



**ANNUAL REPORT**  
**1.1.2009 to 31.12.2009**



**CENTRAL VIGILANCE COMMISSION**  
**NEW DELHI**

The 46<sup>th</sup> 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 31<sup>st</sup> December, 2009 in fulfilling its mandate under the CVC Act, 2003.



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**CENTRAL VIGILANCE COMMISSIONER**

New Delhi  
Dated: the 30<sup>th</sup> June, 2010

## **ACKNOWLEDGEMENT**

The Central Vigilance Commission thanks its team of Chief Vigilance Officers, and all Departments/Organizations for their cooperation and assistance, especially the Department of Personnel and Training and the Central Bureau of Investigation.

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## CHAPTER-1

### Introduction

#### I Background

1.1 The Central Vigilance Commission was set up by the Government of India through a Resolution of 1964, as an apex body for prevention of corruption in Central Govt. institutions and public administration. A debate in the Parliament on the issue of corruption in administration led to setting up of Committee by Shri Lal Bahadur Shastri, the then Hon'ble Minister for Home Affairs under the Chairmanship of Shri K. Santhanam, MP, to review the existing instruments for checking corruption in the central services and to advise practical steps to make anti-corruption measures more effective. The committee identified the following four major causes of corruption:

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

1.2 The conspicuous absence of a dynamic integration between the vigilance units in the various Ministries and the Administrative Vigilance Division was felt and the Committee conceptualized an apex body for exercising general superintendence and control over vigilance administration as well as to create a body having the technical expertise to deal with matters relating to engineering works, constructions, etc. They recommended that the body may undertake an inquiry into the transactions of suspected public servants or into allegations of improper conduct or practices. In September 1997, an independent review Committee constituted by Central Government recommended conferring statutory status on the Central Vigilance Commission. Months later, the Hon'ble Supreme Court of India in Criminal Writ Petition Nos.340-343/93 (Vineet Narain and others Vs Union of India and others) popularly known as Jain Hawala Case also gave directions on 18.12.1997 that statutory status should be conferred upon the Central Vigilance Commission. The Central Government promulgated an Ordinance dated 25.8.1998 to comply with the directions of the Supreme Court followed by Ordinance dated 8.1.1999. Subsequently, the Central Government promulgated another Resolution dated 4<sup>th</sup> April, 1999 and the Central Vigilance Commission continued to function under the Resolution dated 4.4.1999 till the Central Vigilance Commission Act was passed by both the Houses of the Parliament in 2003.

#### II Present Status

1.3 The Central Vigilance Commission Act, 2003 (45 of 2003) came into force with effect from 11.9.2003. The Act also amended the Delhi Special Police Establishment Act to give the commonly known principle of 'Single Directive', a legal status that had been struck down by the Supreme Court in the Hawala Case. According to this principle, the CBI required the prior approval of the Central Government to conduct inquiry or investigation against any offence alleged to have been committed under the Prevention of Corruption Act by an employee of the level of Joint Secretary and above in the Central Government, or such

officers in the Government Corporations, Companies, Societies and local authorities owned or controlled by the Central Government.

**Powers and Functions of the Central Vigilance Commission  
under the Central Vigilance Commission Act, 2003**

- The Commission shall consist of a Central Vigilance Commissioner (Chairperson) and not more than two Vigilance Commissioners (Members);
- The Central Vigilance Commissioner and the Vigilance Commissioners shall be appointed by the President on the recommendations of a Committee consisting of the Prime Minister (Chairperson), the Minister of Home Affairs (Member) and the Leader of the Opposition in the House of the People (Member);
- The term of office of the Central Vigilance Commissioner and the Vigilance Commissioners would be four years from the date on which they enter their office or till they attain the age of 65 years, whichever is earlier;
- It shall exercise superintendence over the functioning of the Delhi Special Police Establishment (CBI);
- **According to the provisions of the Act, the Central Vigilance Commissioner (CVC) is also the Chairperson of the two Committees, on whose recommendations, the Central Government shall appoint the Director of the Delhi Special Police Establishment and the Director of Enforcement.** The Committee concerned with the appointment of the Director CBI is also empowered to recommend, after consultation with the Director (CBI), appointment of officers to the posts of the level of SP and above in DSPE;
- The Commission shall have the powers to exercise superintendence over the functioning of the Delhi Special Police Establishment (DSPE) with respect to investigation under the Prevention of Corruption Act, 1988; or offence under the CrPC for certain categories of public servants and to give directions to the DSPE in discharging this responsibility;
- It shall also review the progress of investigations conducted by the DSPE into offences alleged to have been committed under the Prevention of Corruption (PC) Act;
- The Commission shall have the powers to inquire or cause an inquiry or investigation to be made on a reference made by the Central Government;
- The Commission shall have the powers to inquire or cause an inquiry or investigation to be made into any complaint received against any official under its jurisdiction under the Act;
- It shall advise the disciplinary and other authorities in disciplinary cases, involving vigilance angle at two stages i.e. investigation and inquiry;
- The Commission shall exercise superintendence over the vigilance administrations of the various Central Government Ministries, Departments and organizations of the Central Government;
- The Commission, while conducting the inquiry, shall have all the powers of a Civil Court with respect to certain aspects;
- The Commission shall tender advice to the Central Government and its organizations on such matters as may be referred to it by them;
- Respond to Central Government on mandatory consultation with the Commission before making any rules or regulations governing the vigilance or disciplinary matters relating to the persons appointed to the public services and posts in connection with

- the affairs of the Union or to members of the All India Services; and
- The Commission shall undertake or cause an inquiry into complaints received under the Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution and recommend appropriate action.

### **III Jurisdiction of Central Vigilance Commission**

1.4 According to Sections 8(1)(d) and 8(2)(a) of the Central Vigilance Commission Act, its jurisdiction extends to Group 'A' level officers of the Central Government and such level of officers in the corporations, Govt. companies, societies and other local authorities of the Central Government as may be notified by the Central Government separately.

#### **Commission's Jurisdiction under the Act at present**

- 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; and
- Officers drawing salary of Rs. 8700/- per month and above on Central Government D.A. pattern, in societies and local authorities owned or controlled by the Central Government.

1.5 **The Commission, however, retains its residuary powers to enquire into any individual case in respect of the employees other than those who are within its normal advisory jurisdiction.** Cases of difference of opinion between the CBI and the administrative authorities concerned are also resolved by the Commission irrespective of the level/grade of the employee concerned.

#### **Approval of the Central Government**

The CVC Act provided for inclusion of the following section, after Section 6 of the DSPE Act.

The DSPE shall not conduct any inquiry or investigation into any offence alleged to have been committed under the PC Act 1988 except with the previous approval of the Central Government where such allegation relates to:

- the employees of the Central Government of the level of Joint Secretary and above; and
- such officers as are appointed by the Central Government in Corporations established by or under any Central Act, Government Companies, Societies & Local authorities owned or controlled by that Government.

However, such approval is not necessary for cases involving arrest of persons on the spot on the charge of accepting or attempting to accept any gratification other than legal remuneration.

#### **IV Public Interest Disclosure Resolution**

1.6 In response to a PIL filed in the Supreme Court, the Supreme Court directed the Central Government to devise a suitable mechanism to act on the complaints from “Whistle Blowers” till such time as a suitable legislation was enacted to that effect. **The Central Government, through the Public Interest Disclosure and Protection of Informers’ Resolution dated 21<sup>st</sup> April, 2004, designated the Central Vigilance Commission as the agency to act on the complaints from “Whistle-Blowers”** According to the resolution, popularly known as the Whistle Blower Resolution, the Commission has been entrusted the responsibility of keeping the identity of the complainant lodging the complaint under PIDPI Resolution secret, to provide protection to whistle blowers from victimization and the power to take action against complainants making motivated or vexatious complaints. While the Central Vigilance Commission Act 2003 defines the jurisdiction of the Commission for direct supervision mainly to Group ‘A’ Officers and such level of officers as notified by the Central Government, there is no such restriction on the Commission in the Government of India **‘Public Interest Disclosure and Protection of Informers’ Resolution, 2004.**

##### **Important Features of the “Whistle-Blowers” Resolution**

- The CVC shall, as the Designated Agency (herein after referred to as the Commission), 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 under any Central Act, government companies, societies or local authorities owned or controlled by the Central Government;
- The Commission will ascertain the identity of the complainant; if the complaint is anonymous, it shall not take any action in the matter;
- The identity of the complainant will not be revealed unless the complainant himself has made either the details of the complaint public or disclosed his identity to any other office or authority;
- While calling for further report/investigation, the Commission shall not disclose the identity of the informant and shall also request the head of the organization concerned to keep the identity of the informant a secret, if for any reason the identity is revealed;
- The Commission shall be authorized to call upon the CBI or the police authorities, as considered necessary, to render all assistance to complete the investigation pursuant to the complaint received;
- If any person is aggrieved by any action on the ground that he is being victimized due to the fact that he had filed a complaint or disclosure, he may file an application before the Commission seeking redressal in the matter, wherein the Commission may give suitable directions to the person or the authority concerned;
- If the Commission is of the opinion that either the complainant or the witnesses need protection, it shall issue appropriate directions to the government authorities concerned;
- In case the Commission finds the complaint to be motivated or vexatious, it shall be at liberty to take appropriate steps;
- The Commission shall not entertain or inquire into any disclosure in respect of which a formal and public inquiry has been ordered under the Public Servants Inquiries Act, 1850, or a matter that has been referred for inquiry under the Commissions of Inquiry



Act, 1952;

- In the event of the identity of the informant being disclosed in spite of the Commission's directions to the contrary, the Commission is authorized to initiate appropriate action in accordance with the extant regulations against the person or agency making such a disclosure;

1.7 Keeping with the spirit of PIDPI Resolution, the Commission has laid down a detailed procedure for lodging complaints. In order to encourage public to come forward without fear and make complaints or disclosure on any allegation of corruption, the Commission has also given wide publicity to the PIDPI Resolution. Only the complainants following the procedure would be entitled to protection under this resolution.

## **V Advisory Role**

1.8 The advisory role of the Commission extends to all matters on vigilance administration referred to it by the departments/organizations of the Central Government. It is mandatory on the part of the organizations to seek the Commission's advice before proceeding further in a matter where earlier a report was called for by the Commission.

1.9 The Commission examines the investigation reports furnished by the CVO or the CBI and depending on the facts of each case and the evidence/records available, advises (a) initiation of criminal and/or regular departmental action (major or minor) against the public servant(s) concerned; (b) administrative action against public servants concerned; or (c) closure of the case as first stage advice.

1.10 The Commission tenders second stage advice where major penalty proceedings were advised, on the conclusion of the inquiry proceedings, also the Commission needs to be consulted for cases where the inquiry proceedings are not possible due to special circumstances. In cases where Commission advised initiation of minor penalty proceedings, no second stage advice is required to be obtained if the organization concerned has decided to impose one of the defined minor penalties. In case the authorities concerned propose to exonerate the officer concerned after considering his defence statement, the Commission is required to be approached for advice before issuing final orders.

## **VI Present composition of the Commission**

1.11 In terms of the Central Vigilance Commission Act 2003, the Commission consists of one Central Vigilance Commissioner (CVC) as Chairperson and two Vigilance Commissioners (VC) as Members. The appointment of the CVC as well as that of the VCs is made by the Hon'ble President of India 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. At present, Shri Pratyush Sinha, IAS (Retd.) is the Central Vigilance Commissioner.

## **VII Staff Composition**

1.12 The Central Vigilance Commission is assisted by a Secretary (in the rank of Additional Secretary to the Government of India), two Additional Secretaries (in the rank of Joint Secretary to the Government of India) and other staff which includes twenty eight officers (in the rank of Director / Deputy Secretary), two OSDs and four Under Secretaries.

The Commission also utilize the services of Director / Deputy Secretary as Commissioners for Departmental Inquiries (CDIs) to conduct departmental inquiries relating to major penalty proceedings on behalf of the disciplinary authorities in disciplinary cases against senior officers having serious charges of a vigilance nature. The group-wise staff strength of the Commission as on 31.12.2009 and related information is at **Annexure - I**.

### **VIII Technical Wing**

1.13 The Chief Technical Examiners' (CTE) Unit, which is the technical wing of the Commission, assists the Commission in formulating its views in cases involving technical aspects and undertakes intensive examination of major civil / electrical / horticulture and other projects and major procurements by the Central Government organizations. The wing comprises two Chief Technical Examiners (of the rank of a Chief Engineer), assisted by eight Technical Examiners (of the rank of Executive Engineer), six Assistant Technical Examiners (of the rank of Assistant Engineer) and supporting staff.

1.14 The CTE Unit selects works or contracts for intensive examination from the Quarterly Progress Reports furnished by CVOs to the Commission, keeping in view the risk perception of the organization & the value of contracts. The CVOs are required to furnish details regarding ongoing Civil works having a contract value exceeding Rs.1crore, Electrical/Mechanical/Electronics contracts exceeding Rs.30 lacs, Horticulture works more than Rs.2 lacs and Store/Purchase contracts valuing more than Rs.2 crores.

### **IX Chief Vigilance Officers**

1.15 **Each department/organization covered under the normal advisory jurisdiction of the Commission has a vigilance unit headed by the Chief Vigilance Officer (CVO). The CVOs act as an extended arm of the Commission** and represent the Commission in respect of all vigilance matters including that of the junior officers, who are not covered under the normal jurisdiction of the Commission. The CVOs are required to provide assistance to the head of the organization concerned in all matters relating to vigilance administration by providing appropriate advice/expertise to them as well as to establish effective systems and procedures, in order to plug systemic failures/loopholes. The CVOs are also required to ensure speedy processing of vigilance matters, especially the disciplinary cases. The Commission has a system of obtaining monthly reports and annual reports from the CVOs as an effective tool of communication with them, and holds annual zonal review meetings with the CVOs of all major government departments/organizations as a part of its review and monitoring mechanism. Besides, as and when required, the Commission invites the CVOs individually to discuss important issues relating to their organizations with them.

1.16 The Commission also attaches considerable importance to the training of the CVOs and other vigilance personnel, and organizes regular training modules for these functionaries at CBI Training Academy, Ghaziabad, besides regular attachment programs and workshops held by Commission.

1.17 At present, 6 departments (viz. CBDT, CBEC, D/o Telecom, D/o Posts, M/o Railways and CPWD) of the Government of India, and larger PSEs, banks and insurance companies have full-time CVOs while others have part-time CVOs. The total number of full-time CVO posts is 196. The functions of CVOs in other organizations are performed by part-time CVOs who are officers of appropriate level from within the organizations concerned.

1.18 During the year 2009, the Commission considered the suitability of 52 officers recommended by the administrative authorities for appointment to the post of CVOs in different organizations including names of 85 officers for appointment as part time CVOs in various Departments/Ministries/ Autonomous Bodies.

1.19 The Commission accorded 307 vigilance clearances for Board Level appointments. In addition to this, clearances were also accorded to 2098 officers of Group 'A' services for various purposes (like empanelment, appointment to statutory bodies, appointment to tribunals etc.).

## **X Right to Information Act, 2005**

1.20 The Right to Information Act, 2005 was passed by the Parliament in June, 2005 to provide for right to every citizen to secure access to information under the control of public authority, consistent with public interest, in order to promote openness transparency and accountability in administration. **The Commission has set up an RTI Cell in the Commission** to deal with and receive applications from persons seeking information under the Act. There are eighteen officers of the rank of Director/Deputy Secretary/Under Secretary appointed and functioning as the Central Public information Officer and an officer of the rank of Additional Secretary to the Commission, as the Appellate Authority.

1.21 During the year 2009, 1496 applications were received and 1398 applications were disposed of according to the provisions under the Act. 303 appeal cases as first appeal were filed with the Appellate Authority of the Commission out of which 272 appeal cases were disposed of. 44 appellants filed appeals before the Central Information Commission (CIC) out of which 03 appeals have been disposed. At the end of the year 2009, 98 RTI applications and 31 appeals to the Appellate Authority of the Commission were pending for disposal.

## CHAPTER-2

### Observations and Initiatives

#### I General Observations

2.1 The Central Vigilance Commission is the nodal agency having rich experience in overseeing vigilance administration and in implementing policies against corruption. The institution has evolved over the last 45 years and the current emphasis of the Central Vigilance Commission has been to have in place effective preventive measures to fight against corruption and also to increase transparency and accountability in the functioning of the Govt. In tune with the emphasis on good governance, the Central Vigilance Commission closely looks at the prevailing systems and procedures in the govt. departments and Public Sector Undertakings and recommends system strengthening and improvements.

2.2 The Commission strongly advocates fair play and transparency in tendering process and, therefore, recommends wide publicity for all notice inviting tenders and other activities in the Govt. and PSUs, and adoption of codified tendering procedures with an emphasis on e-tendering and procurement techniques. To streamline the payments and to have an effective view on the pendency of contractor payments, the Commission has been recommending adoption of e-payment solution and various other real time banking techniques, as well as reduction of public interface in collection of payments.

2.3 The Commission has lately been advising all Government organizations to evolve a strong internal audit mechanism as a preventive measure. The magnitude and character of public expenditure and revenue in the Government departments and their audit reflects the nature of effective governance in the Government. As a strategy of good governance, the Commission is strongly advocating thrust on strong internal audit systems.

2.4 It is a well accepted fact that the movement against corruption has to involve the civil society and non-governmental organizations, who can effectively carry the message to the society at large. The fight against corruption would not be effective without the active involvement of the Citizens' bodies and intense involvement of the masses. The Commission, therefore, closely interacts with reputed non-governmental organizations and has taken up corruption studies through reputed NGOs and has also introduced the concept of a zero tolerance in corruption.

2.5 The increasing use of technology has made it possible for international institutions involved in keeping a close watch on the unethical ways and means adopted by governing agencies and to interact more frequently, to exchange ideas on methodology and procedures required to tackle corrupt activities.

2.6 As a result of increased awareness amongst the users of public services and the growing interest of international community in India, the expectations from the Central Vigilance Commission as an apex agency to be able to contribute in a major way in eradication of corruption from public life have increased manifolds.

2.7 The Commission is also of the view that evolving and effectively implementing preventive techniques is the most important aspect of vigilance administration which includes transparency, fair-play, objectivity and timely response in dealing with matters relating to

public administration. The Commission, on its part, has been taking every possible step to ensure a prompt, responsive, accountable, transparent and corruption free system of Government by ensuring a qualitative decision-making process. It has taken many initiatives in this regard some of which are discussed below:-

**(i) Need for self contained speaking orders to be issued by the authorities exercising disciplinary powers**

2.7.1 It has come to the notice of the Commission that final order passed in disciplinary cases by the competent disciplinary authorities did not indicate proper application of mind but a mere endorsement of Commission's recommendation which lead to unwarranted presumption that the DA has taken the decision under the influence of the Commission's advice. It has also been observed that, the DAs are not providing copy of the Commission's advice to the employee concerned.

2.7.2 The Commission while retreating its earlier views issued instructions to all CVOs to ensure that the Commission's advice in the disciplinary cases are advisory in nature and it is for the DA concerned to apply his mind. The DA while passing final order, has to state that the Commission has been consulted and after due application of mind the final order have been passed.

**(ii) Streamlining procedure for making reference to the Commission**

2.7.3 With a view to improving the quality and focus of investigation reports the Commission has devised a new reporting format. It lays utmost emphasis on facts, evidence and recommendation made by the CVOs, an investigation report should invariably be accompanied by an assurance memo signed by the CVO, taking due responsibility and giving assurance of a comprehensive application of mind while submitting the report. It also provides that the CVO would ensure that all documents / exhibits, constituting the basic evidence for the charge, are systematically identified and arranged. Superfluous and voluminous documents, with little or no relevance to the misconduct under examination, would be retained at the CVOs' end. In case any additional material or evidence is required, it can always be recalled by the Commission before an advice is tendered.

**(iii) Access of complaints to the CVOs**

2.7.4 Complaints containing information about corruption, malpractice or misconduct by public servants are received in a decentralized manner. CVOs receive complaints, also from many a decentralized location. According to the prevailing practice what is sent to the CVO from different decentralized locations entirely depends on the appreciation of 'vigilance angle' or otherwise by the officers controlling these decentralized locations. In such a system there is every chance that a complaint with a vigilance overtone may not be forwarded to the CVO, due to a lack of appreciation or for other bonafide reasons. This has also been revealed through the vigilance audit by the Commission in some organizations.

2.7.5 The Commission is of the view that all CVOs should, on a continuous basis, scrutinize the complaints, grievances etc., received by other divisions / units of the department / organization concerned and ensure that issues / allegations involving

vigilance angle if any, in such complaints are duly forwarded to them to be duly attended to by the vigilance department.

**(iv) Common observation in the vigilance audit of the banks by the Commission**

2.7.6 The Commission has conducted vigilance audit of some public sector banks and the common observations noticed are brought to the notice of the CVO / Management for necessary remedial actions. Some of the main observations are as follows:

- (i) Need to develop a mechanism whereby the vigilance department gets to know about all the complaints received by the bank to enable them to determine vigilance angle or otherwise.
- (ii) CVO of the banks do not receive vital information like (a) quick mortality borrowal accounts, (b) Special letters / reports sent by Internal Inspection / Audit Teams while inspecting branches, (c) Names & inspection reports of the branches which have slipped in inspection gradation, to “unsatisfactory” grade, (d) details of OTS entered into specially high value accounts on a select basis and (e) fixing of accountability in respect of accounts slipping into NPA / quick mortality accounts. A system / mechanism to provide such information to the CVO on a continuous basis need to be put in place.
- (iii) Banks may formulate broad guidelines for effective functioning of Internal Advisory Committee (IAC) to facilitate proper discussion and decision on determination of vigilance angle.
- (iv) The Commission also noticed delay in issuance of charge sheet / disposal of cases, poor quality of investigation, posting of unskilled officials in vigilance units. All banks were asked to provide adequate training to vigilance officials from time to time.

## **II Initiatives**

### **(i) Adoption of Integrity Pact (IP)**

2.8 One of the latest initiatives of the Commission to eradicate corruption in procurement activity is introduction of the Integrity Pact in large valued contracts in all govt. organizations. The adoption of this pact is voluntary on the part of the organization concerned. The Pact envisages a pre-bid agreement between the buyers and the sellers to avoid all forms of corruption influenced by any person from the bidding stage to the last payment in the contract. The Integrity Pact envisages appointment of an Independent External Monitor of repute to oversee the implementation of the pact and to examine any complaint relating to violation of the pact.

2.8.1 The Pact essentially envisages an agreement between the prospective vendors/bidders and the buyers, committing the persons/officials of both the parties not to exercise any corrupt influence on any aspect of the contract. Only those vendors/bidders who have entered into such an ‘Integrity Pact’ with the buyer would be competent to participate in the bidding. In other words, entering into this Pact would be a preliminary qualification. The Integrity Pact in respect of a particular contract

would be effective from the stage of invitation of bids till the complete execution of the contract.

2.8.2 It is observed that many organizations have evinced interest in the adoption of Integrity Pact. Adoption of a new system is bound to raise queries and suggestion on its operational aspect. Taking into account the nature of limited procurement activities, the Commission has exempted Public Sector Banks, Insurance Companies and Financial Institutions from adoption of Integrity Pact. Some of the general natures of queries clarified by the Commission are as under:-

- a) Adoption of Integrity Pact in an organization is voluntary, but once adopted, it should cover all tenders/procurements above a specified threshold value, which should be set by the organization itself.
- b) IP should cover all phases of the contract i.e., from the stage of Notice Inviting Tender(NIT)/pre-bid stage to the stage of last payment or a still later stage, covered through warranty, guarantee, etc.
- c) Independent External Monitors (IEMs) are vital to the implementation of IP and at least one IEM should be invariably cited in the NIT. However, for ensuring the desired transparency and objectivity in dealing with the complaints arising out of any tendering process, the matter should be referred to the full panel of IEMs, who would examine the records, conduct the investigation and submit a report to the management, giving joint findings.
- d) A maximum of three IEMs would be appointed in Navratna PSUs and upto two IEMs in other Public Sector Undertakings. The organizations may, however, forward a panel of more than three names for the Commission's approval. For the PSUs having a large territorial spread or those having several subsidiaries, the Commission may consider approving a large number of IEMs, but not more than two IEMs would be assigned to any one subsidiary.
- e) Remuneration payable to the IEMs may be similar to the Independent Directors in the Organization.

