	4	0

24.	DEPARTMENTAL OF INDUSTRIAL POLICY AND PROMOTION	1	0
25.	DEPARTMENT OF LEGAL AFFAIRS	2	1
26.	DEPARTMENT OF PERSONNEL AND TRAINING	1	0
27.	DEPARTMENT OF REVENUE	5	0
28.	DEPARTMENT OF TELECOM	4	0
29.	DEPARTMENT OF YOUTH AFFAIRS AND SPORTS	1	0
30.	EMPLOYEES PROVIDENT FUND ORGANIZATION	1	0
31.	ENGINEERING PROJECTS INDIA LTD.	0	1
32.	ESIC	1	10
33.	FOOD CORPORATION OF INDIA	2	0
34.	GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI (GNCTD)	5	0
35.	IDBI BANK	1	0
36.	INDIAN BANK	2	0
37.	INDIAN COUNCIL OF AGRICULTURE RESEARCH	5	1
38.	INDIAN OVERSEAS BANK	2	0
39.	IOCL	0	1
40.	ITI LTD.	1	0
41.	MADRAS FERTILIZER	1	0
42.	MAHANADI COALFIELDS LTD. (MCL)	7	1
43.	MCD	1	1
44.	MILITARY ENGINEER SERVICES	2	0
45.	MANGALORE REFINERIES AND PETRO-CHEMICALS LTD.	1	0
46.	MINISTRY OF COAL	6	0
47.	MINISTRY OF COMMERCE	1	0
48.	MINISTRY OF CORPORATE AFFAIRS	2	0
49.	MINISTRY OF DEFENCE	3	0
50.	MINISTRY OF EXTERNAL AFFAIRS	3	0
51.	MINISTRY OF HOME AFFAIRS	4	0
52.	MINISTRY OF HOUSING AND URBAN AFFAIRS -M/O HUA	6	0

53.	MINISTRY OF INFORMATION AND BROADCASTING	1	0
54.	MINISTRY OF LABOUR	4	0
55.	MINISTRY OF MINES	1	0
56.	MINISTRY OF RAILWAYS	17	11
57.	MINISTRY OF PORTS, SHIPPING AND WATERWAYS	2	0
58.	MINISTRY OF POWER	0	17
59.	MINISTRY OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP	4	0
60.	MINISTRY OF TOURISM	1	0
61.	NCCF	2	0
62.	NATIONAL HIGHWAYS AUTHORITY OF INDIA	5	0
63.	NATIONAL INSURANCE CO LTD.	1	0
64.	NTPC LTD.	0	1
65.	NORTHERN COAL FIELD	1	0
66.	PAWAN HANS LTD.	1	0
67.	PETROLEUM AND EXPLOSIVE SAFETY ORGANIZATION	1	0
68.	PUDUCHERRY GOVERNMENT	0	1
69.	POWER GRID CORPORATION OF INDIA LTD.	6	0
70.	PRASAR BHARTI	1	0
71.	PROJECTS AND EQUIPMENT CORPORATION OF INDIA LTD.	0	1
72.	PUNJAB NATIONAL BANK	3	0
73.	SEBI	1	0
74.	STATE BANK OF INDIA	8	0
75.	TELECOMMUNICATION CONSULTANTS INDIA LTD.	1	0
76.	UNITED INDIA INSURANCE CO. LTD	1	0
	TOTAL	259	72

SOME IRREGULARITIES OBSERVED, PRIMA FACIE, IN COURSE OF INTENSIVE EXAMINATIONS AND SCRUTINY OF VARIOUS PROCUREMENT CASES DURING THE YEAR

1. In a Road work costing around Rs. 117.00 crore, following major irregularities were observed:-

- a) As per Manual of Specifications and Standards for two laning of Highways with Paved Shoulder and Hill Road Manual, extra widening of pavement (0.6 m to 1.5 m depending upon the radius of curve) is required to be provided at curves having radius less than 300 m but no extra widening has been found provided in horizontal curves. This is a compromise with the safety of road users as well as undue financial benefit to the contractor.
- b) Riding quality test of bituminous concrete was carried out by using a standard towed fifth wheel bump integrator for two-kilometer length of road and the road roughness was observed 3070 mm and 2858 mm for first kilometer and second kilometer respectively against the permissible limit of 2000 mm per kilometer. Thus, the riding quality of the road was not found to be satisfactory.

2. In a Tankage and Associated Civil, Mechanical, Piping and Electrical, Instrumentation and Fire Fighting works for a marketing project of a PSU, following major irregularities were observed:-

- a) As per Building and Other Construction Workers' Welfare Cess Rules, 1998, it is mandatory to deduct labour cess @1% of contract value from the bills of the contractor paid for the building and other construction works of a government or a public sector undertaking. However, 'Labour Welfare Cess' was not being recovered from the bills of the contractor.
- b) As per terms and conditions of contract, price variation is applicable on supply price of bulk steel material to be used in fabrication/construction for permanent incorporation in work i.e. for structural steel, steel plates for tankage works and reinforcement bars only. The base price (excluding taxes and duties) of steel is also given in the contract as Rs. 64,415/- per MT for the purpose of working out price variation. On perusal of purchase vouchers for steel, it is observed that the purchase price of substantial quantity of

steel was Rs. 60500/- per MT. This shows that there was downward price variation, accordingly necessary recovery should have been made from the bills of contractor. As per the terms and conditions of contract, even if there is no price adjustment claim, the contractor was required to submit all relevant data to prove that there is no downward variation. However, neither the contractor submitted such data, nor the price variation was being worked out.

