Volume – XXXI-XXXII

VIGEYE VANI

Monthly Newsletter of
Central Vigilance Commission
OCTOBER & NOVEMBER 2013

"VIGILANCE AWARENESS WEEK"
(28th October to 2nd November, 2013)

Message

Countrywide observance of Vigilance Awareness Week in the last week of October every year is promoted by the Central Vigilance Commission of India, to reaffirm our commitment to promote vigilance concepts and to rededicate ourselves to the cause of fighting corruption. Corruption cannot significantly come down unless all stakeholders participate in vigilance work. Government, Ministries, Departments and other Agencies, PSUs and Banks, the Private Sector and the Civil Society at large are required to get involved in the whole gamut of vigilance processes. The theme chosen for the week every year helps to draw attention of the stakeholders to a specific concept at one time that needs to be focussed during the year to make vigilance a management function that will help make continual improvement in the country's anti-corruption efforts.

For this year, the Commission has chosen "Promoting Good Governance" as its central theme for the Vigilance Awareness Week. Promoting good governance is the need of the hour whether in Public Sector or Private Sector. Vigilance plays a proactive and positive role in good governance which helps in preventing corruption both in Public and Private Sectors as well as in Central and State Governments.

During the Vigilance Awareness Week and thereafter, the principles of good governance would need to be propagated among employees and other stakeholders. Commission hopes and expects increased transparency, fair play and equity in decision making processes by all concerned. Best practices evolved should be shared and knowledge and skills upgraded to bring about measurable improvement in the quality of governance and delivery of services to the Public.

(R. Sri Kumar)
Vigilance Commissioner

(J.M. Garg)
Vigilance Commissioner

(Pradeep Kumar)
Central Vigilance Commissioner

From the Editor's Desk

Dear Readers,

On the occasion of Vigilance Awareness Week 2013, it is heartening to note that the Commission is bringing out a Special Issue to rededicate its efforts for stepping up vigilance awareness in the masses.

For this purpose, obviously, the Commission has chosen "Promoting Good Governance" as its central theme for this year's 'Vigilance Awareness Week'. Good Governance, invariably, leads to well-regulated policies & various mechanisms, ensuring a high standard of transparency, competitiveness & fair play in the working standards, thereby easing the decision making processes and accountability of all actions/ programmes of the Governments and other Bodies.

Every functionary in an Organization is an important hand who is expected to enforce for himself / herself a high moral & ethical standard. In fact, promoting Good Governance is the need of the hour as, Vigilance plays a pro-active & positive role in this direction.

During the recent 'Vigilance Awareness Week', Commission had a heavy Schedule of organizing different activities like, Slogan-Writing, Speech, Debate, Essay-writing in the Commission, as also, in Schools & Colleges, with a view to propagate the ideas of Vigilance, especially, amongst the youngsters, as well.

Today, the emphasis is on raising Public awareness to inculcate best Practices & Ethical Values in all & sundry, thereby reducing Society's tolerance towards Corruption. I do hope, this Special Issue will serve to enhance the awareness and the Contents of this Issue shall also be found useful in educating people and enhancing the understanding about Vigilance related Issues.

I also earnestly request our esteemed Readers and all CVOs that the nascent best practices evolved in their Organizations should be shared with the Commission, some of which shall be shared with all, in the forthcoming issues.

Chief Editor:
Alok Bhatnagar,
Additional Secretary, CVC

Important activities of the Commission during the month of October & November

❖ A Memorandum of Understanding (MoU) between Central Vigilance Commission and Komisi Pemberantasan Korupsi (KPK) of the Republic of Indonesia for International Cooperation on Combating Corruption was signed on 10th October, 2013 by Shri Pradeep Kumar, Central Vigilance Commissioner and Mr. Abraham Samad, Chairman, Komisi Pemberantasan Korupsi, Komisi Pemberantasan Korupsi (KPK) signed The MoU provides to establish and strengthen international cooperation, collaborative efforts through encouragement of sharing and exchange of studies, research and information, training and exchange of expertise on operational measures etc. The MoU is one of the six MoUs signed between India and Indonesia during the bilateral meeting between Prime Minister Manmohan Singh and President Susio Bambang Yudhoyono of Indonesia to strengthen strategic partnership between the two countries.

