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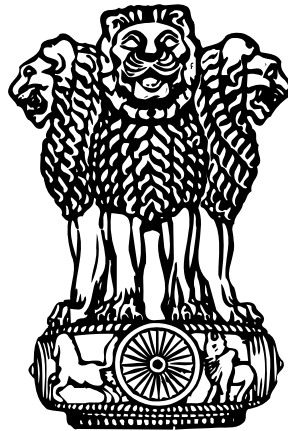
**Guidelines  
on  
Intensive Examination  
of  
Procurement & Other Contracts  
2014**



**CHIEF TECHNICAL EXAMINER'S ORGANISATION  
CENTRAL VIGILANCE COMMISSION**



# **Guidelines on Intensive Examination of Procurement & Other Contracts 2014**



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**Chief Technical Examiner's Organisation  
Central Vigilance Commission**

“On this Earth, there is  
enough for everyone’s need  
but not for their greed”

-M.K. Gandhi



**Rajiv**  
**Central Vigilance Commissioner**



CTE's Organisation of the Commission has been mandated to carry out intensive examination of public procurement contracts viz. work contracts, purchase of goods, hiring of services etc. Apart from recovery of unauthorised payments made to the private firms and disciplinary action against erring officials on the basis of observations in the Intensive Examination Reports, Organisations have been benefitted from the 'system improvements' suggested in the intensive examinations.

Earlier in the year 2001, for the first time consolidated guidelines on intensive examination being carried out by CTE's Organisation were published in the form of a booklet titled 'Intensive Examination of Works (Guidelines)'. Now, a revised booklet on this subject has been prepared enumerating the upto date instructions on various issues, besides revised formats for requisition of information from the organisations, Intensive Examination Report, Vigilance Investigation Report etc.

I am sure that this publication will be useful for all stakeholders involved in public procurement. I congratulate CTE's Organisation for bringing out this meticulously prepared booklet, which will act as 'Standard Operating Procedure'.

  
(RAJIV)

New Delhi  
01.01.2015

“To make your children  
capable of honesty is the  
beginning of education”

-John Ruskin



**Alok Kumar**  
**Secretary**  
**Central Vigilance Commission**



CTE's Organisation has been engaged in intensive examination of Public Procurement & other Contracts for more than five decades since its inception in the year 1957. During this long journey, performance of CTE's Organisation has been exemplary. It has contributed not only in bringing important systemic improvements in Public Procurement Procedures, but has also contributed in preventing loss to Government Exchequer by way of detecting inadmissible and unauthorised payments to private firms during intensive examinations. Recovery of substantial amounts from the private firms on the basis of observations during intensive examinations is testimony to the effectiveness of the CTE's Organisation.

In order to be effective and proficient, it is necessary for any organisation to have codified rules and procedures. This booklet is a praiseworthy effort of CTE's Organisation in bringing out the upto date and comprehensive guidelines for intensive examination of Public Procurement & other Contracts. I am sure that this publication will not only contribute to the effective functioning of the CTE's Organisation, but will also help CVOs and Executives in various organisations in effectively understanding and supporting the useful exercise of intensive examination.

I congratulate CTE's Organisation for bringing out 'Guidelines for Intensive Examination of Public Procurement & other Contracts'.

(Alok Kumar)

New Delhi  
01.01.2015

“Do not do what you would  
undo if caught”

-Leah Arendt





**Anil Singhal**  
**Chief Technical Examiner**  
**Central Vigilance Commission**



Since, the inception of the Central Vigilance Commission in the year 1964, CTE's Organisation as its Technical Wing has been discharging its duties in the form of intensive examination of Public Procurement Contracts under the worthy guidance of the Commission. Various instructions issued by the Commission from time to time have formed the basis of functioning of this Organisation. In the year 2001, all these instructions were brought together in the form of a booklet under title 'Intensive Examination of Works (Guidelines)'. However, in the succeeding years, revised instructions were issued on various issues connected with the intensive examination of contracts viz. revision of threshold limit for reporting of the contracts in the Quarterly Progress Reports to be submitted by the CVOs of various organisation to the CTE's Organisation, format for Intensive Examination Report, format for requisition of information from the organisations before taking up Intensive Examination etc. In this revised publication, all the above revised instructions and formats have been incorporated to make it more useful.