3. In a Highway construction work costing around Rs. 261.00 crore, following major irregularities were observed:-

- a) As per scope of work provided in the Engineering, Procurement and Construction (EPC) contract, minimum requirement of length of viaducts (high bridge structures carrying road across valley) was 2020 m, but at site, viaducts of only 1199.82 m length has been constructed. The deviation has been made on the ground of site conditions and geology of the locations. Reduction in the length of viaducts have resulted in cutting of hills in steep slopes causing perennial landslides, compromise in the design speed as well as safety of the road users due to change in geometry of road by introducing various loops and hairpin bends etc.
- b) Viaducts supported on RCC piers have been constructed on steep slope of hill having weathered rock/loose soil strata. 1200 mm dia. 19 to 22 m long concrete piles have been provided for piers of viaducts. However, earth, beneath some of the pile caps has eroded / slid and piles got exposed. Similarly, the foundation / base slab of RCC retaining wall was not placed on firm soil / hard strata, as a result, earth beneath the base slab has slid down / washed away leaving the base slab without required support and consequently affecting the stability of RCC retaining wall. Apart from this, shoulder, road embankment as well as layers of the road pavement on the hill side were found washed away at several locations. Cracks were observed in the breast wall (concrete / masonry wall supporting the earth on hill side) at several places. Inadequate depth of foundation for breast wall was found at some locations.
- c) As per approved mix design for M 15 grade cement concrete used in breast wall etc. 270 kg cement was to be used per cum of concrete, but as per records i.e. batch slips of concrete, the cement content was varying from 150 kg / cum to 230 kg / cum. Further, on perusal of records related to testing of concrete, strength of concrete for various batches was found to be less than required.

4. In a work of construction of residential complex of a PSU costing around Rs. 148.32 crore, following major irregularities were observed:-

- a) The item of brick masonry has been substituted with Autoclaved Aerated Concrete (AAC) block masonry. Being a heavy rainfall area, AAC block masonry in exterior walls of the buildings appears to be not appropriate as AAC blocks absorb more water than the clay bricks. Moreover, had the structural design of structure been done considering AAC Blocks masonry walls, there would have been heavy saving in the quantity of steel and concrete as the weight of AAC Blocks is substantially less than brick work (Approximate weight of AAC block is 600 kg / cum whereas weight of brick work is 2000 kg / cum). Apart from this, while working out the market rates of substituted item of AAC block, the basic rate of AAC block was considered as Rs. 4972/- per cum. Whereas as per the purchase invoices furnished during the Intensive Examination, the basic price of AAC block was Rs. 3995.54 per cum to Rs. 4642.36 per cum. Thus, the market rate of substituted items of AAC blocks being paid to the contractor is higher than its actual price.
- b) As per the nomenclature of items for providing and laying in position ready mixed M-25 and M-30 grade concrete for RCC work, cement content shall be used as per approved mix design and there is no provision in the contract for any extra payment on account of excess cement to be used as per mix design. However, inadmissible payment has been made to the contractor under the extra item on account of excess cement used in RCC.
- c) Being a low-lying area, the finished ground level was to be maintained 1.0 m above the natural ground level. As per the structural drawing for pile and pile caps, the pile cutoff level was to be kept 1.5 m below the finished ground level. But the pile cutoff level has been kept at 1.5 m below the natural ground level. Thereby, the level of pile cap has been lowered by 1.00 m below the level prescribed in the structural drawing. This has resulted in a huge amount of infructuous expenditure on account of excavation and refilling of earth, extra casting of pile length and subsequent dismantling, extra length of column etc. Since the length of column (from pile cap to bottom of plinth beam) has been increased by 1.0 m, the structural design of the column also needs to be re checked.
- d) It is clearly mentioned in the nomenclature of item for providing and installation bored cast-in-situ reinforced cement concrete piles that, the length of pile for

payment shall be measured up to bottom of pile cap and the cost of removal of excavated earth with all its lifts and leads is included in the rate of this item. It is observed that inadmissible payment has been made to the contractor as an extra item on account of empty boring from natural ground level to cutoff level of piles and carriage of excavated earth obtained from boring for piles.

5. In a building work costing around Rs. 145.23 crore, following major irregularities were observed:-

- a) On perusal of cube test register, it is observed that lot of cubes test results of different grade of concrete are not meeting the compressive strength requirement as mentioned in Table-11 of IS: 456 (Plain and Reinforced Concrete Code of Practice). Thus, the quality of concrete is being compromised.
- b) On perusal of progress photographs, structural drawings and measurement of reinforcement recorded in measurement books, it was observed that provisions regarding ductile detailing of reinforcement for RCC columns subjected to seismic forces given in para 8 and figure-12, IS 13920: 2016 in respect to special confining reinforcement for column have not been followed. Similarly spacing of rings over a length of 2d (where d is effective depth of beam) at either end of beam have not been provided as per para 6.3.5 and figure-6 of IS 13920: 2016. This is a violation of codal provisions in the design and execution of the structure.

6. In a multi-modal transport work costing around Rs. 517.00 crore, following irregularity was observed:-

There is existing 40 m wide pipeline corridor outside the terminal boundary for ammonia pipeline and other commodity / utility pipelines. This pipeline corridor was to be crossed by making 72 m long steel truss girder bridges at four locations. However, one steel girder bridge of 67.5 m length and three steel girder bridges of 45 m length have been provided at site. The payment has been made to the contractor without cost adjustment. 72 m length of bridge was the basic requirement provided in the contract. Obviously 72 m length would have been prescribed after due appreciation of present and future requirements. Thus, not only the requirement of length of bridge was compromised, but corresponding cost adjustment was also not done.