2.8.3 The Commission has formulated a Standard Operating Procedure (SOP) for adoption of Integrity Pact in the major Government Department / Organizations and issued circular in this regard to all CVOs vide No.10/5/09 dated 18.05.2009 which is also available on the Commission's web-site. The SOP provides detailed implementation procedure of IP, role and functions of IEMs, procedure for internal assessment of IP etc. The Commission further clarified that review of impact of Integrity Pact should be done on annual basis.

**(ii) Vigilance administration in Regional Rural Banks (RRB)**

2.8.4 The Commission has observed that there is no uniform vigilance coverage or implementation of vigilance administration in RRBs sponsored by certain PSBs. Some of the efforts / initiatives advised by the Commission are as under:

- i) Setup vigilance cells headed by Sr. Manager in all RRBs.
- ii) Implement Complaint Handling Policy and Whistle Blower Policy of the Commission.

- iii) Seek the Commission's advice in respect of officials of RRBs who fall under the normal advisory jurisdiction of the Commission.
- iv) Direct regular preventive vigilance visits by officers of RRBs vigilance cells to all RRB Branches.
- v) Ensure job rotation and submission of Annual Property Returns for all officials of RRBs.
- vi) Introduce submission of Monthly Vigilance Reports to the CVOs by vigilance cells of RRBs.
- vii) Introduce regular training programme for officials.

**(iii) Leveraging of technology for improving vigilance administration**

2.8.5 It is experienced that lack of transparency brings about an opportunity of malpractices in operations leading to corruption. Technology should be utilized to detect malpractices, tampering in operations, and this in turn should synergize the net productivity with vigilance and operation. Electronics network makes it easier to inform public about various actions of the people involved in the process of governance, besides providing instant feedback and guidance to the governance system about people's reaction to the same.

2.8.6 The Commission has been emphasizing on bringing about transparency in the functioning of the government organizations by making extensive use of technology available, which provides for minimum personal contacts of the public with the govt. functionaries and thus, minimizes the scope for indulging in irregular practices for undue financial and other gains. The Commission with a view to tackle such irregularities and to bring about systemic improvement directed all organizations under its purview to make extensive use of the web-sites both as a tool for communication with the stakeholders and for curbing corruption.

**(iv) Implementation of e-tendering solution**

2.8.7 The Commission has issued guidelines advising organizations to follow a fair, transparent and open tendering procedure, to select the application service provider for implementing their e-tendering solution. Further, while doing so the organization must take due care to see that effective security provisions are made in the system to prevent any misuse. The guidelines issued by the Commission on security consideration for e-procurement system include application of securities on (a) infrastructure level, (b) design, (c) application deployment and use and (d) data storage and communication. Further, the Commission also emphasized on need for a single platform to be used by all departments across a state to reduce the threat to the security of the data, Public Key Infrastructure (PKI) implementation and third party audit at least once a year.

**(v) Computerization and IT enabling of core CVC process**

2.8.8 The Commission is implementing a computerization and IT enabling process in the financial years 2009-10 and 2010-11 at an estimated cost of Rs.5 crores. The IT enabling is expected to be completed in August 2010. All the core processes would be computerized and use of paper is going to be minimized. The complaints handling, vigilance case processing and other activities in the Commission as a result



of IT enabling would be streamlined and the overall time taken to handle complaints and vigilance cases reduced in the Commission.

**(vi) Systemic improvement for better Vigilance Administration in Govt. Organization**

2.8.9 The Commission, in its endeavour to improve Vigilance Administration in Government has been emphasizing on taking initiatives on system improvement as a part of preventive vigilance. It is observed that many a time the officials take wrongful advantage of either weakness/ambiguity in the systems or lack of systems in the organization. Accordingly, CVOs were advised to conduct an exercise to identify the weakness in the existing systems and policies in their organizations and the lapses that have arisen or are likely to arise due to the systemic flaws noticed. It also emphasized the need to identify the steps required to strengthen/improve the systems and take up the matter with the management of the organization on an ongoing basis, to ensure implementation of the systemic improvement identified so that there should no uncertainty or room for manipulation in any procedure/systems. The Commission has also identified “Recruitment” is one of the areas where probability of manipulation always exists. At various occasions, the Commission emphasized on need to streamline the procedure in a transparent manner.

2.8.10 The Commission, as part of improving vigilance administration in Government Departments/Organizations, held a number of meetings with the Chief Executives and CVOs. The Commission, during these meetings discussed the following common areas of concern:-

- i) One of the important areas of concern where the Commission found that efforts were not being taken seriously by the Organizations was on implementation of Commission’s guidelines on leveraging of technology for improving vigilance administration. The Commission advised the CVOs forcefully to ensure implementation of its guidelines on the subject in letter and spirit.
- ii) The Commission had been emphasizing on the need for expeditious completion of disciplinary action, particularly against officials likely to superannuate soon. A delay in taking timely action against the suspect/charged officer often serves to his advantage. The Commission again directed the organizations to keep in mind the date of superannuation of the delinquent official while taking disciplinary action so that appropriate action was possible against the official and to send right signals with the organization.
- iii) The Commission has been emphasizing on strengthening of vigilance set up in all departments & organizations. Directions have been given to the Ministries and organizations to revamp vigilance structure and impart skills in vigilance administration to the employees working in vigilance. A number of organizations have sought support and guidance from the Commission in this respect and the Commission has been providing guest faculty and other support whenever possible.
- iv) The Commission has made it mandatory for the CVO to have ‘structured meetings’ with Secretary/CEO of the organization on a

regular basis and to ensure that minutes of these meetings are kept on record.

**(vii) Introduction of Technical Vigilance Audit**

2.8.11 The Commission has been contemplating increasing the scope of preventive vigilance by introducing a system of technical vigilance audit in major organizations dealing with procurements and projects. During the course of the year, a series of meetings were held with the representatives of various PSUs and Ministries to elicit their views and to work out the modalities of this audit. Based on the consultation and suggestions, a technical vigilance audit manual is being finalized and further steps for commencing the audit are under consideration in the Commission.

## CHAPTER-3

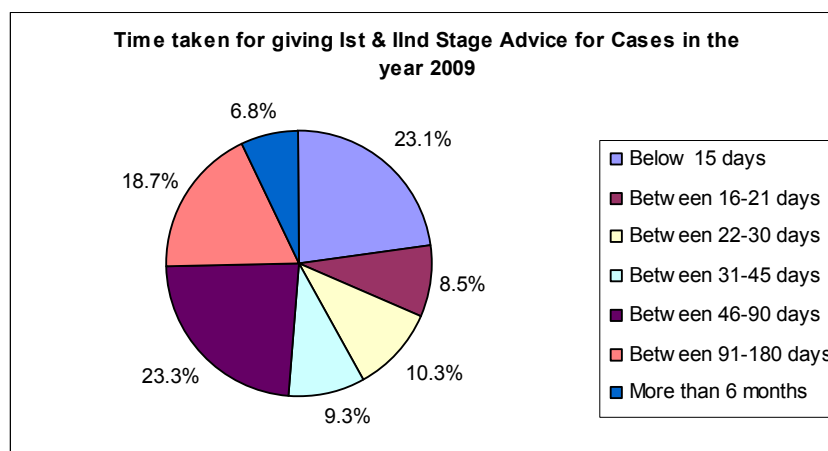
### Commission's activities during the Year 2009

3.1 The Central Vigilance Commission accords prime importance to timely processing of cases received for advice. With this aim, a computerized file tracking system developed by DOPT has been adopted.

#### I Advice on vigilance cases by the Commission

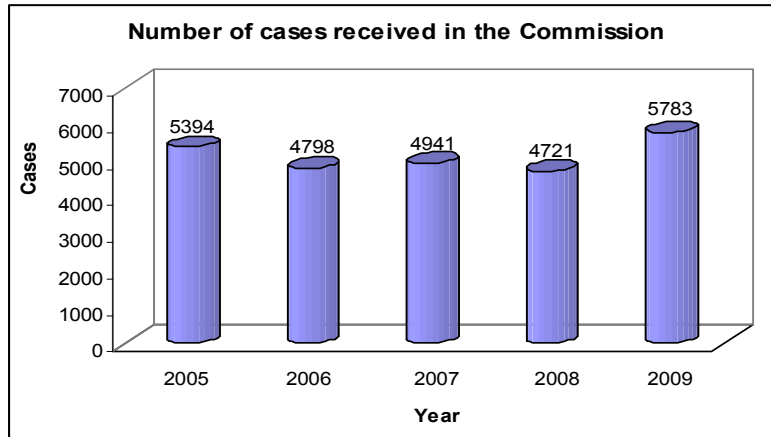
3.2 **The Commission, on its part, makes every possible effort to tender its advice within four weeks, and in the year 2009 more than 31.6 percent of its advices were tendered within three weeks of receipt of the cases.** About 68.4 percent of the cases were delayed beyond four weeks. The primary reason for the delay in tendering of advice by the Commission was the deficiency in providing the complete facts relating to the case by the organizations, or their recommendations/ inputs were not supported by logical reasoning and hence further clarifications were sought by the Commission. The delay was also contributed by more than 20% of the posts at the critical levels of Director/Deputy Secretary remaining vacant for greater part of the year. The break-up of time taken by the Commission in tendering advice is given in **Chart-1**.

**Chart-1**

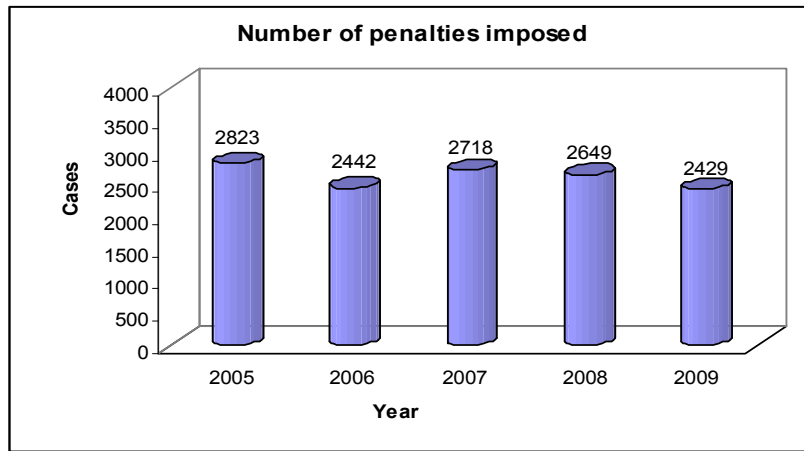


3.3 As a result of the Commission's continuous monitoring and its efforts in ensuring implementation of its advice, the organizations concerned imposed penalties against 2429 officers during the year 2009, in cases where the Commission had advised imposition of appropriate penalty. The percentage of the cases where punishments were awarded compared to the number of cases received in the Commission, works out to be 42 percent, indicating the effectiveness of the Commission's vigilance administration and its monitoring of various organizations. The **charts 2, 3 and 4** provide a comparative study of the number of cases received in the Commission and number of penalties imposed during the last five years by the various organizations based on Commission's advice.

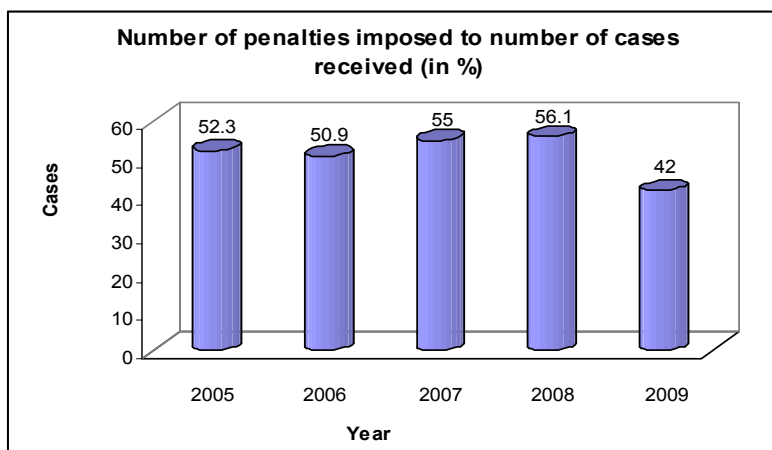
**Chart-2**



**Chart-3**



**Chart-4**

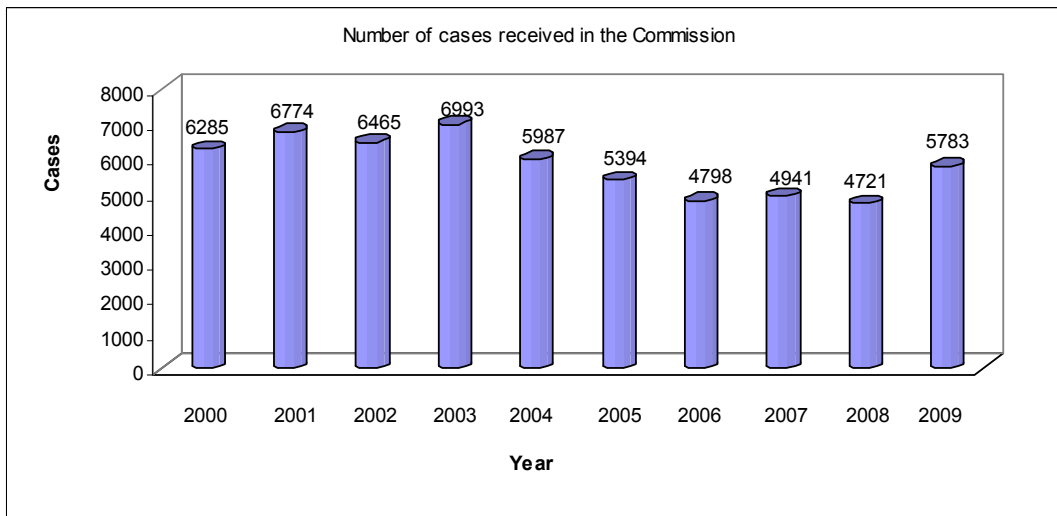


## II Receipt and Disposal of Vigilance Cases

3.4 Over the years, the number of cases received in the Commission for obtaining its advice has increased manifold. In the year 2009, the Commission received 5783 cases and tendered its advice in 5317 cases including 1193 cases brought forward from the previous year. This includes cases disposed of by the Commission as first stage and second stage advice and also reconsideration requests.

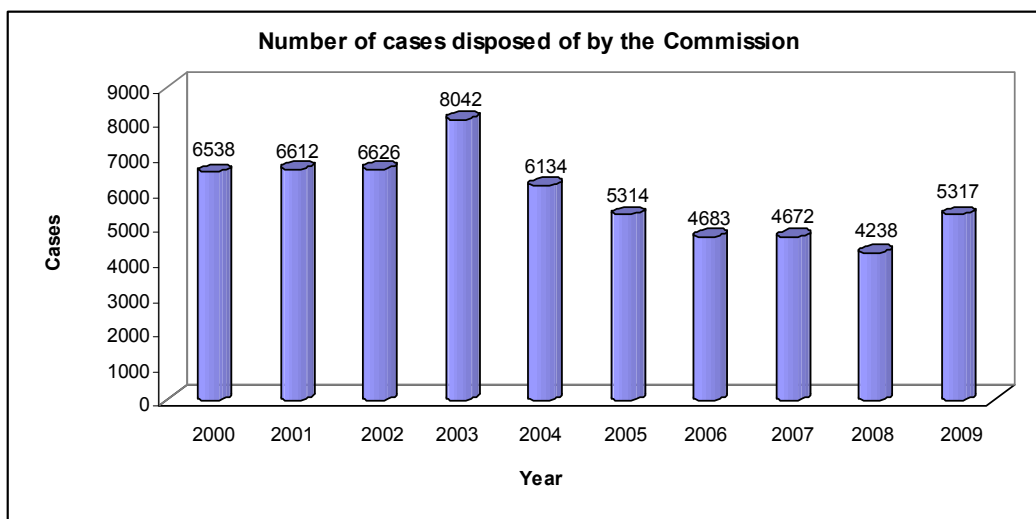
3.5 The comparative figures of cases received in the Commission during the last ten years are given in **Chart- 5**.

**Chart- 5**



3.6 The number of cases disposed of by the Commission during the last ten years is given in **Chart-6**.

**Chart-6**



### III First stage advice cases

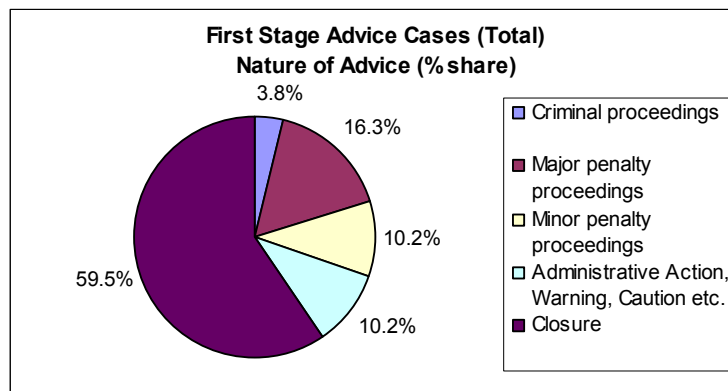
3.7 During the year 2009, the Commission tendered first stage advice in 3161 cases, of which 226 cases were based on the investigation reports of the CBI and 2935 cases were based on investigation reports forwarded by the CVOs concerned. Out of the cases investigated by the CBI, the Commission advised launching of prosecution in 46.9 percent cases, major penalty proceedings in 19.4 percent cases and minor penalty proceedings in 2.21 percent cases. From amongst the cases investigated by the CVOs concerned, the Commission advised initiation of major penalty proceedings in 16.1 percent cases and minor penalty proceedings in 10.7 percent cases. In the remaining cases, initiation of regular departmental action was not warranted as, prima facie, the allegations were either not established conclusively or were merely procedural in nature. **Table – 1** provides the summary of the nature of advice tendered by the Commission at first stage.

**Table – 1**  
**First Stage Advice Cases During 2009**

Nature of advice	On the investigation reports of		Total
	CBI	CVO	
Criminal Proceedings	106	15	<b>121</b>
Major penalty proceedings	44	473	<b>517</b>
Minor penalty proceedings	5	316	<b>321</b>
Administrative action, warning, caution etc.	20	301	<b>321</b>
Closure	51	1830	<b>1881</b>
<b>Total</b>	<b>226</b>	<b>2935</b>	<b>3161</b>

3.8 During the year 2009, the Commission recommended penal action in 3.8 percent of the cases where CBI and CVOs concerned had forwarded their investigation reports. Chart-7 provides a summary of various actions advised by the Commission at first stage.

**Chart- 7**



#### IV Second stage advice cases

3.9 During the year, the Commission tendered second stage advice in 1435 cases. Out of these cases, the Commissioners for Departmental Inquiries (CDIs) of the Commission conducted inquiry in 75 cases and in the remaining 1360 cases, the inquiries were conducted by the inquiry officers appointed from within the organizations concerned. Table-2 provides a break-up of nature of advices tendered /penalty advised by the Commission during the year 2009 at the second stage of examination of the vigilance case after receipt of an oral inquiry report in the vigilance matter, earlier advised for major penalty proceedings at the first stage.

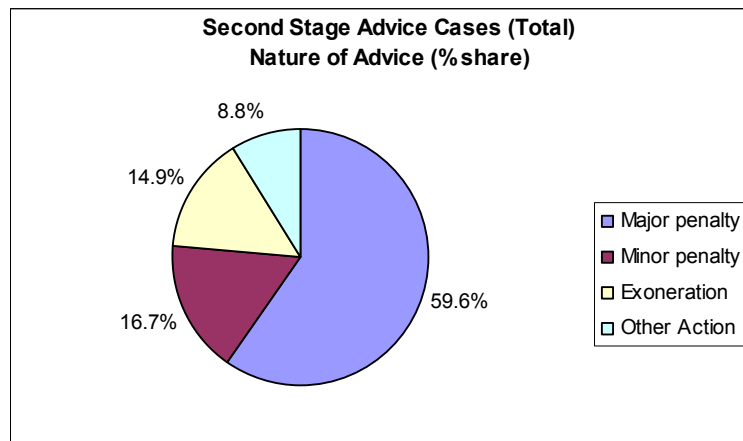
**Table – 2**

**Second Stage Advice Cases During 2009**

Nature of advice	On the CDI's Reports	On the cases received from CVOs	Total
Major penalty	40	816	<b>856</b>
Minor penalty	16	223	<b>239</b>
Exoneration	10	204	<b>214</b>
Other action	9	117	<b>126</b>
Total	<b>75</b>	<b>1360</b>	<b>1435</b>

3.10 As can be seen, the Commission recommended imposition of major and minor penalty in 59.6 percent (856 cases) and 16.7 percent (239 cases) respectively during the year 2009. In 14.9 percent of the cases, the charges could not be proved conclusively. **Chart-8** provides the percentage figures in this regard.

**Chart- 8**



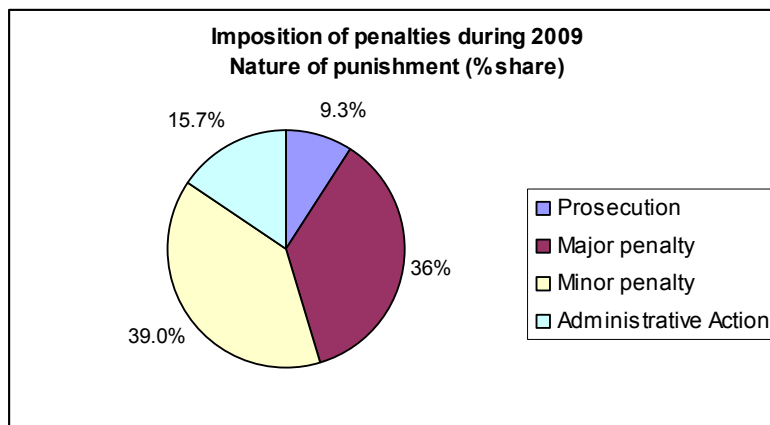
#### V Prosecution and Punishments

3.11 In pursuance of the Commission's advice, the competent authorities in various organizations, issued sanction for prosecution against 225 public servants, imposed major penalties on 876 public servants and minor penalties on 947 public servants during 2009 (**Table-3, Chart-9**).