I am grateful to my colleagues in the Commission Shri Salim Haque, Additional Secretary; Smt. B. Radhika, Additional Secretary and Smt. Sonali Singh, Additional Secretary for their suggestions in bringing out this publication. The support of Shri Alok Kumar, Secretary, CVC in bringing out this booklet was valuable. We, the officers and staff of CTE's Organisation are especially thankful to Shri Rajiv, Central Vigilance Commissioner, who was the guiding force in bringing out this publication.

I congratulate all officers and staff of CTE's Organisation for their efforts, especially Shri Shailendra Singh, Advisor, who helped in compiling this booklet.

**(Anil Singhal)**

New Delhi  
 01.01.2015

“No legacy is as rich  
as honesty”

-William Shakespeare



**Ramesh Chandra**  
**Chief Technical Examiner**  
**Central Vigilance Commission**



Primarily, the mandate of Chief Technical Examiner's Organisation is to keep watch on the procurement activities of various organisations on behalf of Central Vigilance Commission by way of obtaining details of ongoing Procurement and other Contracts; intensive examination of some of these contracts, issuing advisories for preventive vigilance etc. For fulfilment of this objective, Quarterly Progress Reports (QPRs) are sought from the organisations about ongoing Procurement and other Contracts; details/records are requisitioned for taking up intensive examination, Reports are issued by Chief Technical Examiner's Organisation and replies/clarifications/Action Taken Report thereon are sought from Management/CVOs etc. Apart from this, Chief Vigilance Officers of the respective organisations are advised to carry out Detailed Vigilance Investigation on certain observations in the Intensive Examination Report, prima-facie attracting vigilance angle. To streamline these activities, it is essential to have standardised formats for furnishing information & reports, besides time frame for individual activities.

It would have not been possible to publish this booklet in the present form, but for the worthy guidance of the Commission. Valuable input from Additional Secretaries and other officers in the Commission were useful in preparation of this booklet. Contribution of the officers of Chief Technical Examiner's Organisation has been noteworthy in publication of this booklet, especially the contribution of Shri Shailendra Singh, Advisor, who has been instrumental in compilation of this booklet.

I am confident that this present publication will not only be useful for the officers of the Commission, but also for the Chief Vigilance Officers and Executives of various organisations.

*Rchandra*  
**Ramesh Chandra**

New Delhi  
 01.01.2015

“Even when there is no law,  
there is conscience”

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“Men are more often bribed  
by their loyalties and  
ambitions than money”

-Robert Jackson

# CHAPTER 1

## ORGANISATION

---

### 1.1 Introduction

The Central Vigilance Commission was set up by the Government of India through a Resolution in the year 1964, as an apex body for prevention of corruption in Central Government Institutions and Public Administration. The establishment of the Commission was considered essential for evolving and applying common standards in deciding cases involving lack of probity and integrity in administration. The Resolution empowered CVC to undertake enquiry into any transaction in which a public servant is suspected or alleged to have acted for an improper purpose or in a corrupt manner irrespective of his or her status.

A debate in the Parliament on the issue of corruption in administration led to setting up of a Committee by Shri Lal Bahadur Shastri, the then Hon'ble Minister for Home Affairs under the Chairmanship of Sh. 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 Santhanam Committee while appreciating the good work done by the Chief Technical Examiner's Organisation (CTEO) recommended that the CTEO should not only be continued but strengthened so as to make it more effective. The Committee was also of the view that the jurisdiction of CTEO should not only be extended to cover construction works undertaken by other Ministries/Departments, but it should be placed under the administrative control of the Central Vigilance Commission. The recommendations were accepted by the Government and thus CTEO was placed under the administrative control of the Central Vigilance Commission.

Later, in year 1997, Hon'ble Supreme Court of India in Criminal Writ Petition Nos. 340-343/1993 (Vineet Narayan Vs. Union of India) popularly known as 'Jain Hawala Case' gave directions that a Statutory status should be conferred upon the Central Vigilance Commission. Accordingly, in year 2003, CVC Act, 2003 was notified with the approval of the Indian Parliament. This act provides Central Vigilance Commission as a multi-member body comprising of the Central Vigilance Commissioner (Chairperson) and not more than two Vigilance Commissioners (Members). CVC has been conferred upon the power to exercise superintendence over the functioning of Delhi Special Police Establishment in so far as investigations under the Prevention of Corruption Act, 1988 are concerned and to review the progress of the investigations.