❖ ***Shri Pradeep Kumar, Central Vigilance Commissioner inaugurated the 114th Induction Training Programme on 21st October, 2013 for officers promoted from SCS/Selected list to IAS, which commenced at Lal Bahadur National Academy of Administration(LBNAA), Mussoorie. The training programme is designed to provide participants an overall perspective of the All India Services.***

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Important activities of the Commission during the month of October & November

❖ Shri R. Sri Kumar, Vigilance Commissioner attended a progaramme of high level representatives of anti-corruption authorities from the South, East and Southeast Asia and anticorruption experts from around the world at Kuala Lumpur Malaysia on 21-22 October, 2013 at the invitation of the United Nations Office on Drugs and Crime (UNODC) and the United Nations Development Programme (UNDP), in partnership with the Government of Malaysia, to discuss a set of Guidelines for Anti-Corruption Strategies, that could instruct the process of developing, designing and implementing sustainable anti-corruption strategies. The participants included several officials of anti-corruption authorities, other anticorruption practitioners, and representatives from national planning authorities, and executive, legislative and judiciary branches. Representatives of UNDP, UNODC, the World Bank, the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, Transparency International and U4 Anti-Corruption Resource Centre also took part in the proceedings.

Shri Pradeep Kumar, Central Vigilance Commissioner (CVC) addressed top management officials of Indian Oil Corporation Ltd. (IOCL) at a function organized by IOCL during Vigilance Awareness Week on 29th October, 2013.

❖ Shri Pradeep Kumar, Central Vigilance Commissioner (CVC) addressed top management officials of Indian Oil Corporation Ltd. (IOCL) at a function organized by IOCL during Vigilance Awareness Week on 29th October, 2013. In his address, CVC stated that corruption is very big problem for India that also affects investment in the country. While appreciating Indian Oil Corporation for its various initiatives of Information Technology intervention, he said that we should work for sustained improvement in the system to harness technology so that human intervention is reduced.

Shri R.Sri Kumar, Vigilance Commissioner addressed employees of Oil India Ltd. and Cement Corporation of India Ltd. during the Vigilance Awareness Week.

Important activities of the Commission during the month of October & November

❖ Shri J.M. Garg, Vigilance Commissioner addressed the employees of Northern Railways, CPWD, Punjab and Sind Bank, Reserve Bank of India (New Delhi), Punjab National Bank and Power Grid Corporation of India Ltd. during the Vigilance Awareness Week programmes organised. While addressing the participants in Punjab & Sind Bank on 30th Oct, 2013, Shri J.M. Garg, Vigilance Commissioner exhorted the senior functionaries of the bank to continue working with utmost sincerity, honesty and to perform their duties in a transparent manner. He emphasized that Banks should be cautious while taking over loans from other Banks/FIs, should avoid deviations from the Bank's own guidelines. He expressed concern about the frequent frauds in Banks and cautioned against avoidance of exposure to one Unit/Group.

❖ Addressing the participants of Power Grid Corporation Ltd. (PGCIL) on 1st Nov., 2013, he appreciated the efforts of PGCIL in preventing corruption and the organizational Code of Conduct adopted by PCGIL. He urged the employees to follow systems and procedures fearlessly and not to make hasty, biased decisions in functional areas.

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Activities during Vigilance Awareness Week 2013 in the Commission

❖ As per the Central Vigilance Commission's directive, Ministries / Departments / PSU's / Banks / Organizations undertook the following activities during Vigilance Awareness Week: Display of banners, posters etc. at prime locations in their officers, Organizing of seminars / workshops by inviting prominent faculty, competitions, debates / lectures on topics relating to anti-corruption, also by students of colleges /schools, bringing out special journals, etc. Non-government organizations, institutions and service associations in the local areas were also requested to participate in the Vigilance Awareness campaign.

❖ In the Commission competitions were organized in the following areas: Speech, Poetry and Quiz. Apart from the above, posters and banners were displayed in the office premises, Advertisements were brought out in the newspapers, massages from the President, Prime Minister the Commission and other dignitaries were displayed on the Commission's website. Further, the CVC, VCs and other officers in the Commission participated in the programs which were held by different organizations during the Vigilance Awareness Week.