**Table – 3**  
**Prosecutions Sanctioned and Punishments Awarded**

Year	Prosecutions sanctioned	Punishments awarded			
		Major penalty	Minor penalty	Administrative Action	Total
2005	141	1084	1136	462	<b>2823</b>
2006	150	1024	936	332	<b>2442</b>
2007	192	1002	1164	360	<b>2718</b>
2008	138	909	1173	429	<b>2649</b>
2009	225	876	947	381	<b>2429</b>

**Chart-9**



3.12 A few such cases where deterrent action was taken against the officials based on the Commission's advice are:-

Among others, sanction for prosecution was accorded by the authorities concerned, against one Commissioner of Central Board of Excise & Customs, one Chief General Manager of Securities & Exchange Board of India, one Director of M/o Textiles, three IAS officers and one IPS officer. Further, one Divisional Medical Officer of M/o Railways, one Additional Commissioner of Income Tax and one Commissioner of Income Tax of Central Board of Direct Taxes, one General Manager of D/o Telecom and one Executive Director (F) of Housing and Urban Development Corporation Ltd., were dismissed / removed from the service and one General Manager, Union Bank of India and one Additional Commissioner of Income Tax of Central Board of Direct Taxes were compulsorily retired from service. Deduction of 100% gratuity was imposed on a Director of State Trading Corporation and a reduction of 30% of gratuity was imposed on the then Director (F) of D/o Fertilizers. A penalty of cut in pension was imposed on the following officers: one Assistant Commissioner of Income Tax of Central Board of Direct Taxes (25%), one Deputy Chief Engineer of M/o Railways (20%), one Chief Medical Director of M/o Railways (10%), two Assistant Commissioners of Income Tax of Central Board of Direct Taxes (10%), one Director of M/o Textiles (10%), one Additional Director General of Bureau of Indian Standards (10%), one Chief Engineer of Delhi



Development Authority (10%), one Managing Director of D/o Consumer Affairs (5%) and one Chief Engineer of Delhi Development Authority (5%) and a penalty of reduction to lower stage by two stages in the time scale of pay for one year with cumulative effect on one ex-Member Secretary of M/o Railways.

3.13 An analysis of organization-wise break up of penalties imposed by the disciplinary authorities concerned in cases where the Commission's advice was obtained, indicates that **Municipal Corporation of Delhi has issued sanction for prosecution in 55 cases, CBEC in 50 cases, DoPT in 18 cases, M/o Home Affairs in 14 cases, M/o Railways in 12 cases, CBDT in 11 cases and M/o Information & Broadcasting in 10 cases.** The complete list giving organization-wise break-up of the number of cases where either sanction for prosecution has been accorded or a penalty has been imposed on the public servants on Commission's advice is given in **Annexure-II.**

3.14 The maximum number of punishments including Administrative Action during 2009 have been imposed by the Ministry of Railways (509), Canara Bank (124), Municipal Corporation of Delhi (107), DDA (98), CBEC (96), D/o Telecom (84), Indian Oil Corporation Ltd. (83), National Insurance Co. Ltd. (82)

3.15 **Amongst the penalties so imposed, major penalties of the higher order, viz. dismissal, removal and compulsory retirement from service were imposed on 95 officers by the disciplinary authorities in various organizations.**

## VI Pendency

3.16 **Out of a total of 6976 cases received during 2009 (including those brought forward), the Commission disposed of 5317 cases – leaving a pendency of 1659 cases at the end of 2009 (Table-4).**

**Table – 4**  
**Number of Cases Received and Disposed of During the Year - 2009**

Cases	Investigation Reports (1 <sup>st</sup> Stage)	Inquiry Reports and minor penalty cases (2 <sup>nd</sup> Stage)	Other Reports/ cases such as reconsideration etc.	Total
Brought forward	907	206	80	<b>1193</b>
Received	3623	1410	750	<b>5783</b>
Total	4530	1616	830	<b>6976</b>
Disposed of	3161	1435	721	<b>5317</b>
Pending	1369	181	109	<b>1659</b>

3.17 The Commission itself attempts to set an example for promptness in handling the vigilance cases/matters. **The Commission monitors all aspects relating to the examination of cases and dispatch of advices of cases in its internal monthly meetings with the various wings of the Commission.**

## **VII Handling of Complaints in the Commission**

3.18 The Central Vigilance Commission recognizes the importance of complaints as a good source of information and a starting point in its fight against corruption. Enhanced awareness by citizens of their rights and increased expectations of delivery of services by the public agencies, the public is more frequently coming forward to point out shortcomings in the system, corrupt practices and apathy of the public servants. This is reflected in the increasing number of complaints being received in the Commission. The complaints received in the Commission are scrutinized diligently before deciding whether a complaint requires further investigation by the appropriate agency or needs to be simply filed.

3.19 The complaints are received by the Commission from various sources/channels like individuals, civil society organizations engaged in creating awareness among public etc. Internally, the Chief Technical Examiners' Unit of the Commission, while conducting inspections of works/procurements etc., looks into the aspects of lapses and irregularities. In addition, whenever any misconduct comes to the Commission's notice, the same is treated as source information for taking up the matter for investigation by the organization concerned.

3.20 In order to educate the public about the procedure for making complaints under PIDPI Resolution and to establish their faith, adequate publicity is being given to the PIDPI Resolution through print and electronic media, besides making available the same on the Commission's website alongwith the specific requirements for making complaints under the resolution. Despite the best efforts of the Commission, sometimes the complainants while seeking secrecy from the Commission under the PIDPI Resolution forward copies of the same complaint or lodge separate complaints containing similar allegations with other authorities concerned, thus revealing their identity. Despite such incidents, the Commission in its efforts to safeguard the complainants' interest, has issued guidelines asking the organizations not to subject the complainant to any kind of harassment because of his having lodged a complaint, even if, at any time, the identity of the complainant gets revealed through any source.

3.21 After receipt of the complaints in the Commission (including those received under PIDPI Resolution), the same are scrutinized thoroughly and wherever specific and verifiable allegations of vigilance nature are noticed by the Commission, the complaints are forwarded to the appropriate agency to conduct investigation into the matter and report to the Commission expeditiously. The Commission, after examining the report advises the organizations concerned about further appropriate action against the suspected public servants, besides pointing out systemic failures which allow such misconducts to take place. The Commission also advises the organizations to take appropriate corrective measures for improvement in systems and procedures.

## **VIII General complaints**

3.22 As a result of peoples' expectations from the Commission, there is an ever increasing inflow of complaints in the Commission from the public. Many a time, people either lodge complaints about personal grievances, which, more or less, contain procedural/administrative lapses or against the officers/officials not within the Commission's jurisdiction. Due to these factors, the Commission, after proper scrutiny of all complaints, finds only a small number of complaints, appropriate for seeking detailed investigation reports from the appropriate agency.

3.23 As the Commission found that more often than not the anonymous/ pseudonymous complaints were becoming a source of harassment and blackmailing for public servants rather than bringing out corrupt activities against them, it decided that as a matter of policy, such complaints should not be entertained. However, to ensure that genuine complaints having verifiable, specific allegations/data of vigilance nature do not remain uninvestigated, the Commission, as a safeguard, issued directions to seek Commission's prior approval before conducting investigation into such complaints. In those cases where the complainants (other than those making complaints under PIDPI Resolution), request the Commission to maintain confidentiality regarding their identity, the Commission accepts their request for the same.

3.24 **During the year 2009, the Commission received 14348** (including 142 complaints brought forward from the previous year) **complaints and 7.9 percent of them were anonymous/pseudonymous, which were filed in accordance with the Commission's complaint handling policy.** During the year, the Commission received a large number of complaints having either vague allegations or containing administrative issues. The Commission also received a considerable number of complaints against public servants who were outside its normal advisory jurisdiction like public servants working in the state governments etc.

3.25 **After a scrutiny of all complaints received, only 1714 (12.3 percent) complaints were found serious enough to warrant further follow up at the Commission's end and these complaints were forwarded to the CVOs concerned or the CBI, for investigation and report.** The break-up of all the complaints received in the Commission and action taken on them are given in **Charts 10 and 11.**

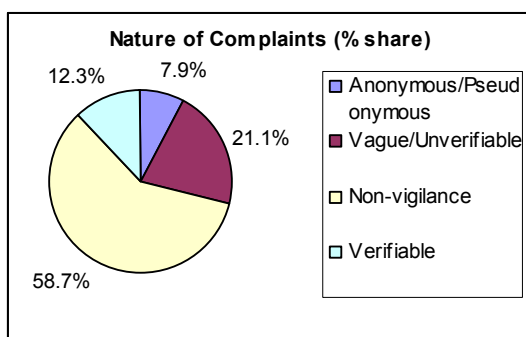
3.26 The Commission, out of 14348 complaints disposed of 13919 complaints during the year 2009 and only 429 complaints remained pending at the end of the year. The nature of complaints received and action taken in respect of them are given in **Table-5.**

**Table – 5**

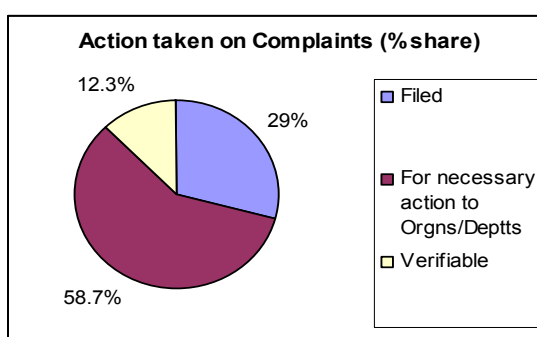
**Complaints received and Disposed of During 2009**

<b>Complaints</b>	<b>Nos.</b>	<b>Action Taken</b>
No. of complaints received and B/F	14348	
Anonymous/Pseudonymous	1105	Filed
Vague/Unverifiable	2937	Filed
Non-vigilance/officials not Under CVC jurisdiction	8163	For necessary action to Orgns./Deptts.
Verifiable	1714	Sent for investigation to CVO / CBI
Total disposed of	13919	
Pendency	429	

**Chart-10**



**Chart-11**



3.27 The Commission calls for investigation reports from the appropriate agencies only in those complaints which contain serious and verifiable allegations and a clear vigilance angle. The Commission has prescribed that in complaints forwarded by it to the organizations concerned for investigation, the reports should be sent to the Commission within a period of 3 months. **The Commission, however, notes with concern that in a majority of cases there is considerable delay in finalizing the investigation of the complaints by the various organizations. Wherever the Commission observes inordinate delay in investigation of complaints of serious nature by the organizations concerned, it, by invoking its powers under the CVC Act, either summons CEOs/CVOs concerned with records/ documents or the officers of the Commission are assigned to conduct direct inquiry into such complaints.**

3.28 During 2009, 16 complaints were entrusted to the officers of the Commission, for conducting direct inquiries. The Commission's officers completed their direct inquiry in 11 cases and submitted their reports.

## **IX Complaints Received under PIDPI Resolution, 2004**

3.29 **The Commission has established a very well defined internal procedure for processing complaints received under PIDPI Resolution in order to ensure that the complainant's identity is not disclosed to anyone investigating these complaints. The Joint Secretary (Home), Ministry of Home Affairs has been made the nodal authority to arrange for protection to the complainants wherever required and as directed by the Commission.** The Commission has formed a Screening Committee headed by the Secretary, CVC, to examine these complaints and to decide the further course of action on such complaints.

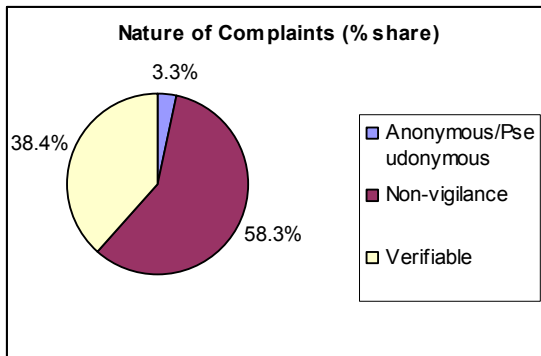
3.30 The Commission received 377 complaints from whistle blowers during 2009 and 140 complaints were sent to the CVOs concerned or the CBI for investigation/discreet verification of facts/comments, which constitute 38.4 percent of such complaints. 213 (58.3 percent) of these complaints were sent for necessary action and in 12 complaints i.e. 3.3 percent being anonymous/pseudonymous or without vigilance angle were filed, thus leaving a pendency of 12 complaints.

3.31 **Table 6 and Chart 12-13** below gives the nature of complaints received under PIDPI Resolution and action taken by the Commission on them during the year:

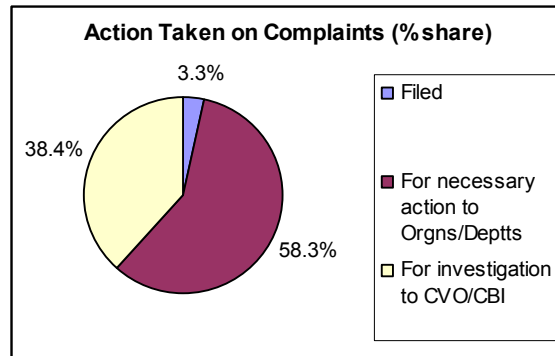
**Table – 6**  
**Complaints Received and Disposed of during 2009**  
**Under the PIDPI Resolution**

<b>Complaints Received</b>	<b>Nos.</b>	<b>Action Taken</b>
No. of complaints received	377	
Anonymous/Pseudonymous	12	Filed
Non-vigilance	213	For necessary action to Orgns. / Deptts.
Verifiable	140	For investigation to CVO / CBI
Total disposed of	365	
Pendency	12	

**Chart-12**



**Chart-13**



3.32 It is observed that the complaints received under the PIDPI Resolution provide more specific and verifiable allegations as compared to complaints received otherwise. The PIDPI complaints are also to be investigated on priority and the CVO/agency entrusted the investigation is to submit a confidential report to the Commission in one month's time according to the provisions of the PIDPI resolution.

## CHAPTER-4

### Superintendence over Vigilance Administration

4.1 The CVC Act 2003 provides effective superintendence over the Vigilance Administration of the various Ministries/Departments of the Central Government or corporations established by or under any Central Act, Government companies, societies and local authorities owned or controlled by that Government. The Act also empowers the Central Vigilance Commission to supervise the vigilance activities of the organizations under its advisory jurisdiction but the primary responsibility for maintaining integrity and effective vigilance administration in the organization concerned rests with the CEO/Heads of the organizations. The role of the Commission is advisory in nature and its concern is to give impartial and objective advice to enable the organization to take suitable action.

4.2 The Commission exercises its powers of superintendence over vigilance administration through the Chief Vigilance Officers (CVOs) posted in various organizations. Hence, the Commission monitors the work done by the CVOs through the monthly reporting system and also through sectoral/zonal meetings conducted every year. The CVO of the organization concerned function as the extended arms of the Commission and all the vigilance activities in the organizations are monitored through the CVOs only. The Commission, therefore, constantly strives to ensure the effective functioning of the CVOs by constantly monitoring their performance. The monthly reports from the CVOs in an exhaustive format provide information on all aspects of vigilance administration including complaints received and action taken on them, action taken on cases where disciplinary proceedings have been initiated and also the various initiatives taken by them for making systemic improvements.

#### II Performance of the CVOs

4.3 The Commission monitors the performance of the CVOs through the prescribed Monthly Reports and Annual Reports, which provide statistical details on the processing of complaints and vigilance cases, as well as the initiatives taken for systems improvement by the CVO and use of technology in the organization. The qualitative performance of the CVOs is also monitored through these reports. In addition to complaints and cases, which are referred to the Commission, the CVOs are also responsible for the overall guidance to the management in the implementation of effective vigilance administration in respect of the officers outside the jurisdiction of the Commission.

4.4 The Quarterly Progress Reports being sent by the CVOs to the CTEs' Unit of the Commission provide details about the major purchases/procurements/works being undertaken by the organizations. These reports help the CTEs to select some activities for intensive examination. The Commission has also issued guidelines to the CVOs to conduct CTE type inspections which would ensure that the works have been awarded in a transparent manner, with fair competition among bidders placed on equal footing.

4.5 The performance of the CVOs, as reported by them in their annual reports to the Commission, is given in **Annexure-III (A to F)**. **The list of some of the important organizations who have submitted the annual report to the Commission within the stipulated time is enclosed at Annexure III-G.** Based on the data as given in the annexures quoted above, it is seen that during the year 2009, punitive action was taken

**in a total of 15541 cases (for all category of officers) dealt with by the CVOs. Major penalty was awarded in 4562 cases and minor penalty was awarded in 9862 cases. The details on major and minor penalties imposed is given below in Table-7.**

**Table – 7**

**Details of penalties imposed in cases for all categories of officers handled by the CVOs**

<b>S. No.</b>	<b>Nature of Penalty</b>	<b>No. of officers</b>
	<b>Major Penalty</b>	<b>4562</b>
1.	Cut in pension	121
2.	Dismissal/Removal/Compulsory retirement	1132
3.	Reduction to lower scale/rank	2053
4.	Other major penalty	1256
	<b>Minor penalty</b>	<b>9862</b>
5.	Minor penalty other than censure	5510
6.	Censure	4352
	<b>Total</b>	<b>14424</b>

Note: This data is not comprehensive since the data is based on annual reports sent by the organizations and some organizations have not sent their annual reports.

4.6 In order to review the performance of the CVOs and for exchange of views with them, the Commission holds zonal review meetings every year apart from sectoral meetings whenever required. The Commission has found these meetings to be constructive and very effective as these meetings provide an opportunity to the CVOs to seek Commission's guidance on various issues relating to vigilance administration in their organizations. The Commission also takes this opportunity to inform the CVOs about the focus areas where they need to pay greater attention to ensure that the vigilance mechanism functions smoothly and effectively. During the year 2009, the Commission held 17 zonal review meetings where about 200 CVOs covering a wide spectrum of organizations including Ministries, Financial Institutions, Public Sector Banks, Power, Coal and Oil Sector PSUs, manufacturing sector PSUs & Port Trusts etc. participated. **During these meetings, the Commission emphasized:-**

- **the need to respond promptly on the Commission's query and adherence to the time frame in investigation and submission of report on the complaints by the CVOs, as delay in investigation might allow the culprit to go scot-free, or due to retirement before the completion of investigation;**
- **implementation of second phase of leveraging technology;**
- **using monthly reports as an effective communication tool with the Commission;**
- **analysis by CVOs in making recommendations on investigation reports should be clear and they need to take a specific position/stand and reports should be comprehensive;**
- **Integrity Pact should be adopted and implemented in true spirit in line with the instructions of the Commission;**
- **Internal Audit reports and C&AG reports are important and that CVOs should look into all such reports with objective of identifying vigilance issues;**

- **on training and sensitization through case studies / seminars / workshops etc as a preventive vigilance measure.**
- **the need to give due care to drafting of charge sheets in the inquiry proceedings and to avoid unwarranted delay, the factors which reduce the effectiveness of the disciplinary action initiated;**
- **the need of regular interaction between CVO and chief executives of the organization to review the vigilance related matters;**
- **the need to keep close watch on cases pending sanction for prosecution;**

### **III Pendency with the CVOs – All categories**

4.7 The Commission constantly reviews the status of complaints and cases pending in the organizations concerned as it is of the view that timely finalization of investigation into complaints and completion of disciplinary proceedings is of paramount importance for effective vigilance administration. At the close of the year 2009, 9545 complaints were pending with the CVOs concerned for investigation out of which 2895 complaints were pending beyond a period of 6 months. The complaints forwarded by the Commission, including complaints received under the Whistle Blower Resolution, mainly relating to officers under the Commission's jurisdiction, were 2430 out of which 973 were still pending at the close of year 2009. The number of departmental inquiries pending with the inquiry authorities was 1277 in respect of officers under the jurisdiction of the CVC and 5254 in respect of officers outside its jurisdiction.

4.8 During the year 2009, cases involving 609 officials were received from the CBI for sanction of prosecution by various organizations. The Competent Authorities in the organizations gave sanction for prosecution in respect of 371 officials and denied sanction against 68 officials. Cases involving 170 officials were reported as pending for decision on sanction for prosecution by the organizations at the end of the year.

4.9 The Commission has no doubt about the need to accelerate the process of investigation of the complaints and finalization of disciplinary proceedings. As the main action for timely completion of disciplinary matters rests with the organizations concerned, the Commission on its part has been pointing out to the authorities in the organizations, the cases where undue delays have taken place and has been asking them to finalize such cases promptly. The Commission, wherever felt necessary, has called the Head of the organization alongwith the CVO to find out the reasons for unwarranted delay in the completion of investigation/vigilance cases and to suggest the ways and means to finalize such cases. The Commission has been impressing upon the organizations that timely completion of investigations/cases ensures that guilty officials are punished promptly whereas honest officials caught in a vigilance case are absolved without delay and thereby conveying the right message down the line in the organizations.

### **IV Appointment of CVOs**

4.10 The Chief Vigilance Officers are the most important link for the Commission in performing its mandate of overall superintendence of vigilance administration. The Commission, therefore, minutely scrutinizes the candidature for appointment of CVO in each organization. The CVO is the Commission's eyes and ears in the organization and on his effectiveness, is based the promptness with which the Commission's guidelines and advices in individual cases are implemented in the organizations, in letter and spirit.



4.11 The Department of Personnel & Training is the nodal agency for appointment of the CVOs. The DOPT calls for applications from the individual officials for appointment as CVOs in various PSUs and the same are forwarded to the Commission for their empanelment. The Commission carefully scrutinizes the service record of each individual officer and approves the appropriate official only after satisfying itself about his integrity and efficiency. The Commission also calls for the past track records of the officer from the CBI and the organizations where he might have served previously to satisfy itself that his conduct has been above board all through his career. **The Commission has identified major banks and important public sector undertakings as select organizations. For appointment of a CVO in the select organizations, the Commission calls for a separate panel of names for each organization, out of which a shortlist of officers is approved for appointment as the CVO in individual organization. The Commission, during the year 2009, approved the suitability of 52 officers recommended by the administrative authorities for appointment to the post of CVOs in various organizations. Further, it has also approved names of 85 officers for appointment as CVOs in various Ministries/ Departments/ Autonomous Bodies on part-time basis. Besides, the Commission also approved the names of 185 officers, for their empanelment for consideration for the post of CVOs in other organizations.**

4.12 The Commission tries to ensure timely selection of the successor CVO in an organization so that the new CVO could take over the charge without any time gap. Despite the best of efforts by the Commission, there has been delay in appointment of successor CVOs in some organizations due to either delay in initiating the process by the organizations concerned or some other reasons beyond the Commission's control. As an interim measure, part-time ad-hoc CVOs were appointed from within the organization, which is not a healthy practice and is not encouraged by the Commission. The Commission has in the past pointed out the need for full-time CVOs in important ministries/departments, mainly those who have large size PSUs under their administrative control.

## **V Vigilance Clearance**

4.13 The Commission provides vigilance clearance for board level appointments in the Public Sector Undertakings. **During the year 2009, the Commission issued vigilance clearances in respect of 307 persons under consideration for Board Level appointments in public sector undertakings.** The Commission on its part has been making every effort to process vigilance clearance within the shortest possible time but sometimes delay takes place on account of factors like receipt of incomplete information/bio-data from the Ministry/ Department concerned.

## **VI Vigilance Advisory Council**

4.14 The Commission has been emphasizing preventive vigilance and in this direction, the Commission constituted a Vigilance Advisory Council of eminent persons from various fields of public life to advise it on important aspects of vigilance related activities and discuss quality inputs about making improvements in the system of vigilance administration and for making the overall system of governance more receptive and accountable to common man's needs and aspirations. The Commission held meeting of the Vigilance Advisory Council in 2009 which was attended by a majority of the members. The members made some valuable suggestions and appreciated the initiatives of the Commission which are summarized as follows: -

- i) Civil Societies should be mobilized in fighting corruption;
- ii) Work flow software implementation in the Commission as a project;
- iii) Conducting technical vigilance audit of various government organizations;
- iv) To undertake vigilance audit of major departments;
- v) To regularly monitor the progress of implementation of Integrity Pact; and
- vi) Need to publicize the Commission's influence broadly as it is limited to major cities and the need to have media plans.