7. In a Rehabilitation and up gradation of Road work costing around Rs. 330.00 crore, following major irregularities were observed:-

- (a) Paved shoulders of 3 m width were to be constructed on both side of road in urban areas where 18 m wide Right of Way (ROW) is available. Similarly, paved shoulders of 6 m width were to be constructed on both side of road where 24 m wide ROW is available in urban areas. But pavement with concrete paver blocks of varying width maximum up to 2.5 m was provided at site irrespective of available width of ROW. Thus, not only the contractor got financially benefitted, but road facility also got compromised.
- (b) Drains parallel to carriage way were to be constructed on both side at the end of ROW line inhabited areas. In most of the stretches drain has been shifted inside the Right of Way (ROW). Thus, the width of the ROW has been reduced by leaving land on both sides of carriage way which would be prone to encroachment.
- (c) During the construction period, the contractor was required to provide a video recording compiled into a 3 (three) hour digital video covering the status and progress of construction works in that quarter. Video recording for every calendar quarter covering status/progress of work, but no such video recording was provided by the contractor. The purpose of such video recording is to create record of processes employed in the construction; quality control measures adopted etc. Such record will not only be available for posterity but will also deter the contractor from making any compromise in the construction activities. Thus, the very purpose of the progress photographs and video recording was defeated in this case.
- (d) Major cracks were observed in Paved Quality Concrete (PQC) at several locations. Joints of PQC were found broken / cracked at various places. At certain locations, panels which were repaired / replaced earlier were also found distressed / damaged. Cores were taken from four locations of cracked PQC and it was observed that all cores were split into two pieces. It implies that most of the cracks were in the full depth of PQC.

8. In a building work costing around Rs. 190.00 crore, following major irregularities were observed:-

- (a) Minimum cement content to be used in different concrete grades was specified in the contract. It was also provided in the contract that 20% cement can

be replaced with fly ash in case of use of Ordinary Portland Cement (OPC). However, 35% fly ash for M 25 and M 30 grade concrete and 25% fly ash for M 35 grade concrete is being used, which is more than prescribed limit of 20%. Thus, by way of allowing use of fly ash more than the prescribed limit, undue financial benefit was allowed to the contractor.

- (b) RCC diaphragm wall of M 35 grade concrete using minimum cement 400 kg per cum of concrete was to be constructed. There was no provision for use of fly ash as part substitution of cement for diaphragm wall. However, in the construction of diaphragm wall only 338 kg / cum of cement and 113 kg / cum of fly ash was used. This was not only a deviation from the contract provision, but undue financial benefit has also gone to the contractor. Measurement of diaphragm wall was not in order. Payment of diaphragm wall was made for 392.37 m. length, whereas it was only 387.60 m. length. There was an overpayment of Rs.13.28 Lakh.
- (c) 750 mm thick diaphragm wall has been constructed in the project consisting of four level basements. The diaphragm wall was to be strengthened with soil anchors @ 2.55 m centre to centre spacing at 1st, 2nd, 3rd and 4th basement levels, but anchoring was provided only at two levels i.e. 3rd and 4th level. As such, undue financial benefit has gone to the contractor.
- (d) Definition of similar work for qualifying experience for a work consisting of 28 towers having G + 12 storeyed and two-level basements of 1,06,000 sqm was defined in tender document as "Residential / non-residential Buildings of any numbers of storeys". As per the Works Manual of the organization, if there is significant component in the work other than normal building work, this component should be considered as main component of work for the purpose of definition of similar work. The basement and number of storeys are a significant part of work, but it was not incorporated in the definition of eligibility criteria. The contractor of this work was qualified based on the work having only three storeyed buildings. Had the definition of similar work required for qualification of bidders been defined as per Works Manual, this contractor would not have been qualified.
- (e) As per contract, stone cladding with sandstone was to be provided on external walls up to three floors as per design and pattern, but at site texture paint was provided. There was no cogent justification for such a major change in the external finish of the building. Also, no cost adjustment in this regard has been made.

- (f) The minimum clear height of the fire escape staircase at ground floor was to be 2.10 m, but it was found to be only 1.80 m. Besides this, the opening of the fire check door at ground floor was found to be in reverse direction. The staircases from upper floors were directly connected with the basement, whereas there should be separation in view of fire safety requirement. Thus, safety measures were compromised.

9. In a Regional Rapid Transit System Corridor work costing around Rs. 605.00 crore, following major irregularities were observed:-

- (a) Joint Venture was allowed to participate in the tendering for this work but eligibility criteria for the lead partner and other partner was not defined in tender document. The work was awarded to a joint venture with shareholding and responsibility of lead partner with 66.50% other partner (Foreign Company) with 33.50% which was qualified on the basis of credentials of foreign company (Other Partner) only. As per the Joint Venture agreement, responsibilities of execution and maintenance of the project of both partners were defined in proportion to their shares. During Intensive examination of work, no contribution of foreign company in execution of the work was apparent, and whole work is being executed by Indian firm only. All the invoices of materials, tools and plants, Bank Guarantees, Insurance policies, manpower deployment, etc. are being arranged by Indian firm. It appears that the Joint Venture was formed by Indian firm (Lead Partner) with foreign firm (Other Partner) just to qualify for bidding and bag the contract as they were not technically eligible to execute required work.

10. In a Road work costing around Rs. 1412.00 crore, following major irregularities were observed:-

- (a) E-bids were invited on Hybrid Annuity Mode on 31.01.2018. Initial bid submission date was 19.03.2018, which was extended several times and finally extended to 23.01.2020 on account delay in land acquisition, approval from Ministry, etc. Abnormal Delay of 22 months in bid submission is not in order. This shows that tenders were invited even without basic preparations. Such an abnormal extension in the date of bid submission after publishing the Notice Inviting Tenders (NIT) may have dissuaded many competent and serious bidders from participation. Moreover, if the situation demanded such an abnormal extension in bid submission date, the tenders could have been invited afresh after completing required preparations.

- (b) During the long period of extension of bid submission date, Indian Road Congress Code got revised. In the revised code, to improve the road user's safety, transition length for merger of service roads /slip roads in the main highways was increased from 75 m to 135 m. However, instead keeping the transition length as per revised norms, the old provision of 75 m was provided in the RFP. Thus, road users' safety was compromised.