Pledge Ceremony in the Commission

Competitions held in the Commission during the Vigilance Awareness Week 2013

- Speech Competition
- Cartoon Competition
- Quiz Competition
- Debate Competition
- Slogan Competition
- Poetry Competition

Prize distribution in the Commission during the Vigilance Awareness Week 2013

Speech Competition:- Ist Prize
Shri Sameer Adlakha, UDC

Speech Competition:- IInd Prize
Shri Ranjit Singh, Assistant

Speech Competition:- IIIrd Prize
Shri Ashutosh Narayan, Assistant

Cartoon/Poster Competition:- Ist Prize
Shri Rajesh, PA

Cartoon/Poster Competition:- IInd Prize
Shri R.S.Sinha, DS

Cartoon/Poster Competition:- IIIrd Prize
Shri Manish Raj, PA

Prize distribution in the Commission during the Vigilance Awareness Week 2013

Debate Competition:- Ist Prize
Shri Balasubramaniam, PS

Debate Competition:- IInd Prize
Shri Ranjit Singh, Assistant

Debate Competition:- IIIrd Prize
Shri Ashutosh Narayan, Assistant

Slogan Competition:- Ist Prize
Shri Vijay Kumar, Assistant

Slogan Competition:- IInd Prize
Shri T.J.Rao, PS

Slogan Competition:- IIIrd Prize
Ms. Gauri, DEO

Poetry Competition:- Ist Prize
Shri R.S.Sinha, DS

Poetry Competition:- IInd Prize
Ms. Sheetal Arora, LDC

Poetry Competition:- IIIrd Prize
Shri Yogeshwar Tyagi, MTS

Quiz Competition:- Ist Prize
Shri Sameer Adlakha, UDC
&
Shri Deepak Tuli, Assistant

Quiz Competition:- IInd Prize
Shri Ashutosh Narayan, Assistant
&
Shri Ashutosh Tiwari, Assistant

Quiz Competition:- IIIrd Prize
Shri Arvind Kumar, SO
&
Shri Anirban Biswas, SO

Observance of Vigilance Awareness Week from 28th Oct. to 2nd Nov. at Netaji Subhash Institute of Technology

Mrs. Parwinder Kaur, Advisor & Shri R.P.Tripathi, Director, Central Vigilance Commission visited Netaji Subhash Institute of Technology, New Delhi during "Vigilance Awareness Week" (28th October to 2nd November) Debate & slogan writing competitions were held by the Institute in the presence of CVC officials. Prize were distributed to the winning officials of the Institute. Following photographs depict prize distribution ceremony.

Observance of Vigilance Awareness Week from 28th Oct. to 2nd Nov. at IDBI Bank Limited, Corporate Office, Mumbai.

Observance of Vigilance Awareness Week from 28th Oct. to 2nd Nov. at Kendriya Vidhyalaya, New Delhi.

S/Shri Keshav Rao & Arun Kumar, Directors, Central Vigilance Commission, visited Kendriya Vidhyala, Masjid Moth, New Delhi during "Vigilance Awareness Week". Debate & slogan writing competitions were held by the School in the presence of above Directors from CVC. Prizes were distributed to the winning students of the School. Photographs depict prize distribution and also slogans written by students.

Observance of Vigilance Awareness Week from 28th Oct. to 2nd Nov. at Rail Vikas Nigam Limited (RVNL).

Vigilant Executive- Good Governance a Reality

By: Arun Kumar, Director, CVC

Corruption is akin to a malaise which eats the roots of any state administration making it hollow, infesting bureaucracy with its poisonous sting, renders the public work ineffective, helps in quick growth of corrupt people and anti-social elements.

As per report of United Nation Convention Against Corruption (UNCAC) and Transparency International (TI) – "Corruption is one of the greatest challenges of the contemporary world. It undermines **Good Government**. Fundamentally, it distorts public policy. It leads to misallocation of funds/ resources. It harms the private sectors and most important, it hurts the poor citizens."

Santhanam Committee identified following major causes of corruption in Govt. viz;

- ❖ Administrative delays.
- ❖ Government taking upon themselves more than they can manage by way of regulatory function.
- ❖ Scope for personal discretion in the exercise of powers in different categories of Government Servants.
- ❖ Cumbersome procedure of dealing with various matters which are of importance to citizens in their day to day office.

The best way to combat corruption is not sure through an enforcement agency like a Vigilance Wing of the Department or an external agency like, CBI or CVC. Most effective remedy against this menace is the Executive's own control and initiative because he is the person who knows the ins and outs of the issue. Nobody is expected to know his sub-ordinates better than the Executive himself. Cases of corruption are likely to be known to the Management first, provided they evince keen interest in day-to- day working in proper ways in their jurisdiction. Thus, corruption can be more effectively fought by Management.

Few steps can be suggested to the Management, though indicative, may help in reducing the scope of corruption in public procurement :-

- ❖ Planning of work have to be given more time and importance.
- ❖ The estimates of work should be more carefully prepared so that during public procurement estimated rates can be given full sanctity during examination of reasonability of tender rates. Sanctity of estimates has also to be enforced by doing away with practices of indiscriminate variation in quantity and quality. Specification of the items to be procured should be well defined.