**Important instructions/guidelines issued by the Commission – January 2009 to December 2009.**

- Instructions relating to implementing e-tendering solutions (Circular No.01/01/09 dated 13.01.2009)
- Instructions relating to need for self-contained speaking and reasoned order to be issued by the authorities exercising disciplinary powers (Circular No.02/01/09 dated 15.01.2009)
- Instructions relating to Govt. of India Resolution on Public Disclosures & Protection of Informer (Circular No.04/02/09 dated 27.02.2009)
- Instructions relating to determination of vigilance angle in Banking Sector (Circular No.7/3/09 dated 26.03.2009)
- Instructions relating to preparation of charge sheets for RDA in CBI cases (Circular No.8/4/09 dated 01.04.2009)
- Instructions relating to Govt. of India Resolution on Public Disclosures & Protection of Informer – Delay in submission of investigation report on PIDPI complaints (Circular No.09/05/09 dated 12.05.2009)
- Instructions relating to adoption of Integrity Pact – Standard Operating Procedure (Circular No.10/05/09 dated 18.05.2009)
- Instructions relating to common observation in the Vigilance Audits of Banks (Circular No.11/05/09 dated 25.05.2009)
- Instructions relating to Intensive examination of CTE – steps for early finalization of pending vigilance references with CVOs (Circular No.13/06/09 dated 11.08.2009)
- Instructions relating sensitizing the public about corruption – display of standard notice board by Departments / organization (Circular No.14/06/09 dated 05.06.2009)
- Instructions regarding complaint handling system (Circular No.15/7/09 dated 01.07.2009)
- Instructions relating to foreign visits by Government employees (Circular No.16/07/09 dated 06.07.2009)
- Instructions relating to posting of details on award of tenders / contracts on websites (Circular No.17/07/09 dated 14.07.2009)
- Instructions regarding some initiatives for PSBs to strengthen the Vigilance Administration of RRB's sponsored by PSB (Circular No. 20/08/09 dated 03.08.2009)
- Instructions relating to references to the Commission for first stage advice (Circular No.21/08/09 dated 06.08.2009)
- Instructions regarding review system on impact of Integrity Pact (Circular No. 22/08/09 dated 11.08.2009)

- Instructions relating to purchase of share by CVOs and other officials in vigilance set up of CPSEs under preferential quota meant for employees in public issues (Circular No.28/09/09 dated 17.09.2009)
- Instructions relating to implementing e-tendering solutions (Circular No.29/09/09 dated 17.09.2009)
- Instructions regarding prior approval of the Commission for going on visits abroad, on trainings by vigilance functionaries (Circular No.30/09/09 dated 17.09.2009)
- Instructions regarding re-constitution of the Committee of Experts (Circular No. 30/10/09 dated 29.10.2009)
- Instructions regarding formulation of Purchase Preference Policy (Circular No.31/10/09 dated 09.11.2009)

## CHAPTER-5

### Areas of concern including non-compliance and delay in the implementation of the Commission's advice

5.1 The Central Vigilance Commission tenders its advice on disciplinary matters based on a reasoned appreciation of all the facts and documents/records relating to a particular case brought to its notice by the organizations concerned. The Commission has noted with satisfaction that in a majority of cases, where the officials involved are covered under its advisory jurisdiction, the authorities concerned have accepted the Commission's advice and acted in accordance with them. However, it remains a matter of concern that in some cases, where the officers were covered under its jurisdiction, either the consultation mechanism with the Commission was not adhered to or the authorities concerned did not accept the Commission's advice. During the year, there were instances where the advice tendered by the Commission was diluted considerably without approaching the Commission for reconsideration of its advice. The Commission takes a serious view in such cases.

#### I Cases of non-compliance/non-consultation with the Commission

5.2 Any failure on the part of the organizations concerned to seek the Commission's advice in vigilance related matters involving the category of officials under its jurisdiction or the organizations' unwillingness to accept the Commission's advice against some officers are viewed as examples of a "selective approach" by the organizations in order to favour/disfavour certain officers, which not only dents the credibility of the vigilance administration but also weakens the objectivity/impartiality of the system and harm the respective organization. Whenever such cases come to the Commission's notice, its concerns are conveyed to the organizations. A few cases of deviations from the prescribed procedure or of non-acceptance of the Commission's advice are being mentioned specifically here in order to highlight the instances where the officials concerned have benefited unduly due to the organizations not accepting the Commission's advice. The Commission has observed that during the year 2009, there were deviations from the Commission's advice. Some of the significant cases are illustrated below (Table-8):

Table – 8

#### Cases of non-compliance/non-consultation/non-acceptance

S. No.	Department/ Organization	Commission's advice	Action taken by the Department	Remarks
1.	Central Public Works Department	Cut in pension	Displeasure	Non compliance
2.	Central Public Works Department	Major Penalty	Minor Penalty	Non compliance
3.	Controller General of Defence Accounts	Major Penalty	Censure	Non compliance
4.	D/o Telecommunication	Major Penalty	Censure	Non compliance
5.	Delhi Development Authority	Cut in pension	Displeasure	Non compliance
6.	Delhi Development Authority	Minor Penalty	Exoneration	Non compliance

7.	Delhi Development Authority	Minor Penalty	Exoneration	Non compliance
8.	Delhi Development Authority	Minor Penalty	Exoneration	Non compliance
9.	Delhi Development Authority	Major Penalty	Censure	Non compliance
10.	Delhi Development Authority	Major Penalty	Exoneration	Non compliance
11.	Delhi Development Authority	Major Penalty	Exoneration	Non compliance
12.	Delhi Development Authority	Major Penalty	Minor Penalty	Non compliance
13.	Delhi Development Authority	Major Penalty	Exoneration	Non compliance
14.	Delhi Development Authority	Major Penalty	Exoneration	Non compliance
15.	Delhi Development Authority	Cut in pension	Displeasure	Non compliance
16.	Delhi Development Authority	Major Penalty Proceedings	Exoneration	Non compliance
17.	IRCON International	Major Penalty	Minor Penalty	Non compliance
18.	Ministry of Defence	Major Penalty	Exonerated	Non compliance
19.	Ministry of External Affairs	Major Penalty Proceedings	Recordable Warning	Non compliance
20.	Ministry of Railways	Minor Penalty Proceedings	Counsel	Non compliance
21.	Ministry of Railways	Cut in pension	Closure	Non compliance
22.	Ministry of Railways	Minor Penalty	Exoneration	Non compliance
23.	Ministry of Railways	Cut in pension	Closure	Non compliance
24.	Ministry of Railways	Stiff Minor Penalty	Minor Penalty	Non compliance
25.	Ministry of Railways	Stiff Minor Penalty Proceedings	Recordable Warning	Non compliance
26.	New Delhi Municipal Corporation	Minor Penalty Proceedings	Warning	Non compliance
27.	Oil India Ltd.	Major Penalty	Minor Penalty	Non compliance
28.	Rail Vikas Nigam Ltd.	Major Penalty Proceedings	Minor Penalty Proceedings	Non compliance
29.	Govt. of NCT of Delhi (Sarvodaya Bal Vidyalaya)	Major Penalty	Minor Penalty	Non compliance

Detailed notes on the aforementioned cases are as follows:

## Ministries/Departments

### Central Public Works Department

#### Case 1

The Commission advised imposition of suitable cut in pension on a EE (C) (Retd.), CPWD for allowing Asstt. Engineers to call tenders under their powers by splitting various sanctions and misutilizing funds to the extent of Rs.10,14,213/- allotted by charging expenditure in 19 works (for characteristically for different purposes), in a matter relating to the renovation work costing Rs.11,59,109/- during 1996. On a reconsideration proposal by Ministry of Urban Development, the Commission reiterated its advice of imposition of suitable cut in pension on the charged officer. Disciplinary Authority however, conveyed an order of "Government Displeasure" for the lapses established.

#### Case 2

The Commission advised imposition of suitable major penalty on two SEs, CPWD. Both CO while functioning as EE and Surveyor of Works during 1994-95 for accepting the tenders at a very high rate in comparison to the tenders accepted for similar works at other comparable location. On a reconsideration proposal by MoUD, the Commission has observed that the proven charges are serious enough to justify the imposition of major penalty against on two SEs and reiterated its earlier advice of imposition of suitable major penalty on the Charged Officers. Disciplinary Authority, however, imposed a minor penalty of stoppage of two increments for a period of three years without cumulative effect on them.

### Controller General of Defence Accounts

The Commission advised the imposition of a suitable major penalty on a senior IDAS officer for misuse of his official position. The Charged Officer had taken four air tickets for self and family for Delhi-Patna sector from a firm having official dealings with the Controller General of Defence Accounts (CGDA). However, CGDA imposed a penalty of only "Censure", ignoring the gravity of the charges.

### D/o Telecommunications (DoT)

Central Bureau of Investigation registered a case against one Telecom District Manager (TDM) of Bharat Sanchar Nigam Limited, regarding irregularities in award of repair works of C-DOT burnt cards and power plants of various types on quotation basis instead of going for open tender during the period 01.4.1999 to 31.10.2000. The Commission, in agreement with the CBI and the D/o Telecommunications, advised initiation of major penalty proceedings against the officer. In the departmental inquiry, the IO held the charges as partly proved. D/o Telecommunications accepted of the findings of the IO and observed that charges held as proved constituted grave misconduct on the part of the officer and recommended imposition of a major penalty. Considering the seriousness of the charges, the Commission advised imposition of a suitable major penalty.

The Department thereafter approached the Commission for reconsideration of its advice with

the recommendation for issuance of warning. The Commission on reconsideration reiterated its earlier advice of imposition of a suitable major penalty.

The UPSC recommended a penalty of 'censure' against the officer. As there was difference of opinion between the advice of the CVC and the UPSC, the DoT consulted the DoPT who advised the Department to re-examine the case in the light of advice of the CVC and the UPSC and take a final view in the matter with due application of mind considering all facts and circumstances of the case. The DoT, however, accepted the advice of UPSC and imposed a penalty of 'Censure' on the TDM without taking action as advised by the DoPT and without recording any reasons for non-acceptance of the advice of the CVC.

### **Delhi Development Authority**

#### **Case 1**

The Commission advised imposition of a penalty of "suitable cut in pension" against one CE (Retd.) in a matter relating to preparation and scrutiny of justification of rates in violation of CPWD norms, which resulted in working out justification at a higher rate that worked out by the vigilance department. Extra provision was taken on lump sum basis including foundation and frame structure which led to the justification on higher rates. Further, none of the two methods prescribed in the CPWD manual for working out justification was followed while scrutinizing justification of the said work. The Disciplinary Authority issued only 'Government Displeasure' to the Charged Officer on the basis of the fact that in absence of detailed drawing etc., CPWD norms cannot be applied.

#### **Case 2**

The Commission advised imposition of minor penalty against one Ex-Financial Advisor(H), in a matter relating to alleged irregularities in reduction of cost and refund in respect of allotment of flats. Neither any effort was made to fully ascertain the identity of the applicant/claimant by seeking necessary documentary evidence, nor was any inquiry made to arrive at a satisfaction to that effect. It was also observed that the caution, that an officer of ordinary prudence is expected to exercise in dealing with a case where an allottee suddenly surfaces after so many years of allotment, were not exercised by the officer. The Commission in disagreement with the Disciplinary authority advised imposition of minor penalty. Disciplinary Authority without seeking reconsideration of Commission's second stage advice, issued an order exonerating the officer of the charges.

#### **Case 3**

The Commission advised imposition of minor penalty against one Deputy Director for alleged irregularities in issue of duplicate allotment papers/lease-deed papers. The Commission in disagreement with the Disciplinary Authority advised imposition of a minor penalty. On a reconsideration proposal by DDA, the Commission reiterated its advice of imposition of minor penalty on the charged officer. However, Disciplinary Authority issued an order exonerating the officer of the charges against the advice of the Commission.

#### **Case 4**

The Commission advised initiation of minor penalty against one Sr. Accounts Officer in a matter relating to (i) drawing up of supplementary agreement and the rates for payments of watch and ward, (ii) not reducing rates of lower number of balance flats remaining vacant on the day of drawal of supplementary agreement, (iii) payment of R/A bills without fulfilling the obligation of main work and recording of certificate (iv) non-verification of deployment of Chowkidars while releasing payments, (v) releasing payment for period prior to the date of drawal of supplementary agreement and (vi) recommending payments before the obligations and liabilities of agreement were got completed etc. Accordingly, Disciplinary Authority imposed a penalty of withholding of one increment for one year without cumulative effect. Appellate Authority, exonerated the officer of the charges.

#### **Case 5**

The Commission advised imposition of suitable major penalty on an Executing Engineer in a matter relating to (i) failure to produce the inspection report of QC Cell and list of the facts existing in balance flats before the Hon'ble Court and (ii) failure to bring forward the facts about recovery of excess payment of Rs.2,44,200/- on account of watch & ward service charges and recovery of RIS of Rs.28,462/- in cross-examination before the Court. The IO held both the charges against the CO as proved. On a reconsideration proposal by DDA, the Commission reiterated its advice of imposition of a suitable major penalty. However, the Disciplinary Authority issued an order to impose only a minor penalty of Censure.

#### **Case 6**

The Commission, concurring with the observations of the Disciplinary Authority holding the charge of extending undue benefit to the owner/builders of property during the year 1996-97, as a result of which timely action against unauthorized construction could not be initiated, advised imposition of suitable major penalty on an Executive Engineer, DDA. Disciplinary Authority subsequently sought reconsideration of the Commission's advice taking a different interpretation without giving any valid reasons suggesting exoneration of the officer. The Commission, however, reiterated its advice for imposition of a suitable major penalty. The DA, however, finally issued final orders exonerating the officer.

#### **Case 7**

The Commission advised imposition of a suitable major penalty on a Sr. AO for recommending / allowing the RA Bills amounting to Rs.33,35,110/- for payment of watch & ward service charges without the issuance of budget slips for the ten works in violation of and (ii) payments of bills of watch & ward service charges without any valid sanction in violation of office circular. The Disciplinary Authority in agreement with the Commission imposed a penalty of stoppage of two increments in the time scale of pay for a period of two years with cumulative effect on the charged officer. However, the Appellate Authority exonerated the officer of all charges.

#### **Case 8**

The Commission's advised imposition of a major penalty on an Executive Engineer for commission of irregularities such as releasing payments prior to date of drawing up of



supplementary agreements, recommending and forwarding payment of watch & ward charges even before the obligations and liabilities of the main contractor were got completed, as defects were existing on the date of drawl of supplementary agreements and also on the date on which the payments were recommended; and non-verification of deployment of chowkidars while recommending the aforesaid payments etc. The Disciplinary Authority in agreement with the Commission imposed the penalty of reduction in time scale of pay for two years. However, the appellate authority modified the penalty imposed by the disciplinary authority to minor penalty on the charged officer.

#### **Case 9**

The Commission advised imposition of a suitable major penalty on a EE(C), DDA for (i) releasing the payment not only prior to the date of drawing up of the supplementary Agreement but also for period prior to 02.05.97, in violation of EM circular NO:509 dated 02.05.1997, (ii) the payment for Watch & Ward Charges (WWC), inspite of the fact that defects in the works existed, (iii) the payment of bills of WWC for the work prepared even before the obligations and liabilities of the main contract were got completed and (iv) no verification regarding deployment of Chowkidars done while proposing payments for Watch & Ward charges. Disciplinary Authority, in agreement with the advice of the Commission imposed a penalty of reduction of pay by two stages in the existing time scale of pay for a period of two years upon the charged officer. Appellate Authority exonerated the charged officer of all charges.

#### **Case 10**

The Commission advised imposition of a suitable major penalty on an Assistant Engineer, for recommending payment against the supply of LVL shutters to the contractor before getting these LVL shutters tested in respect of the work of construction of LIG houses on turnkey basis. Disciplinary Authority, in agreement with the advice of the Commission imposed a penalty of reduction of pay by one stage in the pay scale for a period of one year on the CO. However, the Appellate Authority exonerated the charged officer of all charges.

#### **Case 11**

The Commission advised imposition of a suitable cut in pension on a Director (Hort.) (Retd.) for the charges relating to invitation of quotation from selected contractor in place of calling open tender to avoid genuine competition with the motive of extending undue favour to certain parties, thus causing financial loss to the Authority. He also failed to bring to the notice of Chief Engineer that the concurrence of the Finance Wing was required to be obtained before the contracts for the above work were awarded by the Competent Authority i.e. VC, DDA. Disciplinary Authority, in agreement with the advice of the Commission imposed a penalty of 10% cut in pension for two years on the CO. Appellate Authority of the charged officer, however, reduced the penalty to "Displeasure".

#### **Case 12**

The Commission advised imposition of a suitable major penalty on a AAO for failing to ensure adequate monitoring of court case like failing to receive back the file alongwith other files from a Panel Lawyer who had resigned from the panel of DDA and to get the case re-entrusted to some other Panel Lawyer within reasonable time knowing fully well that the Panel

Lawyer had resigned from DDA Panel in March, 2000, due to which, no Counsel was present to defend the case on behalf of the respondent as on 22.04.02 and Hon'ble Judge dismissed the objections filed by DDA in default and made the Award rule of the Court. The suit was decreed for Rs.22,24,045/- with simple interest @11% per annum from the date of award till its realization. Disciplinary Authority, in agreement with the advice of the Commission imposed a penalty of stoppage of two increments for two years with cumulative effect on the CO. Appellate Authority of the charged officer exonerated the charged officer of the all charges.

#### **IRCON International**

The Commission advised initiation of major penalty proceedings against the Additional General Manager (North), IRCON for various irregularities in award of tenders. However, the Disciplinary Authority has not accepted the Commission's advice and has imposed a minor penalty on the officer.

#### **Ministry of Defence**

In an incident pertaining to acceptance of bribe of Rs. 5000/- by a Garrison Engineer from a contractor during the year 1998, the Commission advised initiation of major penalty proceedings against the official in 2003. Departmental proceedings were launched against the officer in 2004. The departmental Inquiry Officer held the charge as not proved and the Ministry was in agreement with the findings of Inquiry Officer. The Commission, however, observed that there was circumstantial as well as other evidence which established the charge against the officer and therefore advised imposition of a stiff major penalty considering the fact that the official could not be prosecuted in a Court of Law under PC Act due to various flaws adopted during the trap. The Ministry of Defence, however, approached the Commission for reconsideration of its advice which was turned down. Thereafter, in 2009 the Ministry exonerated the officer.

#### **Ministry of External Affairs**

The Commission advised major penalty proceedings against a senior IFS officer on account of irregularities pertaining to his getting tour agents to issue concessional tickets for himself and his family members against payment by the Mission for full fare tickets etc and also irregularities relating to improper handling of accounts. A charge sheet was issued in June 2003 and a CDI appointed in 2004, the Inquiry was entrusted to a departmental Inquiry Officer due to practical reasons relating to recording evidence in India etc. Subsequently, the Inquiry proceedings could not proceed due to a stay order by CAT in 2007. The Commission advised the Ministry to get the stay order vacated and complete the proceedings at the earliest. However, the Ministry closed the departmental Inquiry by issuing a recordable warning, banning the officer's foreign posting for five years and recovered an amount of Rs. 97,960 from the Charged Officer.

#### **Ministry of Railways**

##### **Case 1**

The Commission advised initiation of minor penalty proceedings against a Senior Divisional

Engineer of the Railways for his failure to provide proper specifications in a tender for replacing decayed doors in staff quarters with the use of a new material which was being used for the first time without due approval of the authorities concerned. On reconsideration, the Commission reiterated its advice of minor penalty proceedings. However, the Disciplinary Authority decided to “Counsel” the official.

### **Case 2**

The Commission has advised cut-in-pension against a Retired Divisional Electrical Engineer of the Railways for his failure to conduct twenty percent test check of the measurements for the work of transportation of trimmed wood to the nearest depot without verification of receipt of wood in Forest Department and for bogus payment to the contractors. On reconsideration, the Commission reiterated its earlier advice of cut-in-pension. The Disciplinary Authority, however, did not accept the Commission’s advice and decided to close the case against the charged officer.

### **Case 3**

The Commission advised imposition of minor penalty on Senior Divisional Medical Officer (Sr. DMO), for procurement of CAPD fluid used for treatment of kidney patients at higher rates without conducting any market survey to determine the reasonableness of the rates. On reconsideration, the Commission reiterated its advice of minor penalty on the charged official. The Disciplinary Authority, however, dropped the charges against the official.

### **Case 4**

The Commission advised cut-in-pension on a Senior Assistant Finance Advisor (Sr. AFA), Retd., for passing the bills without actual receipt of the materials. The Disciplinary Authority disagreed with the Commission and closed the case.

### **Case 5**

The Commission advised imposition of stiff minor penalty on the then SIE, in a case of inspecting and passing of the substandard EOW (Emergency Openable Windows) of A/c coaches and non-A/c coaches. The DA, however, disagreed with the Commission’s advice and imposed the penalty of “withholding of four numbers PTO for a period of one year”. The Appellate Authority had also endorsed the penalty imposed by the DA.

### **Case 6**

The Commission advised stiff minor penalty proceedings against the then Chief Engineer of the Railways for various irregularities in award of tenders such as calling of tenders without finance vetting, issuance of letter of award of tender prior to sanction of detailed estimate, award of tender to ineligible parties etc. After re-considering the case, the Commission reiterated its advice of stiff minor penalty proceedings. After considering the reply of the charged officer, the Disciplinary Authority proposed issue of recordable warning. The Commission on 2<sup>nd</sup> stage advised imposition of suitable minor penalty, however, the Disciplinary Authority disagreed with the Commission and issued only a recordable warning.

### **New Delhi Municipal Corporation**

The Commission in agreement of NDMC, advised initiation of minor penalty proceedings against a Dy. Chief Architect, NDMC in a matter pertaining to unauthorized construction / renovation work by the tenants on the premises. Later on, the Chairman, NDMC decided that as there was no malafide intention on the part of the officer and that the occupant was a PSU, warned the CO to be more careful in future, which was in deviation of Commission's advice.

### **Oil India Ltd.**

The Commission advised initiation of major penalty proceedings against four officials of Oil India Ltd. for a series of acts of omission / commission with a view to accommodating and favoring a private party, at the cost of the organization. On completion of the inquiry, the Commission advised imposition of suitable major penalties on all the four officials. However, the Disciplinary Authority imposed a minor penalty of 'censure' on the officials without approaching the Commission for reconsideration of its advice.

### **Rail Vikas Nigam Ltd.**

The Commission has advised initiation of major penalty proceedings against the Additional General Manager, F&A, RVNL and GM (Elect), RVNL for the irregularity of award of a tender to an ineligible firm. The Disciplinary Authority, however, disagreed with the Commission and initiated only minor penalty action against the Additional General Manager, RVNL and Counselling to the GM (Elect), RVNL.

### **Govt. of NCT of Delhi (Sarvodaya Bal Vidyalaya)**

The Commission advised imposition of major penalty on a Principal, Sarvodaya Bal Vidyalaya for the proven misconduct of unauthorized absenting from the school without prior intimation or leave application to the Dy. Director of Education / Education Officer, misusing PTA funds without the approval of PTA executive body and for entering bogus bills in the PTA Fund Register / Cash Book showing them as spent on PTA meetings. The Appellate Authority i.e. Lt. Governor of Delhi, without seeking reconsideration of Commission's second stage advice, imposed a minor penalty of 'withholding of increments for two years without cumulative effect', in deviation from the Commission's advice.

## **II Delays and Deficiencies**

5.3 Prompt investigation of complaints helps in timely action against the officials found responsible for improper conduct, prima facie, besides ensuring that the honest officials unnecessarily implicated are cleared of allegations at the earliest possible. Such timely action sends a clear message to the officials that any misconduct observed on their part would not go unaccounted besides reposing the public faith in the system of governance and public administration. The Commission has already issued guidelines declaring undue/ unjustified

delays in the disposal of a case as one of the elements of the existence of a vigilance angle in any case.