11. In a building work costing around Rs. 185.00 crore, following major irregularities were observed:-

- a) As per contract, compacted earth was to be filled over raft in the basement. However, sand was stated to have been filled as part substitution for earth. Payment of Rs. 3.48 crore has been made to the contractor for filling of sand under extra item at an abnormally higher rate of Rs. 3238/- per cum vis a vis the prevailing rate of around Rs. 2100/- per cum. Surprisingly, though on one hand payment for sand filling was made at an abnormally higher rate, sand was not actually filled in the quantity paid for. In place of sand, malva was filled at most of the locations, except for some locations, where sand layer of 200 mm was laid. Not only this, even the measurements for sand layer have been manipulated to the extent that thickness of sand layer has been measured as 630 mm thickness against 200 mm actually provided.
- b) As per contract, retaining wall was to be constructed and all shoring and strutting for earth retaining was included in the rates of excavation. However, diaphragm wall has been constructed at site. The payment has been made under extra item at higher rate of Rs.31,310/- per cum, whereas rate of diaphragm wall in Delhi Schedule of Rates (DSR) 2018 is only Rs. 16,618.70 per cum.
- c) 1 mm thick deck sheet was to be used as shuttering for RCC slab. This item is available in BOQ @ Rs.810/- per sqm. However, 1.2 mm thick deck sheet has been used without any structural requirement and payment has been made @ 2801/- per sqm under an extra item. Similarly, item of shear connector @ Rs. 65/- each is available in the BOQ but paid under extra item @ Rs. 276/- each.
- d) Internal / external walls were to be constructed with Autoclaved Aerated Cement (AAC) blocks. This item has been partly substituted with fly ash brick and common burnt clay bricks. For this substitution, the rate was to be derived on the basis of quoted rates of original item. Difference in market

rates of original item and the rate derived for the substituted item was to be paid; however, instead of paying the difference, payment was made as an extra item at market rate. This way, around Rs. 2.50 crore undue financial benefit has been extended to the contractor by way of payment at a higher rate.

- e) Payment of Rs. 2.80 crore has been made to the contractor against the supply of materials for the mechanical car parking system, whereas no such material was available at site. Similarly, payment has been made to the contractor against the supply of materials for the Sewerage Treatment Plant, cooling tower etc. whereas no such material was available at site.

12. In a Power Plant work costing, following major irregularities were observed:-

- (a) Initially, the bids for 'Water System Package' were invited with estimated cost of Rs. 363.94 crore and the quoted price of the lowest bidder was Rs. 529.80 crore. The quoted price of the lowest bidder was considered to be very high as compared to the estimated cost, and as such bids were cancelled. Later, the work was split into two packages i.e. 'Water System Package' and 'Cooling Towers Package' and separate bids were invited with estimated cost of Rs. 327.86 crore and Rs. 183.15 crore respectively. The lowest bid price received for 'Water System Package' and 'Cooling Towers Package' were Rs. 416.54 crore and Rs. 190.46 crore respectively. The lowest bid price of Rs. 416.54 crore received against the estimated cost of Rs. 327.86 crore for 'Water System Package' was considered to be high and as such bids were cancelled. After scrapping the tender, the estimated cost of Rs. 327.86 crore for 'Water System Package' was modified to Rs. 413.00 crore after further splitting into three parts and separate bids were invited for each part. The total bid price of the lowest bids received against the three tenders was Rs. 440.52 crore. Finally, the complete work of 'Water System Package' was awarded at a total cost of Rs. 630.98 crore in four parts whereas it was cancelled at Rs. 529.80 crore in the first call on account of the higher quoted price by lowest bidder. Thus, due to lack of proper decision making not only the work was finally awarded at a higher rate, but avoidable delay also took place in award of contract and execution of the work.
- (b) As per contract, measurement of earthwork was to be done as per drawing and any extra excavation required to be done to maintain side slope from safety consideration etc. was included in the quoted rates. However, while making measurements for earth work in excavation, extra excavation for

slopes etc. was also included. Total excavation measured and paid up to 20th RA bill was 2,04,616 cum, whereas it was to be only 1,42,605 cum. There was an over measurement of 62011 cum amounting to Rs. 2.30 crore (approx.).

13. In a mining work costing around Rs. 226.00 crores, following major irregularities were observed:-

- (a) Three earthen dams having filter materials inside stem and base were being constructed in this project. As per the terms and conditions of contract, earthwork in embankment was to be paid only as per final section of dam i.e. excluding filter materials, but payment was made without deducting filter materials whereas payment for filter material was being made separately. Further, earthwork in embankment has been paid for full section of dam including filter material and then excavation for filter material also paid. Thereby extra payment to the tune of Rs. 5.30 crore for embankment and Rs. 2.70 crores for excavation for filter material was made to the contractor.
- (b) 1.0 mm thick impermeable High Density Polyethylene (HDPE) Geo membrane lining was to be laid without crease on reservoir bed and dam upstream slopes. The bed surface was to be compacted to make free from undulation before laying the HDPE liner. However, the bed surface was not prepared well, and undulations were prevalent and to tackle these undulations, fly ash was filled to make the surface suitable for laying HDPE liner and separate payment was made for fly ash filling. Since, preparation of bed surface worthy of laying HDPE liner was included in the scope of this item, separate payment of Rs. 7.60 crore made for fly ash filling is untenable and thus inadmissible. Ironically, in spite of clear provision for smooth surface of dam bed, large number of undulations, wide prevalence of creases in HDPE liner etc. were found. Thus, not only undue payment of Rs. 7.60 crore was made to the contractor, but the work executed was also not as per prescribed specifications.
- (c) Total 94,825 cum hard rock excavation has been paid but no details of stone retrieved from excavated hard rock was available. Such details are necessary as some part of the excavated hard rock is use worthy. Since stones to be used in pitching on the toe drain on the downstream of dam were to be arranged by the contractor, the possibility of not using the excavated usable stones by the contractor can only be obviated with such details.