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- Completion report of the work should include reports on checking and testing with respect to specification.
- Use of Computers/websites to achieve transparency, in all procedures.

One more area which is equally sensitive is Recruitment in the Departments. Some studies have indicated that there should be meticulous planning at every stage of Recruitment and Selection Process, that is, publication of advertisement in news paper, screening of the application forms, issue of admit card, conduction of written exams, setting of papers, evaluation of answer sheets, declaration of results, conduction of interview and so on. If, every stage is properly planned then the chances of malpractices will be minimal.

Vigilance is an important function of the Management. Vigilance is a part and parcel of any management function namely finance, personnel, marketing, procurement, etc. One can say that that preventive vigilance is not external but is an integral part of the managerial function. It is essential that preventive vigilance is more effective than punitive vigilance. It is enjoined upon all concerned that more preventive measures should also be practiced in functioning of Vigilance Department i.e; they must conduct regular and surprise inspection in the sensitive areas in order to detect if there have been instances of corrupt or improper practices by the public servant. They must also undertake prompt and adequate scrutiny of property returns and intimation given by the public servant under the conduct rules. They must identify sensitive posts in the department and stress upon rotation of officials from sensitive to non-sensitive post.

Transparency in the context of management function is considered as one of the most efficient deterrents to corruption. It is a pre-condition for ensuring public officials accountability.

Also, Transparency is essential for management to be predictable, efficient and just and fair in all respects. Because of opening of Economy and globalization of business, the importance of transparency has become more important.

The Commission has laid emphasis on transparency through the use of technology as the corner stone of Good Governance and has aptly declared the theme of vigilance awareness week for the year 1013 as “Promoting Good Governance”. In this aspect, the guiding principles depicted in National Anti – Corruption Strategy plan and the role of executive in Good Governance are relevant, as sketched below:-

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Vigilant Executive- Good Governance a Reality

Good governance goals	How executive can be nodal point in Good Governance
Increasing Transparency	• Dissemination of government rules and procedures; citizen's charters; government performance data to wider audience. • Disclosure of public assets, government budget; procurement information. • Making decisions of civil servants available to public.
Reducing administrative corruption	• Putting procedures online so that transactions can be easily monitored. • Reducing the gate keeper role of civil servants through automated procedures that limit discretionary powers. • Eliminating the need for intermediaries.
Empowerment	• Providing communities with limited or no access to government with a new channel to receive government services and information. • Reducing the brokerage power of intermediaries.
Improving government finances & accountability	• Reducing cost of transactions for government processes. • Increasing revenue by improving audit functions to better track defaulters and plug leakages by reducing corruption. • Providing better control of expenditure.

Integrity plays an important role in an organization. Without dedicated and honest employees, an organization cannot improve upon its performance and achieve all round growth. Probity in public life demands that an organization in its dealing should not only be honest but also appears to be so.

We find a close correlation between Management and Governance.

R. Tricker has aptly quoted –

" If Management is about running a business, Governance is about seeing that it run properly."

Thus, we can say with "Vigilant Executive, Good Governance will be a reality." And, between these two streams of wisdom, Vigilance is the balancing force, which plays in tandem with an objective of GOOD GOVERNANCE.

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Promoting Good Governance : Role of Chief Vigilance Officer

By: Samir Sahai, IFS, Ex CVO- Pawan Hans Ltd.

"**Corruption**" is a major threat to good governance and it needs to be fought effectively to promote good governance. The Central Vigilance Commission (CVC) has got the mandate to supervise vigilance administration through Chief Vigilance Officers (CVOs). Therefore, the role of CVO is crucial in combating corruption.

The concept of "**Zero Tolerance**" has been adopted by the Central Government to promote accountability and as such the cases of corruption need to be handled firmly.

Departmental Enquiries are the culmination of all efforts made by the vigilance officers in the cases of corruption. **Effective** investigation and **Proper** drafting of a charge sheet are the main responsibilities of CVO. Vigilance setup in any organisation is not trained enough to carry out an effective investigation to nail the main culprits for various omissions /commissions. It is the responsibility of CVO to guide the vigilance staff for conducting an effective investigation in a time bound manner. It is also a fact that the vigilance staff under CVO belongs to the same organisation where the investigation is conducted and the possibility of biased/influenced investigation cannot be ruled out. Therefore, the role of CVO in an investigation is of paramount importance.