### 1.2 Organisational Set Up of the Commission

The present Commission comprises of the Central Vigilance Commissioner and two Vigilance Commissioners. The Commission is assisted by a Secretariat headed by 'Secretary to the Commission' for facilitating the Commission in discharge of its functions. The Chief Technical Examiner's Organisation (CTEO) of the Commission assist the Commission in Technical Matters besides conducting Intensive Examination of Procurement and other Contracts of various Organisations covered under the jurisdiction of the Commission.

### 1.3 Chief Technical Examiner's Organisation

Chief Technical Examiner's Organisation (CTEO) is the technical wing of the Commission. Initially on the recommendation of Public Accounts Committee, Chief Technical Examiner's Organisation was created in the Ministry of Works, Housing & Supply (now known as Ministry of Urban Development) in May, 1957. Later on, after the recommendations of the Santhanam Committee were accepted by the Government, this Organisation was placed under the administrative control of Central Vigilance Commission in the year 1964. Initially this Organisation was headed by one Chief Technical Examiner. In the year 1979 one more post of Chief Technical Examiner was created to cater to the increasing workload and growing complexity of the Public Procurements. Para 1.3.5 of the Vigilance Manual 2005 issued by the Commission lays down the modalities of carrying out Intensive Examinations by CTEO. As per the Manual, Jurisdiction of CTE's Organisation is coextensive with that of the Commission.

### 1.4 Organisational Set Up of Chief Technical Examiner's Organisation

Out of the two Chief Technical Examiners, one is generally responsible for examination of Contracts for Civil/Horticulture works and the other for Procurement Contracts i.e. for Store Purchases, Electrical/Electronics/ Mechanical works, Hiring of services etc.

The present set up is as under:

#### ◆ Chief Technical Examiner (Civil Works)

- Technical Examiner(NH)
- Technical Examiner(SH)
- Technical Examiner(WT)
- Technical Examiner(ET)

#### ◆ Chief Technical Examiner (Electrical/Mechanical/Store Purchases/Services Contracts)

- Technical Examiner (S.P. & IC-I)
- Technical Examiner (S.P. & IC-II)
- Technical Examiner (Elect.) ENE
- Technical Examiner (Elect.) ESW

The Technical Examiners are assisted by Assistant Technical Examiners/Junior Technical Examiners. Technical personnel are drawn from technical departments of various Government Organisations on deputation/secondment basis.



## CHAPTER 2

### QUARTERLY PROGRESS REPORT

#### 2.1 Quarterly Progress Report

CVC Act 2003 empowers the Commission to call for reports, returns and statements from all Ministries/ Departments/Corporations/Central Undertakings so as to enable the Commission to exercise general check and supervision over the vigilance and anti-corruption work in the Ministries/Departments/ Undertakings. Chief Vigilance Officers of various organisations covered under the jurisdiction of the Commission are required to furnish Quarterly Progress Reports (QPRs) in respect of ongoing contracts for the quarter by 15th day of the month following the quarter. Even though, CTE's Organisation may examine Contracts of any magnitude, yet considering limitation of resources, it generally undertakes examination of Contracts of larger value only. As per Circular No. 15/07/12 (issued vide Letter No.98-VGL-25/18 dated 30.07.2012), the monetary limit for reporting the Procurement Contracts in QPRs are as follows:

Works / Contracts	Value
<b>Category-I:</b>	
(a) Civil Works	(a) Rs. 5 Crores & above.
(b) Turnkey Works Contracts	
(c) Stores & Purchase	
(d) PPP-Public Private Partnership[Cost/Revenue values]	
(e) Sale of Goods / Scrap / Land	
<b>Category-II:</b>	
(a) Electrical/Mechanical works/ Maintenance/ Service Contracts including Electronics/ Instrumentation/Telecommunication/ Manpower Supply, etc.	Rs.1 Crore & above
(b) Medical Equipment	Rs.50 lakhs & above
(c) Consultancy contracts	Rs.1 Crore & above
<b>Category-III:</b>	
(a) Horticulture Works	Rs.10 lakhs & above
(b) Supply of Medicines Contract	4 Largest Value

The QPRs of different discipline should be submitted on separate sheets of paper. While submitting the QPRs to the CTE's Organisation, CVOs should keep the following points in view:

- (a) The cost of the work relates to the accepted/tendered/work order value of the work and not the estimated cost.