14. In a Thermal Power Plant work costing around Rs. 458.00 Crore, following major irregularities were observed:-

- (a) Prospective bidder submitted the details of 16 similar works in their Techno-Commercial bid in support of their credentials for experience. Out of these sixteen works, seven works pertained to the same organization. As per the organization policy, in case the performance of the contractors within the organization projects is found unsatisfactory on any of the four parameters viz. (i) Financial Status (ii) Project execution and project management capabilities (iii) Engineering and Quality Assurance capabilities (iv) Claims and Disputes, they shall not be considered eligible for participating in future tenders for two years. The tendering authority sought the performance feedback of prospective bidders from their various units. Performance reports in respect of L1 bidder received from the units of organization were not satisfactory. In spite of this, contract was awarded to that firm. Finally, the contract with this firm had to be terminated due to their poor performance in the impugned work. Thus, due to non-adherence to their own policy of weeding out the non-performing contractors / bidders, the organization suffered financially due to delayed generation of electricity on account of the delay in completion of the project.
- (b) As per contract provisions, payment for price variation is applicable only up to the scheduled date of completion. However, payment of Rs. 2.50 crore has been made to the contractor for the work executed beyond the stipulated date of completion.
- (c) The delay in execution of work was attributed to the contractor and decision for imposition of liquidated damages has been taken by the organization. Amount of liquidated damages has been included in the claims of the organization before the NCLT as the firm has gone under NCLT proceedings.

15. In a work related to construction and up-gradation of existing road to 2-lane with paved shoulder, following irregularities were observed during intensive examination:-

- a) The bidders were required to submit the details of one completed similar work of 25% of estimated project cost executed by them during previous 5 years as per eligibility criteria prescribed in bid document. For the work executed by the bidders during the preceding 5 years, an updation factor was prescribed in the bid document to bring the value of executed work at par to the bid due date. On perusal of records, it was observed that during evaluation of one of the bids, updation factor was not applied properly resulted the bidder technically qualified. Eventually, the same ineligible bidder emerged as L-1 and got the work awarded.

- b) The width of the pavement was not constructed as per the contract agreement. It was observed that the width of road was found to be less than the required width at various stretches. At some stretches it was found to be even 7.2 m against the requirement of 10.00 m.
- c) Contractor was required to construct the utility duct on both sides on the various location. During intensive examination, it was observed that utility duct was only one side at certain locations. The corresponding cost adjustment was also not made in the bills of the contractor. Thus, undue benefit was extended to the contractor.
- d) Payment on account of construction of retaining wall / breast wall / reinforced earth wall and bus shelters etc. were fully made to the contractor without completing the work. Apart from this, payment for constructing subgrade, sub-base etc. were made for almost full length of road whereas the work was still not completed in more than 2 km length of road. Thus, payment was made to the contractor for incomplete work.

16. In a work related to construction of township for a refinery project costing around Rs. 613.00 crore, following irregularity was observed during intensive examination:-

The subject contract contains the item of tack coat and providing and laying bituminous concrete including tack coat was under the scope of impugned contract. However, the work of bituminous concrete in township area which was to be executed under the subject contract has been executed under the another running contract at higher rates. This has resulted in financial loss to the organisation.

17. In a work of Design, Engineering, Manufacturing, Supply, Erection, Testing, Commissioning and Comprehensive O and M for 03 years of 75 MW (AC) of Solar Power Project costing Rs. 321.00 crore, following irregularities were observed:-

- a) Through Expression of Interest (EOI), 13 vendors were empaneled initially. Then after floating of limited tender among these empaneled vendors, one more vendor was empaneled with relaxed financial criteria of average annual turnover in a non-transparent manner. Further, this vendor was declared eligible and became L1 after price bid opening and was awarded the contract.
- b) During execution of this work, non-compliance of PPP (Make in India) order and Land border policy was observed. The solar PV modules as being major

item (approx. 75% of tender value) was procured from an entity from the country sharing the land border with India, even though there was sufficient local capacity as per OM of Ministry of New and Renewable Energy.

- c) Although the procurement of solar panels was in the scope of the contractor. The same was changed and the solar panels were procured by the organization directly from an entity from the country sharing the land border with India. This is a violation of tender conditions as well as the land border policy of the government as per Rule 144 (xi) of GFRs-2017 (as amended).

18. In a Work of Comprehensive O and M works of 50 MW wind power project for a period of 10 years from the date of stabilization and integration with the grid costing around Rs. 67.00 crore, following irregularities were observed:-

- a) As per the eligibility criteria defined in the tender document, the bidder should be Original Equipment Manufacturer (OEM) of Wind Electric Generator. The bidder was not OEM of Wind Electric Generator, but he was qualified by the tender committee and subsequently became a successful bidder.
- b) The transformer of approved make mentioned in the contract/bid was to be supplied by the contractor. However, some of the transformers supplied and subsequently installed and commissioned were neither approved make nor approved by the organization for supply.
- c) A huge outstanding revenue is pending to be credited to organisation by DISCOM from sale of power to State Electricity Board since 2019 and still accumulating due to non-existence of Power Purchase Agreement (PPA). This shows a lack of poor planning and delay in decision making.
- d) Due to deficient provisions/clauses/conditions in the contract, it was not possible to impose penalty on the contractor on account of less generation of power. The subject contract was awarded to the contractor based on the calculation of Internal Rate of Return (IRR). IRR was calculated based on the declared guaranteed energy generation. However, the contractor failed to fulfil the condition of declared guaranteed energy generation since commissioning of the project, due to which the organisation had suffered huge revenue loss.

- 19. Intensive Examination Reports in respect of above cases have been forwarded to CEOs and CVOs of the organisations for furnishing action taken reports.