In a departmental enquiry **Indirect** and **Circumstantial** evidences play an important role and these evidences need to be collected along with the direct evidences during the investigation. Mobile Call Details Record (CDR) can be used as an evidence .The CDR can be obtained from service provider through the person concerned. It is a fact that the collection of indirect evidences is a herculean task and needs some expertise/experience. Unfortunately, CVOs do not have specific powers to summon the documents and witnesses and investigations are being conducted by sending letters & reminders to the custodian of the documents and lot time is consumed in procuring the relevant documents. The whole process of a time bound investigation gets hampered.

The **Institution** of CVO needs to be strengthened to achieve the goal of zero tolerance. Suitable amendments may be made in the section 11 of CVC Act 2003 to extend the provision of this section "power relating to inquiries" to CVOs. The vigilance staff under CVO should be trained by regular investigating agencies and investigating officer under CVO should be posted on deputation basis from other departments.

Drafting of a charge-sheet is the most crucial dimension of a vigilance investigation and the charges should be precise and clearly spelt out. In case of pecuniary loss, the same should be included in the charge itself. The evidences should be explained clearly in imputation of charges. The **Role** of oral witnesses should be specifically mentioned in the list of oral witnesses in a charge-sheet on the lines of CBI cases. This will help the Presenting Officer(PO) to prepare the prosecution case effectively.

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Promoting Good Governance : Role of Chief Vigilance Officer

The importance of indirect /circumstantial evidences can be seen in the following case study.

CASE STUDY: A complaint was investigated wherein the direct evidences were found insufficient to substantiate the allegations and indirect/ circumstantial evidences could establish the serious omissions/commissions. It was alleged that a fake inspection was carried out and the inspecting officer had claimed bogus TA bill. The documents were examined and it was found that all necessary inspection reports were prepared by the inspecting officer in the presence of two officers and the TA bill was claimed for the journeys performed to carry out the inspection. There was no direct evidence to substantiate the allegations. Therefore, the indirect and circumstantial evidences relating to CDR of the mobiles of all three officers and credit card payment slips of hotel bills of the officers were collected. These evidences could establish that the inspecting officer was not present at the place of inspection as the Tower Location of the mobile of this officer was indicating that the officer was present at head quarter on the day of inspection and other two officers who had accepted that the inspection was carried out in their presence actually checked out from the hotel at the time when the inspection was shown to have been conducted in the presence of these two officers. On the basis of indirect/circumstantial evidences the disciplinary proceedings were initiated against all three officers and charges were found as proved.

CVOs may like to give special thrust to improve the quality of investigation and charge- sheet to punish the main culprits and to ensure systemic improvements. These efforts will certainly help in promoting **Good Governance**.

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Observance of Vigilance Awareness Week from 28th Oct. to 2ndNov. at Union Bank of India

Shri D. Sarkar, Chairman & Managing Director, Union Bank of India along with Senior Executives of the Bank on the occasion of Pledge Taking Ceremony.

Farewell / Welcome Corner for Officers during October & November, 2013

Shri Bijendra Kumar, Technical Examiner - *Joined on 08.10.2013*

Shri Ashok Kumar, Director – *Joined on 09.10.2013*

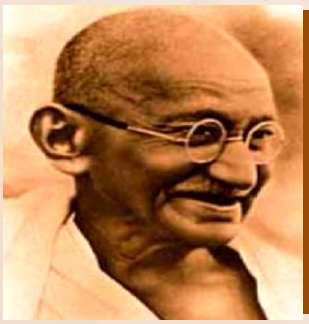
Shri Surjit Singh, Director – *Retired on Superannuation on 31.10.2013*

Shri Sajeesh Kumar N, Dy. Secretary – *Joined on 09.10.2013*

Shri Nitish Kumar, Dy. Secretary - *Joined on 14.10.2013*

Shri D.K.Agrawal, Advisor – *Joined on 28.10.2013*

Shri P.K.Malhotra, Advisor – *Relived on 27.11.2013*



❖ ***You must not lose faith in humanity. Humanity is an ocean; if a few drops of the ocean are dirty, the ocean does not become dirty.***

❖ ***Seven social sins: politics without principles, wealth without work, pleasure without conscience, knowledge without character, commerce without morality, science without humanity and worship without sacrifice.***

❖ ***An error does not become truth by reason of multiplied propagation, nor does truth become error because nobody sees it. Truth stands, even in there be no public support. It is self sustained.***

********** ***Mahatma Gandhi***

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