- (b) If one Ministry/Department/Undertaking of the Central Government has entrusted the work to another Ministry/Department/Undertaking of the Central Government for execution, the work should be reflected in QPRs of both the Organisations.
- (c) The location of the work must be indicated.
- (d) Use of abbreviations that are not known ordinarily should be avoided.
- (e) Civil works also include marine, mining, excavation and transportation works and purchase of 'ready built properties'.
- (f) Electrical/Mechanical works also include air conditioning, fire fighting, fire alarm and all other allied works.
- (g) In case there are no works awarded more than the threshold value mentioned under each sub-category, two contracts with highest value in each of such sub-category should be reported, except in the case of procurement of medicines, where four highest value contracts to be reported. In case no contracts are awarded, "Nil" QPRs may be sent.
- (h) In case the orders are placed in foreign currency, the threshold limit would be determined based on conversion of foreign currency with Indian Rupee at the exchange rate defined in the tender documents. However the currency of payments may also be indicated as per the contract.
- (i) Contracts awarded on Assignment/Nomination/Single Tender/ Original Equipment Manufacturer (OEM)/ Original Equipment Supplier (OES)/ Proprietary Article Certificate (PAC) basis falling in the above category shall also be reported.
- (j) For furnishing the QPRs related to Sale Contract i.e. Sale of Goods / Scrap/ Land, the QPRs may also to indicate the value as per reserve price besides the sale price.
- (k) The Organisations shall report all types of contracts irrespective of their role as Client/Owner or Engineer-in-Charge of the Contract or Project Management Supervision Consultant.
- (l) All works whether in India or outside India in progress, contracts awarded and the works completed during the quarter shall be included in the QPRs. In respect of works completed during the relevant quarter, the actual date of completion shall be indicated.
- (m) While submitting the QPRs, CVO to certify that all the Works/Purchases/ Consultancy and other contracts required to be reported as per circular have been included in the QPRs.

The Circular along with the 'format for submission of QPRs' is at **Appendix-I and II** respectively.

## 2.2 Selection of Works

CTE's Organisation conducts Intensive Examination of some of the contracts under different categories reported in QPRs. Selection of contracts for Intensive Examination is generally undertaken from the QPRs received from various organisations, keeping in view the following factors:

- a) Complaints received from various sources.
- b) Works specifically recommended by CVOs for inspection.
- c) Works of organisations with substantial work load as compared to others.
- d) Large value contracts.
- e) Works of organisations, which do not have their own Engineering Departments for supervision and Quality Control.
- f) Works of organisations, which have not been inspected at all.

Works of different nature, such as Hydro/Thermal/Nuclear Power Projects, Highways, Railways, Buildings, Water Supply, Drainage/Sewerage works etc. are given consideration. Works of unusual nature are also given due consideration for the purpose of selection for examination.

## CHAPTER 3

### INTENSIVE EXAMINATION

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#### 3.1 Purpose of Intensive Examination

The purpose of Intensive Examination can be categorized as given below:

- i) System Improvements based on lessons learnt from the examined contracts;
- ii) Detection/Recoveries of overpayments;
- iii) Tax compliance and follow up action;
- iv) Quality deficiencies and the remedial action; and
- v) Penal action in cases involving gross inaction/oversight and cases involving vigilance angle.

#### 3.2 Requisition of Records

After approval of the Commission for Intensive Examination of Project/Contract, intimation is sent to the respective CVOs requesting for certified copies of the contract agreement, last bill paid to the contractor along with other details as per standard Proforma (Appendix-III & IIIA). A list of records/documents to be kept ready for examination during site inspection is also enclosed in the above proforma.

#### 3.3 Preliminary Examination of Contract by the CVO

Before Intensive Examination is carried out by the Technical Examiner, CVO (Vigilance Unit) of the Organisation concerned may be asked to carry out a Preliminary Examination of the selected contract and submit the report to the CTE's Organisation flagging important issues.

#### 3.4 Intensive Examination of Contracts based on records requisitioned in the Commission

If, Commission decides that Examination of the particular Contracts be carried out without visiting to the office of the organisations concerned or work- site/stores, all original documents may be requisitioned in the Commission and after going through the documents specific queries are sent to the organisation through CVO for reply/clarification. These replies should be forwarded by CVO to the Commission along with his/her comments.

#### 3.5 Intensive Examination of Contracts based on records, field/site visit

Intensive Examination of Procurement Contracts at organisations is generally conducted in two parts:

- The first part covers the examination of the records and documents at the concerned office/unit of the organisations. Issues arising out of record check can be discussed with the officials concerned for clarity.
- The second part covers the physical inspection of the works/materials including checking of measurements and quality of materials and works, collecting samples of materials for testing, wherever possible/required etc.