5.4 Despite, the seriousness with which the delays are viewed by the Commission, it is a matter of serious concern that procrastination remains a major issue in the handling of vigilance cases. Delays have been noticed not only at various levels of processing the complaints/cases but also at the level at which decisions are to be taken by the competent authorities who are senior level functionaries in the organizations. Although the Commission's constant endeavour has been to sensitize the organizations about the importance of timely and efficient handling of vigilance related matters but it has been observed that many a time the authorities in the organizations show complete apathy to these factors. **The common areas where delays have been noticed pertain to the investigation of complaints, issue of charge-sheets for initiation of appropriate departmental proceedings, appointment of inquiry officers and the issue of the final orders after the completion of the disciplinary proceedings.** It has also been noticed that sometimes the inquiry officers appointed by the disciplinary authorities from within the organizations to conduct oral inquiry against the charged officers take unduly long time in conducting the inquiry, which adds to the delay in the finalisation of the vigilance cases.

### **III Delay in investigation of complaints**

5.5 The Commission pays due attention to the complaints received from various sources, which are in large numbers. With the increasing level of awareness and expectations among the public, the number of complaints being received in the Commission is constantly on the rise every year. The Commission is of the view that complaints provide valuable information about the systemic deficiencies in any organization besides pointing out towards the instances of malpractices being indulged in by individual officers for personal gains or undue favour to some particular persons, parties etc.

5.6 All the complaints received in the Commission are thoroughly scrutinized before the Commission decides about a particular course of action in respect of each individual complaint. Those complaints, which contain serious, verifiable allegations with a perceptible vigilance angle, are normally forwarded to the CVOs concerned for thorough investigation and sending a report to the Commission. In case, the Commission feels that it would not be possible for the CVOs to investigate the matter properly (e.g. where outside agencies/persons are involved over whom the CVOs have no jurisdiction/control) the complaints are forwarded to CBI for discreet verification/investigation.

5.7 During the year 2009, about 12 percent of the complaints received in the Commission were sent for investigation and report by the Commission. However, the Commission observed that the CVOs concerned delayed submission of reports to the Commission as investigation was not carried out within the three months' stipulated time-limit as prescribed by the Commission. The delay becomes all the more significant and serious as only those complaints were sent by the Commission for investigation and report, which contain allegations of serious nature involving a perceptible vigilance angle and point towards the involvement of senior level functionaries of the organizations concerned.

5.8 The Commission after careful consideration of all factors and with a view to ensuring promptness in the matters involving vigilance administration has prescribed a period of three

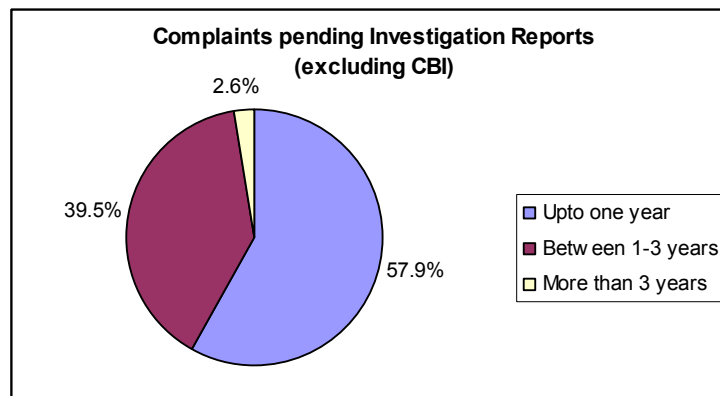
months for completing investigation into a complaint and sending the report to the Commission by the CVOs concerned. For the CBI, the time limit prescribed is six months. It is with some concern that the Commission has noted that at the end of the year 2009, in a total of 1514 complaints forwarded by the Commission to the CVOs concerned, the investigation reports were still awaited from them. The organization-wise break-up of pendency is given in **Annexure-IV**. Despite the CVOs being reminded repeatedly, 39 (nearly 2.6 percent) complaints were still pending investigation for more than three years and 598 (nearly 39.4 percent) complaints were pending for a period ranging between one to three years. The remaining 877 (nearly 57.9 percent) complaints were pending for a period of less than one year. **Table-9** and **Chart-14** below provide the details regarding delay in submission of investigation reports by the CVOs during 2008 and 2009:

**Table – 9**

**Complaints Pending for Investigation and Report**

Year	Upto one year	Between 1-3 years	More than 3 years
2008	1297	347	72
2009	877	598	39

**Chart – 14**



**Some of the organizations where a considerably large number of complaints are pending for investigation and submission of report to the Commission are:**

Sl.No.	Organizations/Departments	Delays in reports on complaints
1.	M/o Railways	117
2.	Central Board of Direct Taxes	97
3.	Govt. of NCT of Delhi	86
4.	Municipal Corporation of Delhi	68
5.	Delhi Development Authority	58

6.	D/o Secondary & Higher Education and D/o Elementary Education & Literacy	52
7.	M/o Defence	40
8.	D/o Health	39
9.	Life Insurance Corporation of India	28
10.	M/o Urban Development	26
11.	Central Board of Excise & Customs	25
12.	Central Public Works Department	24
13.	Employees Provident Fund Organization	23
14.	State Bank of India	22
15.	Delhi Jal Board	20
16.	Food Corporation of India	20

#### **IV Delay in holding oral inquiry**

5.9 In case an officer is found prima facie responsible for committing a misconduct of a serious nature during the preliminary investigation, the authority concerned, after satisfying itself about the seriousness of the case, orders for initiation of appropriate disciplinary proceedings against the suspected public servant. An oral inquiry is conducted, if necessary, to give the public servant a fair opportunity to present his case. The Commission, keeping in view, the importance of the inquiry proceedings has laid down a clear and detailed schedule for the completion of the oral inquiry, defining each step separately with the time limit within which each step is to be completed. According to that schedule, the inquiry proceedings should be completed within a period of six months after the appointment of the Inquiry Officer. The Commission has also laid down a two months' period for the appointment of an Inquiry officer after the Commission has tendered its advice for initiation of major penalty proceedings. The two months' time limit includes one month time to the disciplinary authority for issuing charge sheet to the delinquent official.

**5.10 The Commission, due to the limited resources available with it, advises the organizations concerned to appoint their own Inquiry Officer(IO) where departmental inquiry is required against the charged officers. The Commission nominates its officers as IO to conduct inquiry proceedings in a limited number of cases, where the charged officers are senior in rank and the charges against them are grave in nature. Even then, it has been noticed that there was considerable delay in issuing the appointment orders of Commission's Commissioners for Departmental Inquiries (CDIs) as IOs, by the Disciplinary Authorities concerned. During the year 2009, appointment orders for the CDIs as IOs was delayed beyond the stipulated time frame in 23 cases. Of these, 3 cases were more than one year old and 20 cases were more than three months old. The organization-wise break-up of 23 cases of delay in the appointment of the CDIs as IOs is given in Annexure-V.**

5.11 Even after the orders for appointment as IO are issued, the IO requires the relevant documents viz. a copy of charge sheet, reply of the charged officer, order of appointment of

the Presenting Officer, the listed documents, list of witnesses etc. to proceed with the inquiry proceedings. During the year 2009, these relevant documents were not made available by the disciplinary authorities concerned to the Commission's CDIs in 15 cases due to which the inquiries could not progress in a timely manner.

#### V Delay in the implementation of the Commission's advice

5.12 The Commission tenders its advice after due consideration of all the facts presented before it and any delay in the implementation of its advice reflects poorly on the state of vigilance administration in the organizations concerned. The Commission notes with concern that at the end of the year 2009, as many as 1589 cases were pending for over six months for the implementation of the Commission's first stage advice. During the same period, 653 cases were pending for the implementation of the second stage advice of the Commission beyond six months. The organization-wise details of these cases are given in Annexure-VI. Some of the organizations where a large number of cases have been considerably delayed are as follows:-

Table – 10

#### Delay in the implementation of Commission's advice for over 6 months

Sl.No.	Organizations/Departments	First Stage Advice	Second Stage Advice
1.	M/o Railways	226	105
2.	Central Board of Excise & Customs	170	112
3.	D/o Telecom	115	29
4.	Central Board of Direct Taxes	84	56
5.	D/o Personnel & Training	45	14
6.	M/o Information & Broadcasting	38	10
7.	Delhi Development Authority	36	19
8.	M/o Defence	36	15
9.	M/o Home Affairs	34	13
10.	Kendriya Vidyalaya Sangathan	33	8
11.	National Insurance Co. Ltd.	31	20
12.	Bureau of Indian Standards	25	9
13.	Daman & Diu and Dadra & Nagar Haveli Admn.	25	9
14.	M/o Urban Development	19	18
15.	Vijaya Bank	19	0
16.	Andaman & Nicobar Admn.	16	1
17.	Central Bank of India	16	0
18.	D/o Defence Production & Supplies	15	5
19.	Delhi Transport Corporation	15	0
20.	Govt. of Puducherry	15	1
21.	Khadi & Village Industries Commission	15	7
22.	M/o Environment & Forests	15	5



## **VI Delay in seeking advice/conduct of disciplinary proceedings**

5.13 The Commission has been impressing upon the organizations the need for avoiding delay in taking decision regarding initiation of disciplinary proceedings or otherwise and also to avoid unwarranted delay in the completion of the disciplinary proceedings. The delay in taking timely action often works to the advantage of the suspected public servant and undermines the effectiveness of vigilance administration. Whenever, any instance of inordinate/unwarranted/willful delay comes to the Commission's notice, it not only expresses its concern and displeasure but also advises action against the erring officers.

## **VII Other Areas of Concern**

5.14 The Commission has observed that in many organizations, especially, public sector undertakings, there was no provision in the Service Rules for taking action or imposing penalty after the superannuation of the delinquent officials who might have committed serious irregularities during their period of service. In the absence of such a provision, some public servants feel tempted to indulge in inappropriate behavior just prior to their retirement from service.

## CHAPTER 6

### CHIEF TECHNICAL EXAMINER's UNIT

6.1 Chief Technical Examiner's (CTE) Unit of the Commission conducts inspection of civil, electrical and horticulture works being carried out by the Central Government departments, public sector undertakings/enterprises of the Government of India and Central financial institutions/banks etc. This unit also conducts inspection of stores/purchases contracts and works for computerization etc.

6.2 The CTE Unit selects works or contracts for intensive examination either on its own or on the basis of inputs available to it or from the details furnished by the CVOs in the quarterly progress reports being sent to the CTE Unit. The CVOs are required to furnish details regarding ongoing Civil works having a tender value exceeding Rs.1 crore, Electrical/Mechanical/Electronics works exceeding Rs.30 lakhs, Horticulture works more than Rs.2 lakhs and Store/Purchase contracts valuing more than Rs.2 crores. The intensive examination of works carried out by the CTE Unit helps in bringing out irregularities relating to substandard execution of work, avoidable and/or excess expenditure, and undue favour or overpayment to contractors etc. The CVOs, while forwarding the details of works, are free to recommend other cases also for examination by CTE Unit, if they feel the need for inspection by the CTE Unit of such works. The inspections carried out by the CTE Unit have helped systemic improvements and to prevent the recurrence of irregularities.

6.3 Intensive examinations are also taken up in order to verify the allegations in specific complaints having serious vigilance angle. All examinations are taken up with the approval of the Commission.

6.4 In the intensive examination reports, observations involving prima-facie vigilance angle, over-payments, quality compromises, time & cost over run, deficiencies in public procurement procedures etc. are brought out. The action taken on these observations has resulted in systemic improvements besides punitive action against erring officials and recoveries from the agencies.

6.5 In addition to the intensive examinations, CTE Unit also issue suitable guidelines on procurement procedures and conduct training sessions on preventive vigilance to the CVOs and executives. The case studies of examinations so conducted are presented in various forums to sensitise the officers as well as CVOs.

#### A. Technical Examinations

6.6 During the year under review, the CTE unit inspected works of 68 organizations and submitted 129 reports. The details of these examinations are given below in Table –11.

**Table 11**

#### **Inspections by CTE's Unit during 2009**

<i>Details of Organization</i>	<i>No. of Deptt./PSUs</i>	<i>No. of I.E.Reports</i>
Govt. Departments	12	30
Banks / Insurance	6	9

Companies & Financial Institutions		
Public Sector Undertakings, Autonomous Bodies, etc.	50	90
Total	68	129

6.7 Some of the major organizations inspected by the CTE Unit during the year were Delhi Development Authority, National Buildings Construction Corporation, Municipal Corporation of Delhi, New Delhi Municipal Corporation, Damodar Valley Corporation, Gas Authority of India Ltd., Bharat Petroleum Corporation Ltd., National Projects Construction Corporation, National Highways Authority of India, Jawaharlal Nehru Port Trust, Mormugao Port Trust, Mumbai Port Trust, Rail Vikas Nigam Ltd., National Hydroelectric Power Corporation, Airports Authority of India, Satluj Jal Vidyut Nigam Ltd., Oil & Natural Gas Corporation, Steel Authority of India Ltd., Central Public Works Department, Bharat Heavy Electricals Ltd., All India Institute of Medical Sciences, Power Grid Corporation of India Ltd., Punjab National Bank, Indian Overseas Bank, Delhi-PWD, Bharat Sanchar Nigam Ltd., Railways, Delhi Metro Rail Corporation etc. covering various infrastructure sectors of transportation, communication, power, coal, ports etc.

6.8 Inspection reports are forwarded to the CVOs concerned and departments for their comments and compliance of observations. Irregularities/variations having vigilance angle are referred to CVOs for detailed investigation. During the year 2009, 20 such cases were referred to the CVOs for investigation, out of which 10 reports pertained to Civil Works, 8 related to Electrical Works and 2 were of stores/purchase contracts.

6.9 As a result of the inspections conducted by the CTE Unit during the year, recoveries were effected to the extent of Rs.68.61 crores on account of overpayment/deficiencies in the quality of material used or as penalty to the contractors for non-fulfillment of contract conditions etc. Table 12 indicates recoveries effected during the last three years.

**Table 12**

**Recoveries Effected During the last Three Years**

<b>Year</b>	<b>Amount (Rs in crores)</b>
<b>2007</b>	<b>28.90</b>
<b>2008</b>	<b>47.44</b>
<b>2009</b>	<b>68.61</b>

**B. Observations raised on Intensive Examination of works of various organizations**

6.10 The following are illustrative irregularities and deficiencies noticed in various stages of public procurements during CTE's inspections:-

**6.11 Appointment of Consultant:**

6.11.1 In one work of material handling system the consultancy work was awarded by inviting limited tenders from PSUs. In a work of dredging contract, Port Trust

appointed DPR consultant on nomination basis. Supervision Consultancy of road work in a thermal power station was not only awarded on nomination basis to a PSU but at a higher fee of 10% of the cost of the project.

6.11.2 In a work of construction of a building by an autonomous society, an architect was awarded the consultancy work at a high fee of 6% of the project cost by violating the tender condition of giving 60% weightage to financial bid. Further the fee of 6% was much higher than prevailing trend. Even this organization had awarded similar architectural consultancy work at a fee of 3.5% in the past for its other projects. The architect later defaulted in issue of drawings and estimation. However, no compensation was recovered from him in terms of the contract. On the other hand, he was given additional fee of Rs.1 lakh per month over and above the agreed consultancy fee for the delayed period of the project.

6.11.3 In one of the contracts of an organization out of 29 consultancy contracts awarded between Jan 2006 to August 2008, 18 consultancy contracts were awarded on single tender basis and 9 consultancy contracts finalized without call of tender. The organization initially invited Expression of Interest / Limited tenders from consulting firms with wide publicity but due to limited response, they took a decision to engage M/s X on nomination basis for providing consultancy services. However, no logical reasoning could be given during subsequent engagements of the same consultant M/s X, without formal call of tenders. Out of four contracts awarded to M/s X on nomination basis, two contracts have been awarded without the approval of Board and also after issue of Commission's OM dated 05.07.2007. It is observed that relevant provisions made in the aforesaid OM have not been complied with.

It is also observed that the prices being paid in the consultancy contract awarded by the organization to M/s X are exorbitant and the awarded rates appear to be about 825 % of the prevailing rate. There appears to be an extra payment of more than Rs.6 crores over the reasonable prices. Further, there appears to be duplicity in the scope of contract, which had been awarded without proper reasoning, which has resulted in infructuous expenditure of about Rs1.50 cores.

6.11.4 The work of consultancy was awarded by a bank to a consultant on nomination basis taking quotation from this consultant firm for a consultancy fee of Rs 19.20 lakhs. CVC guidelines on the subject of award of work on nomination basis were not followed.

## **6.12 Quality of work by consultant**

6.12.1 During the intensive examination of works in various sectors such as Highways, Power, Port, Mining etc., it has been observed that the consultants had failed in proper performance of their duties. In many cases, Detailed Project Report (DPR) prepared by the consultants was far from realistic. Also, quality of works supervised by them was again not up to the standard.

6.12.2 Few cases have come to the notice of the Commission wherein huge deviations occurred from DPR. In a highway infrastructure project originally costing Rs.330 crores, deviation of Rs.250 crores over and above the original cost of work took place. This was due to poor and deficient DPR. The primary reason for such

abnormal deviation was insufficient study of the soil properties by the DPR consultant, which also resulted in the delay of work. Surprisingly, the organization, which has expert in engineering on its roll accepted the deficient DPR and again accepted the deviations without even questioning the consultant.

6.12.3 The estimate prepared for a dredging work by a consultant was Rs.11.22 crores. But the same consultant recommended for award of work at L1's quoted price of Rs.17.11 crores, in spite of the fact that cost worked out by him was only Rs.11 crores. However, the tender evaluation committee negotiated and brought down the rate to Rs.13 crores. This example hints at the possible nexus between consultant and the bidder.

6.12.4 In a work of construction of university building, quality of RCC work was found poor. In another work of a refinery project quality of pile foundation work was found sub-standard. Similarly, in a work of housing project, quality of exposed brickwork was found to be poor. These works were being supervised by the consultants without active role of the client department.

### **6.13 Invitation and award of work**

6.13.1 In a work of material handling system, an estimated cost of Rs.59 crores was worked out by the consultant and Rs.64 crores was worked out by the organization concerned. L1 quoted an amount of Rs.130 crores. After opening of the price bid, the estimated cost was revised by the consultant and the organization to Rs.84 crores and Rs.100 crores respectively as an effort to match the quoted price. Finally, the work was awarded at a negotiated price of Rs.115 crores at much higher price.

6.13.2 In another work of material handling system, the organization took 20 months to award the work, for which the completion period stipulated was only 21 months. This abnormal delay in award of the contract resulted in cost over run due to higher payment liability for escalation of prices, besides the time over run.

6.13.3 Exorbitantly high 'Justified Amount' was worked out by an organization considering extraneous factors in a case of construction of a stadium for Commonwealth Games (CWG), thus, facilitating award of work at unreasonably higher rates.

6.13.4 In an organization, it was observed that technical evaluation committee recommended that technical deviations in the bid will be discussed after award of the work, thus keeping the options of manipulation and ambiguities open and making the entire tender process non-transparent.

6.13.5 In another work of Rs.1.13 crores, the pre-qualification (PQ) criteria that - the firm should have ISO certificate, should have in-house design facility and should have Rs.52 crores annual turnover appear to be stringent in comparison to standard norms.

6.13.6 In another organization, the rates taken for estimation purpose for dismantled material is found to be very low and rates of dismantled polygonal pole, cable and foundation bolts have not been taken at all in the estimate. Thus work was awarded at higher than reasonable prices.

6.13.7 Competition was restricted and equal opportunity was not given to all the firms participating in a tender in a Public Sector Bank. While two firms were permitted to change their associates, one firm was not permitted to change their lead partner indicating unequal treatment to bidders.

**6.14 Non-compliance of contract condition resulting in undue benefit to the contractor**

6.14.1 It was noticed during inspection that an amount of Rs.233 crores was outstanding against a contractor, whereas the value of balance work as per contract was only Rs.214 crores. The organization not only deferred the recovery of Principal amount and interest without any such provision in agreement but also paid additional unauthorized advances. Thus, the organization extended undue financial favour to the contractor at the risk of public money.

6.14.2 As per Contract, a contractor had to arrange all the construction material, but it was observed that most of the costly materials like steel, cement, bricks, aggregate, tiles, doors, shutters, aluminum/sanitary items and paints etc. were procured by the organization on behalf of the contractors and later recovered the cost from running payments. In this case direct financial aid was extended to the contractor, who was not financially sound.

6.14.3 As per contract, mobilization advance should have been recovered within 80% of the contract period. Although, the stipulated contract period had already expired, but the mobilization advance was not recovered fully. An advance of Rs.1.84 crores in Package-I and Rs.5.13 crores in Package-II were still outstanding with the contractors. Various other advances were also paid to the contractor (both within the agreement provisions as well as beyond agreement provision) on ground of completing the project within time, thus extending undue financial aid.

6.14.4 In a case of a pre-tender tie-up by a construction PSU, as per notice inviting pre-tender tie up, the tenderers were to arrange all the material and the rates quoted were to be firm and final without escalation throughout the period of contract. However, at the time of issue of Letter of Intent, this was changed and escalation was made payable to the contractor. The margin money of 5% was also waived off. Thus undue benefit was passed on to the contractor.

6.14.5 In a stadium work, shuttering material, plant and equipment advance for Rs.1.91 crores was sanctioned and paid when most of the reinforced concrete work was already over and the contractor had already mobilized required shuttering material etc.

6.14.6 In a hydro-power project, due to sudden flooding during excavation, the work was held up and Tunnel Boring Machine (TBM) got submerged. The TBM was procured by the contractor for which Rs.48.51 crores was paid as T&P advance being 75% of the cost. The contractor failed to take any action for repair of this machine and therefore, organization got this machine refurbished at a cost of Rs.14.21 crores by making direct payment to sub-contractor, who repaired this machine. Further, the department is also incurring an expenditure of Rs.40 lakhs per month to keep the

sensitive electronic parts of this Machine free from moisture. Although the responsibility of repair of TBM lies with contractors, but huge expenditure has been incurred by the organization causing undue financial benefit to the contractor.

#### **6.15 Quality Compromises**

6.15.1 In a work of construction of a stadium, quality of concrete work was found to be very poor. Most of the samples of concrete failed during testing. Cement content in the concrete was also found less than prescribed. All the test records available at site were fabricated to show prescribed strength. The poor quality of work was accepted despite engagement of a third party quality assurance agency.

6.15.2 In a highway project, out of the total 17 Km. length of the project, 6.7 Km. was being constructed in land reclaimed from sea. For stabilization of the soil in the reclaimed area to make it suitable for road construction, Prefabricated Vertical Drains (PVD) were being provided to drain out sub-soil water at a cost of Rs.80 crores (appx.). This treatment involving PVD requires a period of one year in two stages of surcharge loading i.e. 1<sup>st</sup> stage with 1.5 mts of loading for 6 months and 2<sup>nd</sup> stage loading with additional 1.5 mts for further period of 6 months. However, to meet the targets prescribed specifications were not being followed. Thus, the road so constructed has the risk to settle immediately after opening to traffic. This will not only result in recurring in fructuous expenditure in repair and maintenance of this road but also the manufacturer of PVD may not stand by its guarantee because of compromised period of treatment.

#### **6.16 Cases generated out of CTEO's Examination having vigilance connotation**

6.16.1 In a work related to the Commonwealth Games (CWG), pre-qualification application was submitted by a consortium of four firms in the name of a Limited Liability Company say 'A' with the financial stakes in the proportion of 72%, 25% 2% & 1%. Finally this consortium was pre-qualified on the basis of experience of its lead partner whose financial stakes were 72%. However, the tender was submitted in the name of a different firm 'B', wherein other partners of the consortium were not at all represented except one firm whose stakes were only 25% in the pre-qualified consortium. As per the pre-qualification criteria, for qualification of any joint venture or consortium, credentials of the partner (s) with more than 26% of the stakes were only to be considered. This ineligible firm, which emerged as L1 was awarded the work. The firm failed to perform and finally its contract was terminated after abnormal delay.