CASES ARISING OUT OF INTENSIVE EXAMINATIONS AND TAKEN UP FOR DETAILED VIGILANCE INVESTIGATIONS BY THE RESPECTIVE CVO

1. In a work of renovation and expansion of a hospital building costing around Rs. 155.30 crore, following major irregularities were observed:-

- (a) The work was awarded by a PSU to another PSU on nomination basis for an amount of Rs. 166 crore with date of start of project as 01.08.2009. Thereafter, another letter was written on 13.11.2009 for the work with revised cost of Rs. 155.31 crores and date of start was also revised to 13.11.2009. It was asked to furnish clarification regarding shifting the date of start by 4 months and reduction in awarded amount by Rs 11.0 crore. Apart from this, despite the non-availability of work front and approval of local body, interest free mobilization advance @ 10% of contract amount was allowed to PSU to whom the work was awarded and further released to contractor.
- (b) The work was awarded by a PSU to another PSU for Rs. 155.31 crore including 5% centage charges, but the PSU to whom the work was awarded additionally deducted 0.5% from the sub-contractor towards its cost which does not appear to be in order. Any additional financial benefit if derived should have been passed on to owner PSU, but the same is not being done.
- (c) Provision for retaining security deposit was not incorporated in the contract document, which is always provisioned as per prevailing practice in all government work contracts.
- (d) There was an abnormal delay in the completion of work. Stipulated date of completion for this work was 12.11.2011 but even till the date of intensive examination in November 2018, mere 64.5% progress of work could be achieved. Various hindrances considered in extension of time were also found not admissible.
- (e) Work estimated to cost Rs. 155.31 crore has already reached Rs. 241.86 crores; there were unwarranted large-scale deviations / substitution in the contract items. Various Bill of Quantity (BOQ) items were changed to non BOQ

items, by adopting DSR 2012/2016 and market rates instead of prescribed DSR 2007. In some cases, by mere changes in the nomenclature of items, new items were introduced to extend unintended benefit to the contractor.

- (f) For working out price variation of labour component, the minimum labour wages as applicable on the last date of quarter previous to the one under consideration was prescribed in the contract. However, instead adopting the same for working out price variation, labour wages of current month were adopted.
- (g) Tests of various materials used in the work such as water, steel, cement etc. were conducted at a frequency less than the frequency prescribed in the contract / relevant specifications. Apart from this non approved make of reinforcement steel was allowed to use in the work.
- (h) As per the terms and conditions of contract, Mobilization Advance (10% of the contract price i.e. Rs. 14.30 crore) was to be paid in two or more instalments. However, interest free Mobilization Advance of Rs. 16.06 crore was paid to the contractor in one go. Instead of making the time-based recovery of Mobilization Advance, the recovery of the same was linked with progress of work. Even recovery was not done as stipulated. In some of the bills, recovery was not done. The work was delayed abnormally; therefore, the recovery which was supposed to be completed within 19 months could not be completed even after lapse of 8 years.

2. In a work of Design, Engineering, Manufacturing, Supply, Erection, Testing and Commissioning of 220/33 kv Gas Insulated Substation (GIS) with complete civil works and automation on turnkey basis costing around Rs. 65.00 crore, following irregularities were observed:-

- a) The organization has not sent tender notice to Indian Embassies and Foreign Embassies in India which is violation of Rule 161 (iv) of GFRs 2017. Further, the organization did not publish tender notice on the CPP Portal, which is a violation of Rule 161 (ii) of GFRs, 2017.
- b) As per contract agreement, the contractor shall select and employ its subcontractors for major items and submit the list to the employer for its approval in time so as not to impede the progress of work on the facilities. The contractor would also submit Drawings and Material Quality Assurance

Plan (MQAP) for approval of employer wherever references are made in the contract. However, there was inordinate delay in approval of drawings and MQAP approval. There are some Drawings and MQAP approval pending even after 29 months from the date of issue of LOA, while project was awarded for a period of 18 months.

- c) The contractor has submitted Guaranteed Technical Parameter (GTP) with 80 kw (total losses) for 2 x 25 Megavolt-amps reactive (MVAR), which is more than required level of losses i.e. 50 kw (i.e. as per CEA guidelines, which were circulated to all utilities and manufacturer). However, due to non-incorporation of losses in the tender, the matter was under dispute and pending for more than a year.
- d) As per scope of work, third party inspection agency has to inspect the civil works of 220 / 33 kv sub-station. But, during intensive examination, no record of such inspection has been found for the civil work being executed in the 220 / 33 kv GIS s/station which resulted in poor quality of work. This shows negligence on the part of officials as they did not feel it necessary to get the inspection done from third party agency which was engaged specially for inspection purposes and paid for this.

3. In a service contract for assisting activities in offices costing around Rs. 11 crore, following major irregularities were observed:-

Against the essential criteria for selection of bidders technically, solvency certificate was required to be submitted from any nationalized bank / scheduled bank issued within a period of 12 months from final date of submission of tender for a minimum amount of Rs. 4.208 crores. One bidder had not submitted the solvency certificate along with the bid and the same was submitted after bid opening after correspondence by the organization. The organization manual speaks of only seeking technical clarifications by the TEC, if required. Similarly, Procurement Manuals issued by DoE also speak of seeking clarifications and documents of historic nature only. Similarly, a few other essential documents were not submitted along with the bid and the same were got submitted after opening of the bid.

4. In a service contract for appointment of Manpower Agency for providing skilled, semi-skilled and unskilled labour costing around Rs. 32.00 crore, following irregularities were observed:-

- a) The period of the service contract was accorded for 03 years with suitable escalation clauses. However, the tender was called for 01 year with provision of further extension of one and subsequent one year based on the mutual consent of the two parties, which was not in line with the approval and concurrence obtained from the competent authority.
- b) The eligibility criteria i.e. 'The bidder should have executed at least 05 (five) projects with the supply of 400 manpower in each contract of providing manpower services' was mentioned in NIT. No approval was taken from the competent authority regarding the eligibility criterion. This restrictive eligibility criteria had led to the disqualification of 04 bidders. Against the requirement of credentials of completed 05 (five) contracts, the successful bidder had submitted credentials of 03 (three) contracts. However, the organization has considered two extensions as separate contracts to qualify the bidder.
- c) The credentials asked against skilled manpower are graduation in the engineering stream and the Diploma in engineering for the semi-skilled category. The credentials have not been verified by the organization during the execution of the contract. Manpower with ITI qualification/ SSC / Intermediate / No qualification / B.Com, etc. were deployed against the requirement of skilled and semi-skilled instead of Graduate Engineer and Diploma Engineer by the service provider.
- d) As per contract conditions, the credentials against technical and commercial eligibility were required to be verified by the buyer during evaluation of the bid. However, the same was not done by the organization.