The intensive examinations are mostly undertaken with prior intimation so that the officials concerned may be present at site to clarify any points. However, in specific cases, surprise inspections can also be carried out. In cases of planned inspections, officials concerned from the departments pertaining to Planning, Design, Tender Processing, Acceptance of Tenders and Construction Wing are required to be present. The representatives of the contractor and the consultant may also be present to clarify any issue arising out of their activities. The presence of CVO or his/her representative is essential to act as a nodal officer and also to carry forward any left-over work pertaining to inspection. While collecting samples, representatives of contractor, construction team and CVO may be associated and are required to sign the proforma containing details such as nature of material, location of sample collection, date and time of collection etc. as token of their witness to the same. Standard Proforma in this regard is at **Appendix-IV**. Sample(s) collected should be handed over to the representative of CVO for sending the same to the laboratory, except, in important cases where the team of CTEO decides to send the samples for testing directly. Standard format for letter to be addressed to the Test House is at **Appendix-V**.

### **3.6 Issue of Memo for seeking clarification/requisitioning additional records**

During Intensive Examination, Technical Examiner may issue Memo to the nodal officer for seeking clarifications from the respective officials on certain issues. The clarifications furnished may be considered while preparing the IE Report. Memos can also be issued for requisitioning specific/additional records for examination. All possible efforts must be made by the officials concerned for furnishing clarifications/records on the spot to avoid any infructuous effort in flagging the issues, which can be addressed on the spot. Such Memos may also form part of the draft IE Report to be submitted to CTE by the Technical Examiner concerned for approval.

## CHAPTER 4

### INTENSIVE EXAMINATION REPORT

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#### 4.1 Preparation of IE Report

After Intensive Examination of work is carried out by CTE's Organisation, an Intensive Examination Report (IE Report) is prepared in the format as per Appendix-VI with the approval of CTE. The IE Report is sent to the CVO of the organisation along with copy to Chief/Senior Executives of the Organisation. Intensive Examination Report broadly covers the following aspects of the Procurement:

- (i) Availability of updated 'Procurement Manual' of the Organisation
- (ii) Status of implementation of instructions of the Commissions on E-procurement and 'Leveraging of Technology'
- (iii) Feasibility report
- (iv) Preliminary Estimate, Administrative Approval and Expenditure Sanction, Vetting of Demands etc.
- (v) Detailed Estimate, Analysis of Rates and Technical Sanction by the Competent Authority
- (vi) Appointment of consultant
- (vii) Tender document and adequacy of provisions (contract conditions) as well as specifications
- (viii) Pre-bid meeting and clarifications on the issues raised by bidders
- (ix) Call of tenders and award of work
- (x) In case of e-Tenders, all the records required to be maintained in soft form or hard copy
- (xi) Compliance of Contract Conditions
- (xii) Performance Bank Guarantee or any other type of Guarantees to be submitted by the contractor/supplier
- (xiii) Insurances
- (xiv) Enforcement of liabilities of contractors/suppliers/manufacturers within 'Warranty/ Guarantee Period
- (xv) Reconciliation of departmentally issued materials
- (xvi) Provisions related to various type of taxes
- (xvii) Inspection, dispatch and acceptance of materials or works

- (xviii) Scrutiny of bills
- (xix) Scrutiny of site records
- (xx) Statutory compliance
- (xxi) Site Inspection
- (xxii) Any other issue felt necessary to be examined

The report brings out instances of lapses / irregularities in awarding contracts, defective contract conditions, non-compliance of contract conditions over-payments made to contractors, execution of sub-standard work or not matching with the specifications, 'time & cost overrun', infructuous and avoidable expenditure etc.

## 4.2 IE Report not to be used as document for evidence

It has been clarified by the Commission that IE Report should not be made document for evidence in departmental enquiry or evidence in the court of law. Since, the allegation in a charge sheet is based on the conclusion drawn by CBI or any investigating agency or competent authority after perusing documents / evidences independently, IE Report can not by itself be considered to be a factor which determines the final decision.