6.16.2 For appointment of consultant, the board of an organization approved the cut off marks as 70% and approved acceptance of three firms as technically suitable. But the board reviewed and revised their earlier decision of 70% cutoff limit and raised the cutoff limit as 80%, which resulted into disqualification of two firms, thus leaving only one firm finally qualifying for selection as a consultant.

6.16.3 In a public sector bank, in view of depreciation in US dollar value against rupee and downward revision in custom duty, the Evaluation Committee decided that vendors should be asked to submit an addendum to their commercial bid, indicating only the discount value, if any for the line items. As per revised bids, the total cost

quoted by firm 'A' was Rs.29,91,02,419/- (L1), firm 'B' was Rs.33,63,47,247/- (L2) and firm 'C' was Rs.37,97,33,801/- (L3). Firm 'A' should have been considered for placement of order as they were L1. Meanwhile, firm 'A' after knowing their relative position of L1 in the tender and the bid differential, on their own sent clarifications in respect of the additional benefit that had been mentioned in their price bid. It was stated that the above discount is in respect of CENVAT benefit, wherein during delivery firm will provide the buyer with its CENVAT benefit invoices which could be used by the buyer to adjust against the service tax liability to the tune of CVD (Countervailing Duty) mentioned in the invoice. The firm 'A' quoted an amount of Rs.1,07,75,832/- as additional benefit in their addendum to commercial bid under the column total discount. In view of the suo moto clarifications given by firm after price bid opening, the bank did not consider the additional benefit for arriving at the final price as the same according to them was not a discount as informed to them by their consultant. The firm 'A' had in effect withdrawn the discount of Rs.1,07,75,832/- after opening of price bid by linking the same with CENVAT benefit. The post tender revision by "L1" bidder, which was not to the advantage of bank should not have been accepted by them. By accepting above revision after forgoing the additional benefit of Rs.1,07,75,832/-, the order has been placed on the firm, which is highly objectionable.

6.16.4 In one water treatment plant project being executed by an organization, it was observed that the original bid submitted by X1 bidder was for Rs.63.70 crores (L1) and that of X2 bidder was for Rs.98.00 crores. Tender stipulation empowered the employer to make an amendment in the technical parameters for bringing bidders at par for which plus / minus variation on affected items was only permitted. While using the above provision, it was observed that the amount quoted by X1 comes to Rs.119.80 lakhs (L2), while the amount quoted by X2 comes to Rs.116.00 crores (L1) after considering with plus minus bid. In the plus / minus bid sought after techno-commercials, X1 clearly increased its prices by Rs.56.1 crores, in order to cover up the gap of Rs.34.30 crores. Examination of the price break-up given by X2 indicates that justified price increase on account of amendments issued by the organization in terms of tender stipulations does not account for more than Rs3.00 crores and rest were only to somehow justify the increase in quoted prices. While a provision of only Rs.18.00 crores had been kept in the sanctioned estimate for the 20 MGD water treatment plant (sanctioned in March 1999) and the organization had approved the cost estimate for Rs.89.6115 crores in April, 2008 i.e. before opening of the price bids, the contract has been awarded in September 2008 for Rs107.00 crores. The justified cost for the aforesaid work was not more than about Rs.67.00 crores.

6.16.5 A perusal of the price bids of the bidders in an organization indicated many cuttings and over writings in the price bid of the L1 bidder. Rates of some items and the discount offered by the firm at the end have been altered either by cutting or by overwriting in the price bid. The number of cuttings and over writings made in the prices on individual pages also do not tally with the certificates given by the tender opening officials at the bottom of the individual sheet. Conditional discount of 1% offered by the agency was subsequently changed to Nil (by prefixing Ni). The tender opening officials had given the certificate of C-nil (Cutting-nil), OW-nil (Over Writing-nil).

The post tender alterations made in the bid gets further strengthened from the discrepancies observed in the actual number of cuttings & over writings



vis-a-vis the certificates recorded by the tender opening officials and also from the firm's letter dated 05.06.2008 regarding their withdrawal of offered conditional discount. Mostly these alterations are seen to have made by altering the first / second character of the rate / discount. The cumulative effect of all the alterations in figures is an increase in the quoted amount by Rs 3,62,72,229/- only which suspected that bid of L1 firm was tampered with after opening of bids in order to increase the quoted amount to avail the difference between the L1 firm and the next higher quoted amount of L2 firm without changing the overall status of the L1 firm.

6.16.6 In a work pertaining to HPSV fittings, it was observed that two separate line items for imported & indigenous HPSV fitting of same technical specification were taken with wide variation in rates. Once the technical specifications and other performance parameters is frozen, giving any differential treatment for imported fittings vis-a-vis indigenous fittings is against the principle of equity. Moreover, in this case technical specifications and other performance parameters have been kept same. However, the variation in rates appeared to be more than three times. No logical reasoning could be given by the organization to go in for imported luminaries at such exorbitant prices, whereas the luminaries of same specification, manufactured by the same vendor are also available at lower prices. This has resulted in extra burden of Rs.1.52 crores on the organization.

6.16.7 Stringent pre-qualification (PQ) criteria were fixed for a work in a Bank. The amount of average annual turnover was fixed at Rs.250 crores for a work costing Rs 30 crores only. The quantum of work (in terms of cost of work) required to be done for meeting the experience criteria was not specified in the Request for Proposal (RFP). Further, a condition for meeting the TPCCH test parameter was kept in the RFP, which involves a large amount for testing. The marking scheme for evaluation was also not pre-disclosed in the bid documents and it was informed to the bidders only later.

It was observed that conditions in the revised RFP (having financial implication) were changed before award of the work. Further a supplementary agreement was also got executed with the contractor with further changes to payment conditions and software for system requirements.

It was further observed that some insertions of amount were made in the price bid of the lowest firm with pen by an unauthorized person after the opening of the price bids because as per attendance sheet, the authorized person had not authenticated the changes in the bid. The price opening committee also not encircled/ authenticated the insertions.

#### **6.17 System Improvements that have resulted due to CTE's inspection**

6.17.1 In a PSU pre-qualification of contractors was being done in an ad-hoc manner based on the pre-qualification done for some earlier projects. Based on CTE's observations, the PSU issued policy guidelines for proper pre-qualification in a fair and transparent manner. Similarly, number of ambiguous provisions regarding taxes and duties etc were observed in their contracts, for which necessary corrections have been incorporated in their General Conditions of Contract (GCC) itself. PSU also

issued policy instructions banning interest free advances to the contractors beyond contract provisions.

6.17.2 Two PSU's were preparing the cost estimate for works in an ad-hoc manner based on earlier accepted rates etc. Based on CTE's observation, these organizations developed their 'Standard Schedule of Rates' for bringing uniformity and transparency in the preparation of estimates.

6.17.3 In various works of a PSU in the Power Sector certain materials were being issued departmentally, but reconciliation of the consumption of the material during execution of the work was not being done. During inspections, it was observed that departmentally issued material was lying in excess of the requirement with the contractors even after completion of the work. The PSU issued policy instructions for reconciliation of departmentally issued material at every third running bill stage.

6.17.4 In the tender document for various works, an organization was not prescribing any eligibility requirement for each member of the Joint Venture Firms. As a result in some joint venture firms, some of the members were not having relevant credentials as such there was no worthwhile contribution of such members in performance of the contract. After CTE's observation, the organization made modification in their contract condition to the effect that all the members of the Joint Venture will be required to meet experience requirement.

6.17.5 A PSU was prescribing in their tender documents that bidders have to quote 'ceiling on expected escalation' and the bid value was being worked out by summing up the amount quoted and the ceiling on escalation. This system of bid evaluation lacked objectivity as inter-se seniority of the bidders was being decided on a subjective parameter of expected escalation. The PSU reviewed this issue and has deleted this clause from General Conditions of Contract, when the subjectivity was brought to their notice.

6.17.6 In an organization in the Defence Sector many deficiencies were observed in their procurement process and after inspection, following improvements were affected to bring more transparency and fairness in their procurement process:-

- a) Estimates which were being prepared in an ad-hoc manner on lump sum rates now being prepared based on the 'Standard Schedule of Rates'.
- b) Reasonableness of rates was being assessed by enhancing the estimated cost by cost index rather than based on the prevailing market rate analysis. Now, the organization decided to prepare the market rate justification of the cost based on the prevailing rates of input material and labour.
- c) The Work Orders were being issued without submission of Performance Guarantee by the contractors. The organization now issued instructions for submission of Performance Guarantee by the contractors before issue of Work Order.

d) In case of limited tenders, tender notice were being posted on the organization's notice board, and due to the reason all the empanelled contractors were not being aware of the tender notice. Now, instructions were issued by the Organization to send the tender notice to all the empanelled contractors by registered post besides being posted on the notice board.

#### **6.18 Important Initiatives taken by CTE's Unit during 2009**

6.18.1 Organizations were advised to follow a fair, transparent and open tender procedure in the selection of the application service provider while implementing e-tendering solutions. After issue of above circular, further guidelines on security provisions were circulated and organizations were advised to ensure that the effective security provisions are available in the system to prevent any misuse.

6.18.2 A special two-day workshop was organized at Mumbai in one of the public sector bank for the benefit of all the Bank officials dealing in IT related procurement (involved in Core Banking Solution and other activities) at the level of GMs & DGMs and the Chief Vigilance Officers in April 2009. Questions raised and replies given in this seminar were published in the form of a booklet and circulated for the benefit of all Banks. Recognizing it as a continuous process, Banks were further advised to organize special training programmes to upgrade the skill level of the officials involved in such procurement.

6.18.3 Presentation on "Common irregularities and areas vulnerable to lapses in public procurement" was made at SCOPE, which was attended by CMDs of many leading PSUs. Similarly, a comprehensive presentation on this subject was also made at the Annual Anti-Corruption Conference organized by CBI and attended by Heads of Anti-Corruption Organizations of the States.

6.18.4 A number of workshops/training programmes were held for the benefit of field officers of various organizations to sensitize them about vigilance in public procurement. These workshops were conducted in various organizations in various parts of the country.

6.18.5 Training module was designed and training was imparted on conducting CTE's type inspections of public procurement contracts especially to the CVOs who had joined recently.

6.18.6 Steps were taken to reduce the pendency of the vigilance cases by conducting personal hearing with CVOs. In order to expedite and sort out pending paras referred for vigilance investigations with the organizations and to appreciate the perceived vigilance angle in such references of the CTE, the CVOs of the organizations were invited to interact with the CTE during their visit to Delhi or during the visit of the CTE at various stations for guidance in the matter of preparing proper vigilance investigation reports.

## **CHAPTER-7**

### **Functioning of Delhi Special Police Establishment (Central Bureau of Investigation)**

7.1 With the enactment of CVC Act, 2003, the Central Vigilance Commission exercise superintendence over the functioning of the Delhi Special Police Establishment, popularly known as Central Bureau of Investigation (CBI), to issue directions and to review the progress of investigations under PC Act, 1988 with or without any offence committed by public servant charged under CrPC. The Commission's superintendence over CBI is confined to investigation of cases under the PC Act only and the process of trial for matters of prosecution continues to be under the government's control.

7.2 The Hon'ble Supreme Court of India, in its judgment dated 18.12.1997 in a PIL filed by Shri Vineet Narain (popularly known as Hawala case) had envisaged greater autonomy and objectivity in the functioning of CBI. In order to achieve this, some more steps are required to be taken so that CBI's work is perceived as impartial, objective and politically neutral. Pursuant to the judgment, the "Directorate of Prosecution" was constituted in the CBI which has been assigned with major functions like tendering legal advice in cases taken up by the CBI, monitoring of prosecution cases, advising amendment of law, providing inputs on legal issue for various conferences and meetings etc.

7.3 In the recent past the CBI has emerged as a premier investigating agency of the country and mainly handled the investigation through Anti-Corruption Division, Economic Crimes Division and Special Crime Division. Anti Corruption division is to deal with the cases of corruption and fraud committed by public servants of all Central Government Departments, Central Public Sector Undertakings and Central Financial Institutions whereas Economic Crime Division deals with bank frauds, financial frauds, import export & foreign exchange violations, smuggling of narcotics, antiques, cultural property and other contraband items. The Special Crimes Division is responsible to deal with cases of terrorism and crimes committed by mafia/underworld.

#### **I Monthly Review Meetings with the Director, CBI**

7.4 The Central Vigilance Commission while exercising its superintendence over DSPE, holds regular review meetings with the Director, CBI at monthly intervals to review the progress and quality of the cases investigated by the CBI. It also monitors those cases, where sanction for prosecution is pending with the concerned disciplinary authorities. The Commission also holds meetings of the expert committee to review those cases, where, in agreement with the CBI's recommendations, the Commission had advised sanction for prosecution, but the organizations concerned requested for a review of the case. During the year 2009, the Commission held 12 monthly review meetings with the CBI wherein cases against senior officers of the Government, executives of banks/public sector enterprises and politicians were reviewed and 2 meetings were held between Secretary/Additional Secretary, CVC and Joint Director (Policy), CBI regarding complaints received from CVC.

#### **II Prosecution against Central Government employees**

7.5 In accordance with the powers conferred upon it under section 8(1) (f) of the CVC Act, the Commission reviews the progress of cases pending for sanction of prosecution with

various organizations, under the PC Act, 1988. CBI brought to the Commission's notice that at the end of the year 2009, a total of 48 cases containing 65 requests were pending for sanction for prosecution under PC Act, 1988 over three months.

The numbers of cases pending with various organizations for granting sanction for prosecution over three months as on 31.12.2009 are given below in **Table-13:-**

**Table-13**  
**Number of cases pending for sanction for prosecution over three months as on 31.12.2009**

<b>Ministry</b>	<b>Number of cases</b>
Ministry of Communication	3
Ministry of Defence	1
Ministry of Finance (Banking)	6
Ministry of Finance (Customs & Central Excise)	4
Ministry of Finance (Income Tax)	4
Comptroller & Auditor General of India	1
Ministry of Health & Family Welfare	1
Ministry of Information & Technology	1
Ministry of Personnel Public Grievances & Pensions	14
Ministry of Railways	7
Ministry of Space	1
Govt. of NCT of Delhi	5
Govt. of Uttar Pradesh	1
Union Territories	1
<b>Total</b>	<b>50*</b>

*\*However, a total of only 48 PC Act cases are pending for prosecution sanction over 3 months, as 2 cases are common to more than one ministry/state, Govt., etc.*

7.6 The Commission has been making every effort to ensure that the matters pertaining to sanction for prosecution are expedited by the authorities concerned. However, it is seen that in some cases, the delay in granting sanction for prosecution was unwarranted and inordinate. The Commission hopes that with the DOPT's guidelines for checking delay in grant of sanction for prosecution and the formation of a committee of experts by the Commission to review reconsideration proposals in cases where prosecution sanction was advised, the issue relating to delay would be largely addressed and sanction for prosecution would be expedited and issued within the stipulated time.

### **III References from CVC for Clearance**

7.7 During the year 2009, CBI received 2712 references from CVC for vigilance clearance which were processed, and replies sent to the Commission.

### **IV Activities of the Central Bureau of Investigation**

#### **(A) Registration of cases:**

7.8.1 CBI registered 1119 cases during the year 2009 which mainly pertained to criminal misconduct by showing undue favour, obtaining bribes, amassing assets disproportionate to

known source of income, etc and included trap cases and cases of possession of disproportionate assets by public servants. At the end of the year, a total of 988 cases were pending investigation. During the year charge-sheets were filed in 806 cases. The conviction rate for the year 2009 was 64.4%.

**(B) Action in cases after investigation:**

7.8.2 During 2009, the CBI completed investigations of 1127 cases. Chargesheets were filed in 806 cases after receipt of sanction for prosecution wherever necessary. At the end of the year 2009, 988 cases were pending investigation. The Commission has been impressing upon the CBI to complete investigation of cases within a year's time, if possible, and not more than 2 years in any case.

7.8.3 The percentage of detailed break-up of disposal of cases from investigation is shown in **Table-14** below:

**Table-14**

**Break-up of investigation disposal**

Nature of disposal	Figures (in percentage)
Prosecution	47%
Prosecution and Department Action	24%
Departmental Action only	9%
PE converted into RC	2%
Closed	12%
Such Action/Otherwise Disposed of	6%

**(C) Cases of trial and conviction:**

7.8.4 During the year 2009, various courts disposed of 719 cases under trial, as compared to 424 cases in 2008 and 498 in 2007. Out of these 719 cases, 435 cases resulted in conviction, 212 in acquittal, 28 discharged, 44 cases were disposed of for other reasons. The overall rate of conviction in CBI cases during 2009 was 64.4 percent as compared to 61.6 percent in 2008 and 63.6 percent in 2007. 9636 cases were pending trial as on 31.12.2009, as compared to 6385 cases as on 31.12.2008. However, the Commission feels that there is a need for more designated and exclusive CBI Courts in all the States for the expeditious disposal of the cases.

**V CBI Academy**

7.9 The CBI Academy is one of the premier police training centres and has made a mark at the national as well as international level. The training curriculum at CBI Academy aims at enhancing professional knowledge and skills in order to inculcate right attitudes in individual and groups forming on organizations. The Academy is continuously striving not only to attain excellence in imparting training to the CBI officers in the field of Anti-corruption, Economic Offences and Special Crimes, but also to provide inspiration and guidance to police forces and vigilance establishments all over the country. In order to meet these challenges, the CBI Academy has evolved and improved its training strategies to train its own officers and staff as

well as officers from State Police Organizations, Public Sector Undertakings, Public Sector Banks etc., to enable them to meet the new challenges.

7.10 In order to face new challenges like cyber crime, economic crimes etc. emerging all over the world, the CBI Academy is continuously making efforts for upgrading its system for imparting training on various aspects of crime and investigation. Further, with the aim to optimize the training needs in a cost effective manner, the CBI Academy has established three regional training centres (RTC) at Kolkata, Mumbai and Chennai. These RTCs are situated in the anti-corruption branches of CBI and also equipped with modern training aids.

7.11 In the year 2009, the CBI had conducted 135 courses in its main centre and 59 courses were conducted in RTCs in which 5034 participants had participated.

## **VI Manpower**

7.12 It was observed that a considerable number of posts were lying vacant during the year in CBI. It is felt that the large number of vacancies especially in the cadre of Investigating Officers viz. DSPs and Inspectors seriously hampers the progress of investigation of cases by CBI, more so when CBI is being entrusted with more and more cases of sensitive nature, while being under the constant gaze of courts. The measures required to fill the vacancies would include simplifying the process of direct recruitment besides providing attractive incentives to officers willing to come on deputation to the CBI. During the year 2009, the vacancy position in CBI is given in **Table-15** below:-

**Table – 15**

**Overall vacancy position in CBI as on 31.12.2009**

	<b>Sanctioned strength</b>	<b>Actual Strength</b>	<b>Vacancy</b>
Executive Officers	4078	3639	439
Law Officers	230	146	84
Technical Officers	155	64	91
Ministerial Level	1421	1329	92
Group 'D' Level	77	64	13
<b>Grand Total</b>	<b>5961</b>	<b>5242</b>	<b>719</b>

# **ANNEXURES**



**Group wise Staff Strength and related information, as on 31.12.2009**

	<b>Group ‘A’</b>	<b>Group ‘B’</b>	<b>Group ‘C’</b>	<b>Group ‘D’</b>	<b>Total</b>
Sanctioned Strength	51	88	71	73	283
Officials in position	44	84	46	71	245

**Representation of Scheduled Castes, Scheduled Tribes and OBCs**

As per the Government’s policy and instructions, the Commission has been making every effort for implementing the same in respect of the posts under its administrative control. The percentage of Scheduled Castes/Scheduled Tribes and OBCs in the various group of posts filled/held otherwise than by deputation as on 31.12.2009 is given below:

	<b>Group ‘A’</b>	<b>Group ‘B’</b>	<b>Group ‘C’</b>	<b>Group ‘D’</b>
Scheduled Castes	10%**	13.50%	7.05%	42%
Scheduled Tribes	10%**	2.50%	1.40%	5.50%
OBC	-	8.50%	11.26%	11%

\*\*within the cadre of the Commission

**Progressive Use of Hindi**

The Official Language Policy is being given due emphasis by the Commission for implementation of the provisions as also achievement of the objectives envisaged in the Official Language Act, 1963.

Meetings of the Official Language Implementation Committee of the Commission are held regularly.

The Commission organizes Hindi fortnight/week in the month of September every year. During the year under report, Message of the Central Vigilance Commissioner was circulated in the Commission on the occasion of Hindi Day and a Hindi Essay Competition was organized in which prizes were distributed by the CVC to the winning participants.