SYSTEMIC IMPROVEMENTS UNDERTAKEN DURING THE YEAR, CONSEQUENT TO CTEO'S OBSERVATIONS MADE IN COURSE OF INTENSIVE EXAMINATION

1. In a work of Public Sector Undertaking (PSU), it was observed that the consultant was qualified based on six separate work contracts at different stations having different contract amounts, different dates of start and completion and work was executed in Joint Venture. After our observation, a systemic improvement was issued by the PSU to include suitable conditions in the consultancy contract comprising that the experience certificates submitted by the agency which were issued by multiple authorities for different locations under a single contract can be considered for the technical qualification criteria, if pre-determined stage wise / location wise completion period and cost mentioned in the agreement / work order.
2. In a work of Public Sector Undertaking (PSU), it was observed that Price Variation on account of labour component was being calculated based on Consumer Price Index (CPI) for industrial workers published by Labour Bureau, Govt. of India. As the construction work is covered under the Building and Other Construction Workers (BOCW) Act 1996, the minimum wages of construction workers issued by Chief Labour Commissioner should be adopted. After CTEO observation, systemic improvement was issued by the organisation comprising that price variation on account of labour component will be calculated based on minimum wages issued by Chief Labour Commissioner.
3. In a work of Public Sector Undertaking (PSU), provision of a lump sum amount for DSR items is provided in BOQ for execution of any item of DSR at the quoted uniform percentage above / below of DSR. It was observed that no technical sanction of DSR items executed under the lump sum provision has been taken from the competent authority before execution. After CTEO observation, the organisation has issued systemic improvement comprising that under lump sum provision of DSR head in a contract, a BOQ with fair estimation of quantities shall be prepared and approval of 'Engineer' of the respective contract shall be taken before execution.
4. In a contract pertaining to procurement of a CT Scanner for a hospital, it was observed that the Tender Committee Members have not given any Conflict of Interest undertaking in the technical as well as Financial Evaluation Reports /

Minutes that none of them has any personal interest in the companies / agencies participating in the tender process. This undertaking was required as per the Manual for Procurement of Goods-2017. After CTEO observation, it was assured by the CVO that this undertaking will be implemented in all future tender evaluations and will also be incorporated in their Procurement Manuals.

5. While carrying out intensive examination of a contract drawn by a Public Sector Undertaking (PSU) pertaining to procurement of a bulk drug, it was observed that the Procurement Manual of the organization was being followed which was last updated way back in 1989. After CTEO observation, the organisation issued their new Procurement Manual in line with Manual for Procurement of Goods-2022 and GFR-2017 with the approval of Board of Directors of the PSU.
6. In a Public Sector Undertaking (PSU), bids were called for procurement of a bulk drug on e-mail instead of calling through e-tender portal certified by STQC. After CTEO observation, the department has informed that their e-procurement website has been developed and its implementation is under process.
7. In a Public Sector Undertaking (PSU), the clauses pertaining to PPP (MSE and MII) were not incorporated in the tender document for supply of goods. After CTEO observation, the department has incorporated the said clauses in their new Procurement Manual and ensured for incorporation of the same in future tenders.
8. In a Public Sector Undertaking (PSU), neither Bid Security / Bid Security Declaration nor PBG were taken from the supplier of goods. After CTEO observation, department has included the said clauses in their Procurement Manual and ensured for incorporation of the same in future tenders.
9. In a contract for hiring of mining machineries for excavation work, it was observed that in-house training was given to the staff of the service provider by the organization. However, the maximum number of contractor's staff to be trained by the organization was not mentioned in NIT. This has financial implications for the organization. After CTEO observation, the organization has issued systemic improvement in this regard.
10. In a Public Sector Undertaking (PSU), EBXL cables have been purchased from the nominated / approved vendors. However, full address of vendors was not found mentioned in the nomination / approval letters. The possibility of the availability of another firm having the same name with different address cannot be ruled out. Therefore, the full address of the vendors should have been mentioned in the said letter to avoid any confusion in procurement process. After CTEO observation, the organization had issued systemic improvement in this regard.

11. In a procurement of Goods by a PSU, it was observed that there was no suitable clause provided in the contract agreement for acceptance of late submission of Performance Bank Guarantee. After CTEO observation, the organization had issued systemic improvement in this regard.

ACRONYM/ABBREVIATION

Acronym	Full Form
AA	Administrative Action
AAI	Airport Authority of India
ABBFF	Advisory Board for Banking and Financial Frauds
ACBP	Annual Capacity Building Plan
ACRC	Anti-Corruption and Civil Rights Commission
AGM	Assistant General Manager
AIIMS	All India Institute of Medical Sciences
AJNIFM	Arun Jaitley National Institute of Financial Management
ALIMCO	Artificial Limbs Manufacturing Corporation of India
AM	Assistant Manager
ASO	Assistant Section Officer
ATE	Assistant Technical Examiner
BCCL	Bharat Coking Coal Ltd
BOB	Bank of Baroda
BOI	Bank of India
BPCL	Bharat Petroleum Corporation Ltd.
BPR	Business Process Re-engineering
BRICS	Brazil, Russia, India, China, and South Africa
BRO	Border Road Organization
BSNL	Bharat Sanchar Nigam Ltd.
CAG	Comptroller and Auditor General
CAPF	Central Armed Police Forces
CAPT	Central Academy for Police Training
CBDT	Central Board of Direct Taxes
CBI	Central Bureau of Investigation
CBIC	Central Board of Indirect Taxes and Customs
CCL	Central Coalfields Ltd / Container Corporation of India Ltd
CEO	Chief Executive Officer
CGM	Chief General Manager
CHP	Complaint Handling Policy
CIL	Coal India Limited
CMD	Chairman and Managing Director