## 4.3 Reply to IE Report

After receipt of the IE report, the CVO should forward the IE Report to the concerned officials in his/her Organisation for comments. The comments should include the following:

- a) A statement regarding correctness of facts stated in the IE Report. If, some of the facts are not correct, this should be clearly brought out and at the same time the correct facts, if different from the facts mentioned in the IE Report, should also be indicated.
- b) A detailed reply for the acts of commission or omission brought out in the report.
- c) His own comments on the explanations received from concerned officers.

Replies to the observations in the IE report should be sent promptly within 60 days from the date of dispatch of report. Documentary evidence in support of reply should also be enclosed with reply. A sample proforma for sending reply is enclosed as Appendix VII.

The Chief Vigilance Officers should arrange to have similar and complete examinations done in other cases at his/her end. He/she should thereafter act upon the findings of such examination and, wherever necessary, may consult CTE Organisation.

Arrangements should be made to get the defects pointed out in CTE's report rectified either by the contractor or otherwise keeping in view the contract conditions.

Minor irregularities brought out in the report should be got regularized by the competent authority after ascertaining the reasons and taking remedial measures. Appropriate preventive measures may be taken for future and the defaulters suitably warned so that such irregularities do not reoccur. In cases involving

serious inaction / oversight / mala-fide; penal action may also be proposed by the CVO in consultation with the Disciplinary Authority, besides correction of the deficiency.

The Chief Vigilance Officers should ensure to have recoveries effected in terms of contract clauses in cases where over payments are pointed out in IE report and recovery statements should be submitted to the CTEO, supported by analysis of rates based on which recoveries have been effected. Such recoveries need not be postponed till the payment of final bill. In case, there is any difficulty in making recovery of the full amount, recovery of agreed amount should, at least be ensured from the next bill.

In cases, where the contractor has gone for arbitration to contest recoveries, CVO should ensure that such recoveries are implemented immediately unless there are orders from a Competent Court restraining recoveries.

In cases, where the work is treated as substandard in IE report, the sanction of competent technical authority for accepting such substandard work may be obtained and the rate of payment suitably reduced. Before sanctioning such reduced rate statements, the structural soundness and functional adequacy of substandard work should be established.

In cases where the consultants or contractors or suppliers have put the organisation or the Department to a loss or have done grossly substandard work for which they have claimed full payment, the CTE will point out the need to take action against such an agency. The CVO should take further steps with the concerned authorities in the organisation and keep the CTE informed about the action taken.

#### **4.4 Rejoinder to the reply**

In cases, where the replies to the observations are not considered satisfactory by the CTE's Organisation, clarifications from them may be called through rejoinders. The proforma for reply to the rejoinders is given in Appendix VIII. Taking into account the replies/clarifications furnished, decision regarding referring serious para for detailed investigation by the CVO may be taken with the approval of the Commission. Such para would be referred to the CVO by the concerned Vigilance Branch for conducting detailed vigilance investigation.

## CHAPTER 5

### VIGILANCE INVESTIGATION ARISING OUT OF INTENSIVE EXAMINATION

All issues raised in inspections conducted by the CTE's Organisation do not automatically become vigilance cases. After getting reply from the Organisation, the para would be categorized into three categories, as given below:

Cat. A : Para involving vigilance angle.

Cat. B : Para requiring recovery from contractor, rectification of the deficiencies etc.

or

Para involving administrative action.

Cat. C : Para requiring system improvements etc.

Para, where vigilance angle is perceived even after giving opportunity to the organisations for clarifications are converted into vigilance reference with the approval of the Commission. Such para are referred by the concerned Vigilance Branch of the Commission to the CVO treating the same as complaint in terms of para 1.3.5.2 of Vigilance Manual 2005. Standard format for reference to be made to CVO is given in **Appendix IX**.

The following steps are to be taken by the CVO in this regard-

- a) Appoint a reliable and Independent Engineer to assist the CVO.
- b) Identify and seize the relevant records.
- c) Scrutinize the records and prepare notes.
- d) Identify the officials responsible for the lapse.
- e) Call for explanations from the officials identified.
- f) Prepare the Investigation Report (IR).
- g) Submit the I.R. to Secretary, CVC endorsing copy to CTE.

Investigation into the para attracting vigilance angle is required to be done by the CVO. Such investigation is basically a preliminary enquiry, to determine whether prima facie there is some substance in the lapse. Once it is established that there is a prima facie case against the public servant, charge sheet is to be framed for initiating disciplinary proceedings against the officials responsible for the lapses after obtaining the advice of the Commission. Therefore, it becomes all the more necessary to conduct the investigation properly.