**Annexure-II**  
(Para 3.13)

**Organisation-wise details of Punishments imposed during 2009 in respect of cases where  
Commission's advice was obtained**

<b>S. No.</b>	<b>Name of the Department/ Organisation</b>	<b>Prose- cution</b>	<b>Major Penalty</b>	<b>Minor Penalty</b>	<b>Admn. Action</b>
1.	Airport Authority of India	0	2	3	0
2.	Allahabad Bank	0	1	20	0
3.	Andhra Bank	0	2	9	1
4.	Bank of Baroda	0	2	5	0
5.	Bank of India	0	12	28	4
6.	Bank of Maharastra	0	1	4	1
7.	Bharat Coking Coal Ltd.	0	1	1	3
8.	Bharat Heavy Electricals Ltd.	0	3	9	5
9.	Bharat Petroleum Corpn. Ltd.	0	0	4	0
10.	Bharat Sanchar Nigam Ltd.	1	5	6	14
11.	Border Road Development Board	0	0	2	0
12.	Bureau of India Standards	0	1	0	0
13.	Canara Bank	0	73	39	12
14.	CAPART	0	4	1	0
15.	Central Bank of India	0	4	0	0
16.	Central Board of Direct Taxes	11	14	1	4
17.	Central Board of Excise & Customs	50	15	16	15
18.	Central Bureau of Investigation	0	1	1	0
19.	Central Coalfields Ltd.	0	31	25	10
20.	Central Council for Research in Ayurveda & Siddha	0	3	1	1
21.	Central Industrial Security Force	0	1	0	0
22.	Central Public Works Development	1	4	3	8
23.	Central Reserve Police Force	0	2	0	0
24.	Central Reserve Police Force	0	2	0	0
25.	Central Warehousing Corporation	0	2	1	0
26.	Chandigarh Admn.	0	4	3	1
27.	Coal India Ltd.	0	0	1	0
28.	Container Corporation of India	0	0	7	1
29.	Corporation Bank	1	3	2	0
30.	Cotton Corporation of India	0	1	0	0
31.	Council of Scientific & Industrial Research	1	3	3	0
32.	D/o Agriculture & Cooperation	0	0	0	1
33.	D/o Atomic Energy	0	1	3	0
34.	D/o AYUSH	0	2	1	0
35.	D/o Coal	0	0	8	0
36.	D/o Commerce	0	3	0	0
37.	D/o Company Affairs	0	2	0	0
38.	D/o Consumer Affairs	0	1	3	1
39.	D/o Defence Production & Supplies	2	0	1	4
40.	D/o Economic Affairs	0	0	0	1

41.	D/o Fertilizers	0	2	0	5
42.	D/o Health	1	1	0	1
43.	D/o Heavy Industries	0	0	0	2
44.	D/o Industrial Policy & Promotion	2	0	0	0
45.	D/o Mines	0	0	9	0
46.	D/o Personnel & Training	18	4	0	0
47.	D/o Posts	0	2	0	1
48.	D/o Revenue	0	0	2	0
49.	D/o Secondary & Higher Education and D/o of Elementary Education & Literacy	4	1	0	0
50.	D/o Steel	0	2	0	0
51.	D/o Sugar & Edible Oils	0	0	0	1
52.	D/o Telecom	2	37	25	20
53.	Delhi Development Authority	0	78	15	5
54.	Delhi Jal Board	0	13	2	0
55.	Delhi Transco Ltd. / IPGCL	0	1	0	0
56.	Delhi Transport Corporation	0	0	3	0
57.	Dena Bank	0	5	0	0
58.	Eastern Coalfields Ltd.	0	6	3	2
59.	Employee Provident Fund Organisation	0	3	10	3
60.	Employees State Insurance Corporation	0	2	1	0
61.	Food Corporation of India	3	21	6	1
62.	Gas Authority of India	0	0	4	4
63.	Govt. of NCT of Delhi	1	1	1	3
64.	Govt. of Puducherry	0	1	9	0
65.	Hindustan Latex Ltd.	1	0	2	0
66.	Hindustan Paper Corporation	0	0	1	0
67.	HMT Ltd.	0	1	0	13
68.	HUDCO	7	1	8	0
69.	IGNOU	0	0	2	0
70.	Indian Bank	0	0	5	0
71.	Indian Council Agricultural Research	0	9	6	1
72.	Indian Oil Corpn. Ltd.	0	46	18	19
73.	Indian Overseas Bank	1	0	3	0
74.	Indian Tourism Development Corporation	0	4	7	1
75.	Industrial Development Bank of India	0	0	1	0
76.	Industrial Investment Bank of India Ltd.	0	1	1	0
77.	Kendriya Vidyalaya Sangatan	0	3	0	2
78.	Kolkata Port Trust	0	2	0	0
79.	Life Insurance Corporation of India	0	2	1	5
80.	M/o Defence	3	1	9	4
81.	M/o Environment & Forest	1	0	0	0
82.	M/o External Affairs	1	2	1	0
83.	M/o Home Affairs	14	2	2	0
84.	M/o Information & Broadcasting	10	6	11	0
85.	M/o Information Technology	0	0	1	0
86.	M/o Labour	1	2	0	0
87.	M/o MSME	1	0	0	0

88.	M/o Petroleum & Natural Gas	0	3	1	4
89.	M/o Railway	12	105	292	100
90.	M/o Shipping	1	0	0	0
91.	M/o Social Justice & Empowerment	0	1	0	0
92.	M/o Textiles	1	2	2	0
93.	M/o Urban Development	5	11	7	10
94.	M/o Urban Development & Poverty Alleviation	0	0	1	0
95.	M/o Water Resources	4	3	3	0
96.	Madras Fertilizers Ltd.	0	1	0	0
97.	Mahanadi Coalfield Ltd.	0	5	25	0
98.	Mahanagar Telephone Nigam Ltd.	0	3	0	2
99.	MMTC Ltd.	0	2	0	0
100.	Mormugao Port Trust	0	0	1	0
101.	Municipal Corporation of Delhi	55	38	9	5
102.	National Consumer Cooperative Federation	0	3	1	1
103.	National Highway Authority of India	0	2	1	0
104.	National Insurance Co. Ltd.	0	49	33	0
105.	National Thermal Power Corporation	0	0	6	0
106.	NEEPCO	0	0	1	0
107.	New Delhi Municipal Corporation	0	4	3	1
108.	New India Insurance Co. Ltd.	0	23	5	2
109.	New Mangalore Port Trust	0	1	3	0
110.	Northern Coalfields Ltd.	0	3	3	1
111.	Nuclear Power Corporation India Ltd.	0	0	1	0
112.	O/o C&AG	0	0	3	1
113.	O/o DC (SSI)	0	1	3	0
114.	Oil & Natural Gas Corpn. Ltd.	0	2	15	42
115.	Oriental Insurance Co. Ltd.	0	25	37	5
116.	PGIMER	0	0	1	0
117.	Punjab & Sind Bank	0	2	3	1
118.	Punjab National Bank	2	9	4	1
119.	Rail India Technical & Economic Services Ltd.	0	0	1	0
120.	Rastriya Ispat Nigam Ltd.	1	0	2	0
121.	Securities and Exchange Board of India	1	0	0	0
122.	South Eastern Coalfields Ltd.	0	10	3	0
123.	Sports Authority of India	1	0	0	0
124.	State Bank of Bikaner & Jaipur	1	10	35	6
125.	State Bank of Hyderabad	0	19	4	1
126.	State Bank of India	0	27	22	2
127.	State Bank of Indore	0	1	2	1
128.	Steel Authority of India Ltd.	0	1	1	0
129.	Syndicate Bank	0	4	12	15
130.	State Trading Corporation	0	1	0	0
131.	Tribal Coop. Marketing Development Federation of India	0	1	1	0
132.	UCO Bank	2	2	1	0
133.	Union Bank of India	0	28	3	0
134.	United Bank of India	0	0	6	0

135.	United India Insurance Co. Ltd.	1	3	8	0
136.	Vijaya Bank	0	3	0	0
137.	Western Coalfields Ltd.	0	0	2	0
	<b>Total</b>	<b>225</b>	<b>876</b>	<b>947</b>	<b>381</b>

**Annexure III-A(i)**  
(Para 4.5)

**Work done by CVOs in 2009**

**Details of Complaints sent by CVC including Whistle Blower**

<b>S. No.</b>	<b>Department/Sector</b>	<b>Total Received</b>	<b>Disposal</b>	<b>Pending</b>	<b>Pending for more than six months</b>
1.	Atomic Energy	26	14	12	3
2.	Banks	638	548	90	19
3.	Civil Aviation	34	27	7	1
4.	Coal	85	40	45	12
5.	Commerce	17	10	7	2
6.	Customs & Excise	85	42	43	32
7.	Defence	12	8	4	1
8.	Fertilizers	19	10	9	2
9.	Finance	0	0	0	0
10.	Food & Consumer Affairs	44	32	12	10
11.	Govt. of NCT Delhi	131	14	117	4
12.	Health & Family Welfare	0	0	0	0
13.	Heavy Industry	27	11	16	13
14.	Home Affairs	12	6	6	3
15.	Human Resource Development	2	1	1	1
16.	Insurance	59	53	6	3
17.	Labour	93	60	33	21
18.	Mines	24	19	5	0
19.	Non-Conventional Energy Sources	1	1	0	0
20.	Petroleum	128	100	28	8
21.	Power	65	29	36	20
22.	Railways	279	204	75	26
23.	Rural Development	2	1	1	1
24.	Science & Technology	63	8	55	25
25.	Steel	72	43	29	11
26.	Surface Transport	29	28	1	1
27.	Telecommunication	96	63	33	20
28.	Tourism	14	11	3	0
29.	Urban Affairs	158	48	110	60
30.	Miscellaneous	215	26	189	145
	<b>Total</b>	<b>2430</b>	<b>1457</b>	<b>973</b>	<b>444</b>

Note : The data is based on the Annual reports submitted by the CVOs.

**Annexure III-A(ii)**  
(Para 4.5)

***Work done by CVOs in 2009***  
***Details of Complaints regarding other employees***

<b>S. No.</b>	<b>Department/Sector</b>	<b>Total Received</b>	<b>Disposal</b>	<b>Pending</b>	<b>Pending for more than six months</b>
1.	Atomic Energy	70	53	17	9
2.	Banks	5525	4733	792	155
3.	Civil Aviation	121	107	14	10
4.	Coal	1157	848	309	119
5.	Commerce	11	7	4	1
6.	Customs & Excise	1360	697	663	392
7.	Defence	290	235	55	14
8.	Fertilizers	108	62	46	13
9.	Finance	5	0	5	0
10.	Food & Consumer Affairs	136	109	27	17
11.	Govt. of NCT Delhi	2831	622	2209	65
12.	Health & Family Welfare	170	16	154	93
13.	Heavy Industry	174	115	59	33
14.	Home Affairs	232	139	93	52
15.	Human Resource Development	16	12	4	0
16.	Insurance	483	394	89	20
17.	Labour	239	155	84	47
18.	Mines	97	76	21	5
19.	Non-Conventional Energy Sources	4	4	0	0
20.	Petroleum	1441	1215	226	92
21.	Power	177	107	70	32
22.	Railways	8078	6194	1884	619
23.	Rural Development	33	15	18	8
24.	Science & Technology	103	53	50	32
25.	Steel	1048	869	179	23
26.	Surface Transport	560	387	173	73
27.	Telecommunication	1031	623	408	135
28.	Tourism	46	30	16	3
29.	Urban Affairs	629	245	384	262
30.	Miscellaneous	3369	2850	519	127
	<b>Total</b>	<b>29544</b>	<b>20972</b>	<b>8572</b>	<b>2451</b>

Note : The data is based on the Annual reports submitted by the CVOs.

**Annexure III-A(iii)**  
(Para 4.5)

**Work done by CVOs in 2009**

**Details of Complaints regarding all category of employees**

<b>S. No.</b>	<b>Department/Sector</b>	<b>Total Received</b>	<b>Disposal</b>	<b>Pending</b>	<b>Pending for more than six months</b>
1.	Atomic Energy	96	67	29	12
2.	Banks	6163	5281	882	174
3.	Civil Aviation	155	134	21	11
4.	Coal	1242	888	354	131
5.	Commerce	28	17	11	3
6.	Customs & Excise	1445	739	706	424
7.	Defence	302	243	59	15
8.	Fertilizers	127	72	55	15
9.	Finance	5	0	5	0
10.	Food & Consumer Affairs	180	141	39	27
11.	Govt. of NCT Delhi	2962	636	2326	69
12.	Health & Family Welfare	170	16	154	93
13.	Heavy Industry	201	126	75	46
14.	Home Affairs	244	145	99	55
15.	Human Resource Development	18	13	5	1
16.	Insurance	542	447	95	23
17.	Labour	332	215	117	68
18.	Mines	121	95	26	5
19.	Non-Conventional Energy Sources	5	5	0	0
20.	Petroleum	1569	1315	254	100
21.	Power	242	136	106	52
22.	Railways	8357	6398	1959	645
23.	Rural Development	35	16	19	9
24.	Science & Technology	166	61	105	57
25.	Steel	1120	912	208	34
26.	Surface Transport	589	415	174	74
27.	Telecommunication	1127	686	441	155
28.	Tourism	60	41	19	3
29.	Urban Affairs	787	293	494	322
30.	Miscellaneous	3584	2876	708	272
	<b>Total</b>	<b>31974</b>	<b>22429</b>	<b>9545</b>	<b>2895</b>

Note : The data is based on the Annual reports submitted by the CVOs.



**Annexure III-B**  
(Para 4.5)

**Work done by CVOs in 2009**

**Details of Departmental Inquires against officers**  
(UNDER THE CVC JURISDICTION)

<b>S. No.</b>	<b>Department/Sector</b>	<b>Total Received</b>	<b>Disposal</b>	<b>Pending</b>	<b>Pending for more than six months</b>
1.	Atomic Energy	8	0	8	8
2.	Banks	309	143	166	79
3.	Civil Aviation	32	9	23	4
4.	Coal	63	18	45	35
5.	Commerce	13	1	12	11
6.	Customs & Excise	349	88	261	217
7.	Defence	8	3	5	0
8.	Fertilizers	14	4	10	10
9.	Food & Consumer Affairs	49	19	30	26
10.	Govt. of NCT Delhi	327	226	101	71
11.	Heavy Industry	4	3	1	1
12.	Home Affairs	12	1	11	11
13.	Insurance	132	63	69	37
14.	Labour	32	2	30	20
15.	Petroleum	179	56	123	95
16.	Power	14	4	10	6
17.	Railways	209	75	134	84
18.	Rural Development	9	1	8	7
19.	Science & Technology	83	4	79	78
20.	Steel	3	1	2	1
21.	Surface Transport	36	13	23	20
22.	Telecommunication	93	22	71	69
23.	Tourism	2	0	2	0
24.	Urban Affairs	69	16	53	43
	<b>Total</b>	<b>2049</b>	<b>772</b>	<b>1277</b>	<b>933</b>

Note : The data is based on the Annual reports submitted by the CVOs.

Work done by CVOs in 2009

Details of Departmental Inquires against other employees

S. No.	Department/Sector	Total Received	Disposal	Pending	Pending for more than six months
1.	Atomic Energy	130	50	80	45
2.	Banks	4915	3060	1855	524
3.	Civil Aviation	123	62	61	34
4.	Coal	182	68	114	73
5.	Commerce	6	1	5	4
6.	Customs & Excise	908	312	596	482
7.	Defence	122	68	54	18
8.	Fertilizers	74	28	46	24
9.	Finance	0	0	0	0
10.	Food & Consumer Affairs	56	14	42	13
11.	Govt. of NCT Delhi	172	118	54	40
12.	Health & Family Welfare	124	24	100	100
13.	Heavy Industry	38	25	13	5
14.	MHA	272	168	104	38
15.	Human Resource Development	7	1	6	6
16.	Industrial Development	1	0	1	1
17.	Information & Broadcasting	0	0	0	0
18.	Insurance	375	196	179	80
19.	Labour	223	56	167	85
20.	Mines	24	6	18	3
21.	Non-Conventional Energy Sources	1	0	1	0
22.	Petroleum	177	73	104	79
23.	Power	56	31	25	3
24.	Railways	1902	1121	781	400
25.	Rural Development	3	0	3	3
26.	Science & Technology	49	15	34	29
27.	Steel	47	28	19	12
28.	Surface Transport	90	55	35	22
29.	Telecommunication	1168	547	621	492
30.	Tourism	71	51	20	10
31.	Urban Affairs	29	7	22	21
32.	Miscellaneous	110	16	94	78
	<b>Total</b>	<b>11455</b>	<b>6201</b>	<b>5254</b>	<b>2724</b>

Note : The data is based on the Annual reports submitted by the CVOs.

**Annexure III-D**  
(Para 4.5)

**Work done by CVOs in 2009**

**Details of Prosecution Sanctions for all categories**

S. No.	Department/Sector	Total cases for sanction	Disposal		Pending	Pending for more than six months
			Sanctioned	Refused		
1.	Atomic Energy	1	0	1	0	0
2.	Banks	179	117	45	17	0
3.	Civil Aviation	20	12	8	0	0
4.	Coal	27	27	0	0	0
5.	Customs & Excise	19	16	0	3	0
6.	Defence	1	1	0	0	0
7.	Environment & Forests	0	0	0	0	0
8.	Fertilizers	1	1	0	0	0
9.	Food & Consumer Affairs	3	3	0	0	0
10.	Govt. of NCT Delhi	7	0	0	7	0
11.	Health & Family Welfare	1	1	0	0	0
12.	Heavy Industry	4	4	0	0	0
13.	Home Affairs	1	1	0	0	0
14.	Insurance	25	25	0	0	0
15.	Labour	16	14	1	1	0
16.	Petroleum	115	9	9	97	0
17.	Railways	72	53	3	16	0
18.	Science & Technology	2	2	0	0	0
19.	Steel	4	3	0	1	0
20.	Surface Transport	3	3	0	0	0
21.	Telecommunication	27	15	1	11	0
22.	Urban Affairs	13	13	0	0	0
23.	Miscellaneous	68	51	0	17	0
	<b>Total</b>	<b>609</b>	<b>371</b>	<b>68</b>	<b>170</b>	<b>0</b>

Note : The data is based on the Annual reports submitted by the CVOs.

**Annexure III-E**  
(Para 4.5)

**Work done by CVOs in 2009**

**Details on punishment awarded (all categories) in cases of Major Penalty Proceedings**

S No	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	Total
1.	Atomic Energy	0	3	0	0	14	6	4	27
2.	Banks	7	667	1208	393	144	138	108	2665
3.	Civil Aviation	0	9	23	4	11	7	5	59
4.	Coal	0	14	62	9	5	35	12	137
5.	Commerce	0	0	1	0	0	0	1	2
6.	Customs & Excise	3	25	28	22	7	26	60	171
7.	Defence	5	7	15	20	16	3	18	84
8.	Fertilizers	1	3	2	0	1	11	6	24
9.	Finance	0	0	0	0	0	0	0	0
10.	Food & Consumer Affairs	1	0	7	7	2	0	3	20
11.	Govt. of NCT Delhi	48	8	101	26	11	45	32	271
12.	Health & Family Welfare	0	5	0	0	6	8	5	24
13.	Heavy Industry	0	5	6	7	3	2	1	24
14.	Home Affairs	6	83	22	11	6	1	13	142
15.	Human Resource Development	0	0	0	0	0	0	0	0
16.	Insurance	11	29	214	25	25	25	36	365
17.	Labour	0	11	6	7	35	12	32	103
18.	Petroleum	0	16	9	12	26	26	13	102
19.	Power	0	1	1	8	8	6	4	28
20.	Railways	24	183	284	652	121	28	71	1363
21.	Science & Technology	0	6	2	0	1	1	7	17
22.	Steel	0	2	12	14	1	1	0	30
23.	Surface Transport	4	2	15	4	14	1	0	40
24.	Telecommunication	2	51	12	33	3	1	16	118
25.	Tourism	0	2	10	1	3	3	0	19
26.	Urban Affairs	8	0	3	0	2	0	7	20
27.	Miscellaneous	1	0	10	1	2	2	10	26
	<b>Total</b>	<b>121</b>	<b>1132</b>	<b>2053</b>	<b>1256</b>	<b>467</b>	<b>388</b>	<b>464</b>	<b>5881</b>

Note : The data is based on the Annual reports submitted by the CVOs.

**Annexure III-F**  
(Para 4.5)

**Work done by CVOs in 2009**

**Details of punishment awarded (all categories) in cases of Minor penalty proceedings**

S. No.	Department/Sector	Reduction to lower stage	Postponement /withholding of increment	Recovery from pay	Withholding of promotion	Censure/ Warning	No Action	Total
1.	Atomic Energy	2	0	1	0	22	1	26
2.	Banks	594	96	41	29	681	76	1517
3.	Civil Aviation	0	2	0	0	1	1	4
4.	Coal	12	19	5	1	81	14	132
5.	Commerce	0	2	0	0	0	1	3
6.	Customs & Excise	11	7	0	0	33	16	67
7.	Defence	6	5	0	0	35	4	50
8.	Fertilizers	3	12	1	0	13	1	30
9.	Food & Consumer Affairs	3	4	0	0	14	0	21
10.	Govt. of NCT Delhi	16	17	3	0	23	4	63
11.	Heavy Industry	3	6	2	3	45	3	62
12.	Home Affairs	0	19	21	1	78	78	197
13.	Insurance	18	46	0	0	77	1	142
14.	Labour	6	13	0	0	33	5	57
15.	Mines	0	1	1	0	3	1	6
16.	Petroleum	4	9	0	0	121	30	164
17.	Power	4	4	0	0	39	4	51
18.	Railways	217	3540	10	133	2535	394	6829
19.	Science & Technology	2	0	0	0	3	1	6
20.	Steel	0	34	0	0	32	1	67
21.	Surface Transport	4	7	0	0	34	0	45
22.	Telecommunication	2	29	2	0	34	11	78
23.	Tourism	0	3	4	1	24	0	32
24.	Urban Affairs	1	1	0	0	3	5	10
25.	Miscellaneous	0	0	0	0	0	1	1
	<b>Total</b>	<b>908</b>	<b>3876</b>	<b>91</b>	<b>168</b>	<b>3964</b>	<b>653</b>	<b>9660</b>

Note : The data is based on the Annual reports submitted by the CVOs.

**Annexure III-G**  
**(Para 4.5)**

**Organizations from whom Annual Report for the year 2009 received**

S. No.	Organization	S. No.	Organization	S. No.	Organization
1.	Air India	46.	Gas Authority of India Ltd.	91.	North Eastern Electric Power Corpn
2.	Airports Authority of India	47.	Goa Shipyard Ltd.	92.	Northern Coalfields Ltd.
3.	Allahabad Bank	48.	Govt. of N.C.T. of Delhi	93.	Oil & Natural Gas Corporation Limited
4.	Andhra Bank	49.	Heavy Engineering Corporation Ltd.	94.	Oriental Bank of Commerce
5.	Andrew Yule & Co. Ltd.	50.	Hindustan Aeronautics Ltd.	95.	Oriental Insurance Co. Ltd.
6.	Bank of Baroda	51.	Hindustan Antibiotics Ltd.	96.	Pawan Hans Helicopters Ltd.
7.	Bank of India	52.	Hindustan Cables Ltd.	97.	Power Finance Corporation Ltd.
8.	Bank of Maharashtra	53.	Hindustan Fertilizer Corporation Ltd.	98.	Power Grid Corpn. Of India Ltd.
9.	Bharat Coaking Coal Ltd	54.	Hindustan Insecticides Ltd.	99.	Projects & Development India Ltd.
10.	Bharat Dynamics Ltd	55.	Hindustan Organic Chemicals Ltd.	100.	Punjab & Sind Bank
11.	Bharat Earth Movers Ltd.	56.	Hindustan Petroleum Corpn. Ltd.	101.	Punjab National Bank
12.	Bharat Electronics Ltd.	57.	H.M.T. Ltd.	102.	Rastriya Ispat Nigam Limited
13.	Bharat Heavy Electricals Ltd.	58.	Hotel Corporation of India	103.	Reserve Bank of India
14.	Bharat Petroleum Corp. Ltd.	59.	I.I.M., Ahmadabad	104.	Satluj Jal Vidyut Nigam Limited
15.	Bharat Sanchar Nigam Ltd.	60.	Indian Bank	105.	Security Printing & Minting Corp. Of India Ltd.
16.	Bhartiya Reserve Bank Note Mudran Pvt. Ltd.	61.	Indian Oil Corporation Ltd.	106.	Shipping Corporation of India Ltd.
17.	Bureau Of Indian Standards.	62.	Indian Railway Catering and Tourism Corp Ltd.	107.	Small Industries Dev. Bank Of India
18.	Canara Bank	63.	Indian Rare Earths Ltd.	108.	Sponge Iron India Ltd.
19.	Central Bank of India	64.	Indian Renewable Energy Development Agency Ltd.	109.	State Bank of Bikaner & Jaipur
20.	Central Coalfields Ltd.	65.	Industrial Development Bank of India	110.	State Bank of Hyderabad
21.	Central Mines Planning & Design Institute Limited	66.	Industrial Investment Bank of India Ltd.	111.	State Bank of India
22.	Central Public Works Department	67.	IRCON International Ltd.	112.	State Bank of Indore
23.	Central Pulps & Paper Research Instt.	68.	Jawaharlal Nehru University	113.	State Bank of Mysore
24.	Chennai Petroleum Corporation Ltd.	69.	Kochi Shipyard Ltd.	114.	State Bank of Patiala
25.	Chennai Port Trust	70.	Kolkata Port Trust	115.	State Bank of Travancore
26.	Coal India Ltd.	71.	M.M.T.C. Ltd.	116.	State Trading Corporation of India Limited.
27.	Corporation Bank	72.	Madras Fertilizers Ltd.	117.	Steel Authority of India Ltd.
28.	Council of Scientific & Industrial Research	73.	Mahanagar Telephone Nigam Limited	118.	Syndicate Bank
29.	Damodar Valley Corporation	74.	Mazagon Dock Ltd	119.	Telecommunication Consultants India Ltd.
30.	Defence Accounts Department (C.G.D.A.)	75.	Ministry of Home Affairs	120.	Tuticorin Port Trust
31.	Delhi Development Authority	76.	Ministry of Labour & Employment	121.	UCO Bank
32.	Delhi Metro Rail Corporation Ltd.	77.	Ministry of Railway	122.	Union Bank of India
33.	Delhi Transco Ltd.	78.	Ministry of Steel	123.	United India Insurance Co. Ltd.
34.	Delhi Transport Corporation	79.	Mishra Dhatu Nigam Ltd.	124.	University of Hyderabad
35.	Dena Bank	80.	Mormugao Port Trust	125.	Vijaya Bank
36.	Department of Science and Technology	81.	Mumbai Port Trust	126.	Visakhapatnam Port Trust.
37.	Department of Telecommunications Services	82.	National Aluminum Co. Ltd.		
38.	Directorate General of Assam Rifle's	83.	National Fertilizer Ltd		
39.	DOEACC Society	84.	National Housing Bank		
40.	Dredging Corpn. Of India Ltd.	85.	National Hydro-Electric Power Corporation Ltd.		
41.	Eastern Coalfields Ltd.	86.	National Insurance Co. Ltd.		
42.	Engineering Projects India Ltd.	87.	National Mineral Development Corporation Limited		
43.	Ennore Port Trust	88.	National Thermal Power Corporation Limited.		
44.	Fertilizer & Chemicals Travancore Ltd.	89.	New India Assurance Co. Ltd.		
45.	Fertilizer Corporation of India Ltd.	90.	Neyveli Lignite Corpn. Ltd.		