CMS	Complaint Management System
CO	Charged Official
CPCL	Chennai Petroleum Corporation Ltd.
CPP	Central Public Procurement
CPSE	Central Public Sector Enterprise
CPSU	Central Public Sector Undertaking
CPWD	Central Public Works Department
CSR	Corporate Social Responsibility
CTE	Chief Technical Examiner
CTEO	Chief Technical Examiners' Organisation
CVC	Central Vigilance Commission
CVO	Chief Vigilance Officer
CVOIS	CVO Information System
DA	Disciplinary Authority
DAE	Department of Atomic Energy
DDA	Delhi Development Authority
DGM	Deputy General Manager
DJB	Delhi Jal Board
DMRC	Delhi Metro Rail Corporation
DMRA	Delhi Metro Rail Academy
DOPT	Department of Personnel and Training
DPIIT	Department for Promotion of Industry and Internal Trade
DPSA	Department of Public Service Administration
DREAMS	Drawing Review and Approval Management System
DSPE Act	Delhi Special Police Establishment Act
DTC	Delhi Transport Corporation
DVC	Damodar Valley Corporation
ECL	Eastern Coalfield Ltd
ED	Executive Director
EIL	Engineers India Limited
EM	Electro Magnetic
EMD	Earnest Money Deposit
ERP	Enterprise Resource Planning
ESIC	Employees State Insurance Corporation
FSA	First Stage Advice

GACIF	Global Anti-Corruption and Integrity Forum
GAIL	Gas Authority of India Ltd
GIS	Geographic Information System
GM	General Manager
GNCTD	Government of the National Capital Territory of Delhi
GOI	Government of India
GPS	Global Positioning System
GSL	Goa Shipyard Ltd
HAL	Hindustan Antibiotics Limited / Hindustan Aeronautics Ltd
HEMM	Heavy Earth Moving Machinery
HoD	Head of Department
HPCL	Hindustan Petroleum Corp Ltd
IAACA	International Association of Anti-Corruption Authorities
ICT	Information and Communication Technology
IEM	Independent External Monitor
IIBM	Indian Institute of Bank Management
IIM	Indian Institute of Management
IO	Inquiry Officer
IOCL	Indian Oil Corporation Ltd.
IPPB	India Post Payments Bank
IRCTC	Indian Railway Catering and Tourism Corporation
IRG	Implementation Review Group
JE	Junior Engineer
JTE	Junior Technical Examiner
KYC	Know Your Customer
LC	Line of Credit
LR	Letter Rogatory
MAVU	Management Audit of Vigilance Unit
MbPA	Mumbai Port Authority
MCD	Municipal Corporation of Delhi
MCL	Mahanadi Coalfields Ltd
MHA	Ministry of Home Affairs
MIL	Munitions India Limited
MOIL	Manganese Ore India Ltd.
MoU	Memorandum of Understanding

MPA	Mormugao Port Authority
MRPL	Mangalore Refinery and Petrochemicals Limited
MSE	Micro and Small Enterprises
MSME	Micro, Small and Medium Enterprises
MSTC	Metal Scrap Trade Corporation
NA	Necessary Action
NBCC	National Buildings Construction Corporation India Ltd
NDMC	New Delhi Municipal Council
NFL	National Fertilizer Limited
NFSU	National Forensic Sciences University
NHAI	National Highways Authority of India
NHIDCL	National Highways and Infrastructure Development Corporation Ltd
NIELIT	National Institute of Electronics and Information Technology
NIT	Notice Inviting Tender
NPA	Non Performing Assets
NPC	National Productivity Council
NPCIL	Nuclear Power Corporation of India Ltd.
NR	Northern Railway
NTPC	National Thermal Power Corporation
OBR	Over Burden Removal
OECD	Organisation for Economic Cooperation and Development
OIL	Oil India Limited
OMDC	Orissa Minerals Development Company
OPM	Original Parts Manufacturer
PBG	Performance Bank Guarantee
PC Act	Prevention of Corruption Act
PE	Preliminary Enquiry
PGCIL	Power Grid Corporation of India Ltd
PIDPI	Public Interest Disclosure and Protection of Informers
PO	Presenting Officer
PPA	Paradip Port Authority
PSB	Public Sector Bank
PSFI	Public Sector Financial Institution
PSIC	Public Sector Insurance Company

QPR	Quarterly Performance Report
RBI	Reserve Bank of India
RBO	Regional Business Office
RC	Regular Case
RFID	Radio Frequency Identification
RTI Act	Right to Information Act
SBI	State Bank of India
SCIL	Shipping Corporation of India Ltd.
SCOPA	Standing Committee on Public Accounts
SJVNL	Satluj Jal Vidyut Nigam Ltd
SOP	Standard Operating Procedure
SP	Superintendent of Police
SPE	Special Police Establishment
SSA	Second Stage Advice
SSID	Scrap and Surplus Identification and Disposal
STL	Short Term Loan
TAC	Tender Advisory Committee
TE	Technical Examiner
TPC	Tenders and Procurements Committee
UIICL	United India Insurance Co. Ltd
UNCAC	United Nations Convention against Corruption
UNODC	United Nations Office on Drugs and Crime
UPSC	Union Public Service Commission
VAW	Vigilance Awareness Week
VCMS	Vigilance Case Management System
VTs	Vehicle Tracking System
WCL	Western Coalfields Ltd
WGP	Working Group on Prevention



Integrity Pledge at Western Coalfields Limited on the Occasion of VAW 2023



Wall painting by the school students on the occasion of Vigilance Awareness Week 2023



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