The Commission has observed that at times Investigation Reports submitted by CVOs are incomplete and sketchy. Some such examples are illustrated below:

- (i) Two page report consisting of forwarding letter of CVO in one page, and parawise reply to CTE's observation in the second page. The signature of the official, who prepared the reply, also missing in the second page.
- (ii) Photo copy of the reply of the technical officer was forwarded to Secretary, CVC by the lowest rank official in the office of the CVO.

The vigilance references are not to be handled in a routine and careless manner and the report should be prepared in standard format. Minimum particulars required under various head of the I.R. are explained below:

**i) Source:**

- In this case, the source will be the reference from the Commission for conducting investigation into the matter. Reference to the O.M. of the Commission under which investigation is to be carried out should be made.

**ii) Appointment of Independent Engineer:**

- Whenever the CVO has no Competent Engineer under him, he has to appoint an Independent Engineer to assist him during investigation. Many CVOs get the investigation conducted by the Independent Engineer and forward the same to the Secretary, CVC for advice without the comments of CVO. It is not proper. The Independent Engineer is to assist the CVO in conducting the investigation and preparation of the report. It is the CVO who has to give the final views in the matter.

**iii) Gist of Allegations:**

- Original paras and the lapses highlighted in the references are to be mentioned here.

**iv) Facts:**

- The relevant facts relating to the issue under examination should be presented in chronological or activity-wise sequence.
- Each fact should be supported by documentary evidence (other forms of evidence may also be presented) denoted as E1, E2 and E3 etc. Since, the facts occur in chronological order, the evidence E1, E2, E3, etc. should necessarily be arranged under the report in the same order, thus making it easier for reference.
- While annexing the evidence, the relevant portion of the document should be highlighted and annexed. For example, the evidence of technical/financial credentials for meeting the qualifying requirements should consist of the photocopy of the relevant clause prescribing the qualifying requirements and not the all pages of the tender document.
- There may be several issues in a report which may be conveniently arranged as different paras viz. 2.1, 2.2, etc.
- All relevant facts needed to support the observations/conclusion should be gathered and presented. Irrelevant facts, bearing no consequence on the issues under inquiry should be avoided.

- Evidence presented should be credible and adequate.

**v) Observations:**

- Ordinarily, observations are logically derived through a set of facts. They are in the nature of objections or anomalies observed with reference to the gathered facts. There may be several observations arising out of the analysis of facts.
- Observations are also arrived at by evaluating the facts against certain criteria viz. rules, regulations, policies, procedures, norms, good practices or normative principles. Evidence of these criteria (extracts of rules, procedures, etc.) should also be presented as E1, E2, etc.

**vi) Response of the officials concerned:**

- It is necessary to elicit the reasons and clarifications of the management or the officers concerned for the anomalies pointed out in the observations. Every deviation from rules or procedure cannot be attributed to a mala-fide/corrupt intent. These may be circumvented, while expediting the work or in the larger interest of the work, with good intentions. It is, therefore, essential for Vigilance to distinguish between acts of omission and acts of commission. Therefore, obtaining the response of the officers concerned is essential in order to arrive at an objective conclusion.
- Response of the management is also necessary in order to clarify differences in interpretation or an understanding of the issues between vigilance and the management.

**vii) Counter to the response:**

- In order to sustain the observations made by Vigilance, it is necessary to counter the defence given by the management/officers concerned with facts and supporting evidence. It should be clearly and convincingly brought out why the explanation given by the management is not tenable.

**viii) Conclusion:**

- Conclusion is the logical summation of the observations. The observations denoting various counts of irregularity, lapses or impropriety should finally lead to a logical conclusion on whether the case involves commission of irregularity/impropriety with the intention of corruption.
- Undue favour given to a party or obtained for self and its adverse impact on the government or the citizens in terms of additional cost, poor quality or delayed service should be clearly highlighted.

**ix) Responsibility of officials:**

- Having determined the vigilance angle in the case, the next step is to fix the accountability of the individuals involved in the misconduct. Name of officers should be clearly stated in this para.
- The role of each officer should be judged with reference to his prescribed charter of duties. In case the tender Committee is responsible for the misconduct then, as far as possible, all members should be equally and collectively held responsible.
- Comments of Disciplinary Authority should invariably be included.

**x) Recommendation for action:**

- Recommendation for closure of the case in case there is no discernable vigilance angle or criminal misconduct, should be clearly spelt out.