**Annexure-IV**  
(Para 5.8)

**List of organisations yet to submit reports on complaints forwarded by the Commission**

S. No.	Name of the organisation	Complaints pending with CVOs for investigation		
		Upto one year	Between one-three years	More than three years
1.	AICTE	0	5	3
2.	AIIMS	3	1	0
3.	Air India	1	2	0
4.	Aligarh Muslim University	0	1	0
5.	Allahabad Bank	3	0	0
6.	Andaman & Nicobar Admn.	1	2	0
7.	Andhra Bank	1	0	0
8.	Bank of Baroda	4	0	1
9.	Bank of India	8	0	0
10.	Bank of Maharashtra	1	0	0
11.	Bharat Coking Coal Ltd.	6	0	0
12.	Bharat Dynamics Ltd.	1	0	0
13.	Bharat Earth Movers Ltd.	1	0	0
14.	Bharat Heavy Electricals Ltd.	6	1	0
15.	Bharat Petroleum Corporation Ltd.	2	0	0
16.	Bharat Sanchar Nigam Ltd.	15	4	0
17.	Border Road Development Board	1	1	0
18.	Brahmaputra Board	1	0	0
19.	Bridge & Roof Co. Ltd.	1	0	0
20.	Bureau of Indian Standards	1	4	0
21.	Cabinet Secretariat	1	0	0
22.	Canara Bank	4	2	0
23.	Cement Corporation of India Ltd.	2	0	0
24.	Central Bank of India	8	1	2
25.	Central Board of Direct Taxes	16	69	12
26.	Central Board of Excise & Customs	11	14	0
27.	Central Board of Secondary Education	2	2	0
28.	Central Board of Workers Education	0	1	0
29.	Central Bureau of Investigation	2	0	0
30.	Central Coalfields Ltd.	3	0	0
31.	Central Industrial Security Force	0	2	0
32.	Central Public Works Department	13	11	0
33.	Chandigarh Admn.	4	1	0
34.	Coal India Ltd.	4	4	1
35.	Comptroller & Auditor General of India	1	1	0
36.	Container Corp. of India	3	0	0
37.	Corporation Bank	1	0	0

38.	Cotton Corporation of India Ltd.	2	0	0
39.	Council for Advancement of Peoples Action and Rural Technology	4	6	0
40.	Council of Scientific & Industrial Research	4	0	0
41.	Central Warehousing Corp. Ltd.	3	3	1
42.	D/o Agriculture & Cooperation	0	3	0
43.	D/o Animal Husbandry & Dairying	0	2	0
44.	D/o Atomic Energy	2	1	0
45.	D/o Ayush & Homeopathy	3	1	0
46.	D/o Biotechnology	1	0	0
47.	D/o Chemical & Petrochemicals	1	2	0
48.	D/o Coal	4	0	0
49.	D/o Commerce (Supply Division)	1	1	0
50.	D/o Company Affairs	0	1	0
51.	D/o Consumer Affairs	1	2	0
52.	D/o Defence Production & Supplies	6	7	0
53.	D/o Economic Affairs	4	3	0
54.	D/o Fertilizers	2	0	0
55.	D/o Financial Services	8	6	0
56.	D/o Food & Public Distribution	3	1	0
57.	D/o Food Processing Industries	0	1	0
58.	D/o Health	20	17	2
59.	D/o Heavy Industries	5	0	0
60.	D/o Industrial Policy & Promotion	4	1	0
61.	D/o Legal Affairs & Legislative Department	1	0	0
62.	D/o Mines	2	1	0
63.	D/o Ocean Development	0	4	1
64.	D/o of Science & Technology	2	0	0
65.	D/o Posts	12	2	0
66.	D/o Revenue	1	7	0
67.	D/o Secondary & Higher Education and D/o Elementary Education & Literacy	14	37	1
68.	D/o Shipping	3	4	0
69.	D/o Space	0	1	0
70.	D/o Steel	1	1	0
71.	D/o Telecom	10	6	0
72.	D/o Women & Child Development	1	3	0
73.	D/o Youth Affairs & Sports	2	6	0
74.	Dadra & Nagar Haveli	1	0	0
75.	Daman & Diu	1	1	0
76.	Damodar Valley Corporation	1	0	0
77.	Delhi Development Authority	32	26	0
78.	Defence Accounts Department (CGDA)	0	1	0
79.	Delhi Police	9	8	0
80.	Dena Bank	2	1	0
81.	Delhi Jal Board	13	7	0
82.	Delhi Metro Rail Corpn.	1	0	0



83.	DSIIDC	4	3	0
84.	Delhi Transport Corpn.	0	1	0
85.	Delhi Transco Ltd. / IPGCL	2	1	0
86.	Educational Consultants India Ltd.	0	1	0
87.	Employees Provident Fund Organisation	8	15	0
88.	Employees State Insurance Corporation	3	11	0
89.	Export Inspection Council of India	1	0	0
90.	Food Corporation of India	15	5	0
91.	Govt. of NCT of Delhi	52	32	2
92.	Govt. of Pondicherry	1	0	0
93.	Hindustan Copper Ltd.	2	0	0
94.	Hindustan Petroleum Corporation Ltd.	13	2	0
95.	Hindustan Salts Ltd.	1	0	0
96.	Hindustan Steelworks Construction Ltd.	1	0	0
97.	Hindustan Vegetable Oils Corporation Ltd.	0	1	0
98.	HMT Ltd.	0	1	0
99.	HUDCO	2	0	0
100.	IIT, Kharagpur	0	1	0
101.	IIT, New Delhi	0	2	0
102.	IIT, Roorkee	0	1	0
103.	Indian Bureau of Mines	1	0	0
104.	Indian Council of Agricultural Research	10	6	0
105.	Indian Council of Medical Research	1	3	0
106.	Indian Drugs & Pharmaceuticals Ltd.	1	0	0
107.	Indian Oil Corporation Ltd.	18	1	0
108.	Indian Overseas Bank	17	0	0
109.	Indian Railway Catering & Tourism Corp. Ltd.	1	0	0
110.	Indian Rare Earths Ltd.	1	0	0
111.	Indian Telephone Industries Ltd.	0	1	0
112.	Indian Tourism Development Corporation	2	0	0
113.	Indira Gandhi National Open University	1	3	1
114.	Instrumentation Ltd.	1	0	0
115.	Intelligence Bureau	0	2	0
116.	Jamia Milia Islamia	0	1	0
117.	Jawaharlal Nehru Port Trust	1	0	0
118.	Jawaharlal Nehru University	0	3	0
119.	Kandla Port Trust	0	2	0
120.	Khadi & Village Industries Commission	2	1	0
121.	Kolkata Port Trust	0	1	0
122.	Life Insurance Corporation of India	18	9	1
123.	M/o Civil Aviation	2	0	0
124.	M/o Commerce	4	1	0

125.	M/o Culture	3	7	2
126.	M/o Defence	10	28	2
127.	M/o Development of North Eastern Region	0	2	0
128.	M/o Environment & Forests	2	7	1
129.	M/o External Affairs	7	4	0
130.	M/o Home Affairs	6	4	1
131.	M/o Information & Broadcasting	5	7	2
132.	M/o Information Technology	0	4	0
133.	M/o Labour	1	9	0
134.	M/o Minority Affairs	0	2	0
135.	M/o Overseas Indian Affairs	1	1	0
136.	M/o Parliamentary Affairs	0	1	0
137.	M/o Personnel, PG & Pensions	2	0	0
138.	M/o Petroleum & Natural Gas	6	2	0
139.	M/o Power	6	3	0
140.	M/o Railways	87	30	0
141.	M/o Rural Development	1	2	0
142.	M/o Social Justice & Empowerment	2	6	0
143.	M/o Statistics & Programme Implementation	1	3	0
144.	M/o Textiles	4	2	0
145.	M/o Tourism	1	0	0
146.	M/o Tribal Affairs	0	0	1
147.	M/o Urban Development and Poverty Alleviation	14	12	0
148.	M/o Water Resources	7	2	0
149.	Mahanagar Telephone Nigam Ltd.	4	0	0
150.	Municipal Corporation of Delhi	55	13	0
151.	Medical Council of India	0	1	0
152.	MMTC Ltd.	5	0	0
153.	National Agricultural Cooperative Marketing Federation of India Ltd.	0	1	0
154.	National Aluminum Co. Ltd.	1	0	0
155.	National Bank for Agriculture and Rural Development	1	1	0
156.	National Board of Examinations	1	0	0
157.	National Book Trust, India	0	1	0
158.	National Cooperative Consumers' Federation of India	0	1	0
159.	National Fertilizers Ltd.	1	0	0
160.	National Highways Authority of India	4	2	0
161.	National Hydro-Electric Power Corporation Ltd.	6	1	0
162.	National Institute of Educational Planning & Administration	0	1	0
163.	National Insurance Co. Ltd.	2	0	0
164.	National Institute of Technology, Jamshedpur	0	1	0
165.	National Productivity Council	1	0	0

166.	Navodaya Vidyalaya Samiti	1	3	0
167.	National Buildings Construction Corporation Ltd.	3	0	0
168.	New Delhi Municipal Council	5	0	0
169.	New India Insurance Co. Ltd.	5	1	0
170.	National Mineral Development Corporation	0	1	0
171.	Northern Coalfields Ltd.	3	0	0
172.	National Thermal Power Corporation	3	1	0
173.	Numaligarh Refinery Ltd.	1	0	0
174.	Oil India Ltd.	1	0	0
175.	Oil and Natural Gas Corporation	8	0	0
176.	Oriental Bank of Commerce	5	0	0
177.	Power Grid Corporation of India Ltd.	4	0	0
178.	Prasar Bharati	0	1	0
179.	Project & Equipment Corp. of India Ltd.	1	0	0
180.	Punjab & Sind Bank	1	0	0
181.	Punjab National Bank	11	0	0
182.	Rashtriya Chemicals & Fertilizers Ltd.	0	0	0
183.	Reserve Bank of India	1	1	0
184.	Shipping Corporation of India Ltd.	2	0	0
185.	Software Technology Park of India	1	0	0
186.	South Eastern Coalfields Ltd.	6	1	0
187.	State Bank of Bikaner & Jaipur	2	1	0
188.	State Bank of India	19	3	0
189.	State Bank of Indore	3	0	0
190.	State Bank of Mysore	0	1	1
191.	State Bank of Patiala	4	0	0
192.	State Bank of Saurashtra	0	1	0
193.	Steel Authority of India Ltd.	4	0	0
194.	Syndicate Bank	6	1	1
195.	THDC (I) Ltd.	1	0	0
196.	The State Trading Corporation Ltd.	0	0	0
197.	Tuticorin Port Trust	1	0	0
198.	UCO Bank	3	0	0
199.	Union Bank of India	9	1	0
200.	United Bank of India	2	1	0
201.	United India Insurance Co. Ltd.	6	0	0
202.	University Grants Commission	1	0	0
203.	University of Delhi	1	5	0
204.	Western Coalfields Ltd.	1	0	0
	<b>Total</b>	<b>877</b>	<b>598</b>	<b>39</b>

**List of Organizations yet to appoint CDIs nominated by the Commission**

S. No.	Name of the Organization	No. of nominations pending	
		>3 months but <1 year	>1 year
1.	Delhi Transport Corporation	0	1
2.	Coal India Ltd.	4	0
3.	Central Board of Direct Taxes	1	0
4.	Bharat Wagons & Engineering Co. Ltd.	0	1
5.	D/o Steel	7	0
6.	Central Board of Direct Taxes	1	0
7.	Delhi Transport Corporation	1	
8.	Kendriya Vidyalaya Sangathan, Chandigarh	1	0
9.	Delhi Transport Corporation	0	1
10.	Central Board of Excise & Customs	1	0
11.	M/o Agriculture	4	0
	<b>Total</b>	<b>20</b>	<b>1</b>

**List of Organizations yet to appoint CDIs nominated by the Commission  
Due to non-receipt of documents**

S. No.	Name of the Organization	No. of nominations pending	
		>3 months but <1 year	>1 year
1.	Bureau of Indian Standards	2	0
2.	Central Bank of India	1	0
3.	M/o Information & Broadcasting	1	0
4.	D/o Commerce (Supply Division)	1	0
5.	DDA	0	2
6.	Central Board of Excise & Customs	0	1
7.	Central Board of Direct Taxes	0	2
8.	M/o Health	0	4
9.	Khadi & Village Industries Corp.	1	0
	<b>Total</b>	<b>6</b>	<b>9</b>

**Annexure-VI**  
(Para 5.12)

**Organisation-wise list of cases in which Commission has not received information about implementation of its advice**

S. No.	Name of the organisation	No. of cases pending implementation of CVC's advice for more than six months	
		First Stage Advice	Second Stage advice
1.	M/o Railway	226	105
2.	Central Board of Excise & Customs	170	112
3.	D/o Telecom	115	29
4.	Central Board of Direct Taxes	84	56
5.	D/o Personnel & Training	45	14
6.	M/o Information & Broadcasting	38	10
7.	Delhi Development Authority	36	19
8.	M/o Defence	36	15
9.	M/o Home Affairs	34	13
10.	Kendriya Vidyalaya Sangathan	33	8
11.	National Insurance Co. Ltd.	31	20
12.	Bureau of India Standards	25	9
13.	Daman & Diu and Dadar & Nagar Haveli	25	9
14.	M/o Urban Development	19	18
15.	Vijaya Bank	19	0
16.	Andaman & Nicobar Admn	16	1
17.	Central Bank of India	16	0
18.	D/o Defence Production & Supplies	15	5
19.	Delhi Transport Corporation	15	0
20.	Govt. of Pondicherry	15	1
21.	Khadi & Village Industries Commission	15	7
22.	M/o Environment & Forests	15	5
23.	Indian Oil Corpn. Ltd.	14	2
24.	Canara Bank	13	0
25.	GNCTD	13	11
26.	Allahabad Bank	12	0
27.	M/o Health & Family Welfare	12	0
28.	United Bank of India	12	3
29.	D/o Revenue	11	3
30.	State Bank of Bikaner & Jaipur	11	1
31.	Bank of Maharashtra	10	0
32.	D/o Shipping	10	2
33.	HUDCO	10	0
34.	Municipal Corporation of Delhi	10	1
35.	National Highway Authority of India	10	0

36.	Central Public Works Department	9	7
37.	D/o Coal	9	0
38.	Lakshadweep Admn	9	0
39.	O/o C&AG	9	0
40.	Bank of India	8	0
41.	Central Reserve Police Force	8	6
42.	IBP Balmer Lawrie Group of Co.	8	4
43.	Kolkata Port Trust	8	2
44.	Border Roads Development Boards	7	3
45.	Employees Provident Fund Organisation	7	3
46.	M/o Water Resources	7	1
47.	Andhra Bank	6	0
48.	Container Corporation of India	6	2
49.	D/o Fertilizers	6	0
50.	D/o Youth Affairs & Sports	6	2
51.	Food Cooperation of India	6	0
52.	Indian Overseas Bank	6	0
53.	M/o Human Resources Development	6	0
54.	M/o Textiles	6	10
55.	State Bank of India	6	4
56.	United India Insurance Co. Ltd.	6	11
57.	D/o Economic Affairs	5	1
58.	D/o Steel	5	9
59.	Delhi State Industrial Development Corporation	5	1
60.	DTL / IPGCL	5	2
61.	M/o Labour	5	1
62.	M/o Social Justice & Empowerment	5	0
63.	National Hydro-Electric Power Corpn. Ltd.	5	0
64.	O/o CGDA	5	2
65.	State Bank of Patiala	5	8
66.	Bharat Coking Coal Ltd.	4	3
67.	Coal India Ltd.	4	0
68.	D/o Agriculture & Cooperation	4	1
69.	D/o Company Affairs	4	1
70.	D/o Food & Public Distribution	4	0
71.	D/o Industrial Policy and Promotion	4	1
72.	Indian Trade Promotion Orgn.	4	4
73.	M/o Culture	4	0
74.	National Projects Construction corporation Ltd.	4	0
75.	New Delhi Municipal Corporation	4	0
76.	Northern Coalfields Ltd.	4	0
77.	State Bank of Travancore	4	1
78.	UCO Bank	4	2
79.	Bharat Heavy Electricals Ltd.	3	0
80.	Chandigarh Admn.	3	3
81.	Council of Scientific & Industrial Research	3	3
82.	D/o Ayush	3	1

83.	D/o Science & Technology	3	0
84.	Dena Bank	3	3
85.	Indian Council of Agriculture Research	3	3
86.	Indian Rare Earths Ltd.	3	0
87.	M/o External Affairs	3	1
88.	M/o Small Scale Industries & Agro Rural Industries	3	0
89.	National Consumer Federation of India	3	0
90.	Navodaya Vidyalaya Samiti	3	1
91.	P G Institute of Medical Education & Research	3	1
92.	Air India	2	0
93.	All India Institute of Medical Science	2	1
94.	Bharat Sanchar Nigam Ltd.	2	1
95.	Central Coalfields Ltd.	2	0
96.	Chennai Port Trust	2	0
97.	Damodar Valley Corpn.	2	0
98.	Hindustan Organic Chemical Ltd.	2	2
99.	Hindustan Paper Corporation	2	1
100.	HMT Ltd.	2	3
101.	Indian Tourism Development Corporation	2	0
102.	Life Insurance Corporation of India	2	0
103.	M/o Petroleum & Natural Gas	2	0
104.	Madras Fertilizers Ltd.	2	0
105.	Mahanadi Coalfields Ltd.	2	0
106.	Metal Scrap Trade Corporation	2	0
107.	National Agriculture Coop. Market. Federation Ltd.	2	0
108.	National Open School	2	0
109.	Punjab National Bank	2	0
110.	Rastriya Ispat Nigam Ltd.	2	1
111.	Registrar General of India	2	1
112.	RITES	2	0
113.	Sashastra Seema Bal	2	1
114.	Syndicate Bank	2	1
115.	Union Bank of India	2	0
116.	Visakhapatnam Port Trust	2	1
117.	Airports Authority of India	1	0
118.	ALIMCO	1	0
119.	Archaeological Survey of India	1	0
120.	Bank of Baroda	1	0
121.	Betwa River Board	1	0
122.	Bharat Bhari Udyog Nigam Ltd.	1	0
123.	Bharat Petroleum Corp. Ltd.	1	0
124.	Bharat Wagons & Engineerings Co. Ltd.	1	0
125.	Cabinet Secretariat	1	1
126.	Central Board of Secondary Education	1	0

127.	Central Council for Research in Ayurveda & Siddha	1	2
128.	Central Industrial Security Force	1	1
129.	Central Mines Planning & Design Institute	1	0
130.	Coffee Board	1	0
131.	D/o Chemicals & Petrochemicals	1	0
132.	D/o Commerce (Supply Division)	1	0
133.	D/o Consumer Affairs	1	0
134.	D/o Food Processing Industries	1	1
135.	D/o Legal Affairs	1	0
136.	D/o Posts	1	5
137.	D/o Space	1	1
138.	Employees State Insurance Cooperation	1	0
139.	Geological Survey of India	1	0
140.	Hindustan Antibiotics Ltd.	1	0
141.	Hindustan Cables Ltd.	1	0
142.	Hindustan Copper Ltd.	1	0
143.	Hindustan Latex Ltd.	1	1
144.	Hindustan Vegetable Oils Corporation Ltd.	1	0
145.	Hospital Service Consultancy Corpn.	1	0
146.	Indian Bank	1	0
147.	Indian Institute of Technology, Kanpur	1	0
148.	Indira Gandhi National Open University	1	0
149.	Industrial Investment Bank of India	1	0
150.	Inland Waterways Authority of India	1	0
151.	IRCON	1	0
152.	IRCTC	1	0
153.	M/o DoNER	1	0
154.	M/o Information Technology	1	1
155.	M/o Statistics & Programme Implementation	1	0
156.	Mahanagar Telephone Nigam Ltd.	1	0
157.	Mazagaon Dock Ltd.	1	0
158.	Metallurgical Engg Consultant India	1	0
159.	National Aluminum Co. Ltd.	1	4
160.	National Building Construction Corporation	1	0
161.	National Cooperation Development Corporation	1	0
162.	National SC & ST Finance & Dev. Corp.	1	0
163.	NEPA Ltd.	1	0
164.	New India Assurance Co. Ltd.	1	2
165.	New Mangalore Port Trust	1	0
166.	Nuclear Power Corporation of India Ltd.	1	0
167.	Oil & Natural Gas Corporation	1	0
168.	Power Grid Corporation of India Ltd.	1	0
169.	Prashar Bharati	1	0
170.	Project & Equipment Corp. of India Ltd.	1	0
171.	Satluj Jal Vidyut Nigam Ltd,	1	0
172.	Scooters India Ltd.	1	0



173.	Staff Selection Committee	1	0
174.	State Bank of Hyderabad	1	0
175.	Steel Authority of India Ltd.	1	3
176.	Tribal Coop. Mktg. Development Federation of India	1	3
177.	Triveni Structural Ltd.	1	0
178.	University of Delhi	1	0
179.	Western Coalfields Ltd.	1	0
180.	Bharat Immunological and Biologicals Corp. Ltd.	0	3
181.	BPR&D	0	1
182.	CAPART	0	0
183.	Central Warehousing Corp.	0	0
184.	D/o Atomic Energy	0	1
185.	Delhi Jal Board	0	3
186.	Delhi Metro Rail Corporation	0	0
187.	Delhi Police	0	0
188.	Hindustan Fertilizers Corp. Ltd.	0	4
189.	Indian Council of Medical Research	0	0
190.	Indian Drugs & Pharmaceuticals Ltd.	0	1
191.	M/o Commerce	0	3
192.	M/o Information & Broadcasting	0	1
193.	M/o Minority Affairs	0	0
194.	M/o Overseas Indian Affairs	0	0
195.	M/o PG & Pension	0	1
196.	M/o Power	0	2
197.	M/o Rural Development	0	1
198.	Mormugao Port Trust	0	1
199.	National Remote Sensing Agency	0	2
200.	National Seed Corporation Ltd.	0	0
201.	National Textiles Corp. Ltd.	0	1
202.	Securities & Exchange Board of India	0	1
203.	Sports Authority of India	0	0
204.	Tata Memorial Centre	0	1
205.	Tea Trading Corp of India Ltd.	0	1
206.	United Trust of India	0	0
	<b>Total</b>	<b>1589</b>	<b>653</b>