**xi) Recommendation for systemic improvement:**

- Punitive action on detection of corruption does not by itself lead to a logical conclusion unless it is able to prevent recurrence of the lapse. Any fraud, corruption, irregularity or impropriety indicates a failure of control mechanism or gaps in systems and procedures. Therefore, each case throws up an opportunity to identify these control failures and suggest ways of plugging them to prevent recurrence of the lapse. Therefore, at the end of the report the CVO should also try to recommend systemic improvements in order to prevent the risk of a recurrence of the lapse/misconduct.

**xii) Tabular statement:**

- With a view to streamline the procedure and to avoid delay on account of incomplete information, it has been decided that, along with other records/documents, the following tabular statement should accompany the organisation's recommendations:-

S. No.	Name & Designation of the suspected officer	Allegations in brief	Findings of the investigation/ inquiry on each allegation	Defence of the suspected officer	Comments/ Recommendation of the DA	Comments/ Recommendation of the CVO

**xiii) ASSURANCE MEMO**

- This is to provide reasonable assurance to the Commission and content of it should be as per **Appendix-X**.

**xiv) Bio-data of the officials:**

- Complete Bio-data of the officials against whom Commission's advice is sought should be furnished as per **Appendix-XI**.

**Commission's Advice**

After investigation, the IR should be sent to the Secretary, CVC by the CVO for first stage advice. Even if the CVO comes to the conclusion that no vigilance angle is involved, the matter has to be referred to the Commission for advice as the complaint has emanated from the Commission. The comments on the I.R. would be obtained by the branch from CTEO who would submit their comments for consideration of the Commission. The first stage advice given by the Commission for initiating disciplinary proceedings etc. or system improvements etc. would be communicated to the concerned CVO for implementation by the concerned Vigilance Branch. Organisations, if they wish for some exceptional reasons to approach the Commission for reconsideration of its first stage advice, they may do so within 3 months of date of issue of first stage advice.

The procedure for reference to the Commission for seeking second stage advice would be as per the Commission's directions issued from time to time in this regard.

## CHAPTER 6

### **ROLE OF CVO IN INTENSIVE EXAMINATIONS**

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CVO plays a vital role in Intensive Examination of works. With the limited staff available, CTEO can not inspect all the works of various Organisations under the jurisdiction of CVC. Hence, CVO should arrange vigilance inspection of works under his jurisdiction on the pattern of inspection carried out by the team of CTEO. In order to enable the organisation to effect immediate recovery from the contractors/suppliers as well as to ensure accountability of officials responsible for various lapses, other important functions of CVO in respect of the Intensive Examination by CTEO are listed below:

- a) Timely submission of:
  - i) Quarterly Progress Reports
  - ii) Documents required for intensive examination
  - iii) Preliminary Examination of the impugned Contract and submission of report to CTEO before Intensive Examination is carried out by Technical Examiner
  - iv) Replies to IE reports/rejoinders
  - v) Investigation Report with the assistance of an Independent Engineer
- b) Ensuring:
  - i) Presence of Engineers responsible for planning, design, tender scrutiny, award of work and construction during interim eramines
  - ii) Presence of representatives of CVO during interim eramination
  - iii) Rectification of Defects in the Project/Supplies
  - iv) Recoveries from the Contractors for the over-payments
  - v) Implementation of necessary directions issued by the Commission/ CTEO
- c) Carrying out periodical inspection of works with the assistance of the technical staff of CVO in line with CTE's inspection
- d) Pursuing, preparation and issue of Works Manual
- e) Implementation of guidelines/circulars issued by the Commission/CTEO

## CHAPTER 7

### TIME SCHEDULE

---

Instances have come to the notice of the Commission regarding abnormal delays in sending replies to the IE Report/ Rejoinders. Sometimes, Vigilance Investigation Reports are also delayed considerably. This may result in officials responsible for the lapses retire/leave the Organisation without being penalised. Last minute references to the Commission for advice just before retirement of the concerned officials should be avoided. Decision on recovery from the Contractors / Suppliers are sometime unduly delayed and final bills paid to the contractors without effecting recovery. This should also be avoided.

Following time schedule should be adhered by all concerned-

- |    |                                  |   |   |
|----|----------------------------------|---|---|
| 1. | Submission of documents by CVO   | : | 30 days from the date of issue of letter by CTEO.                   |
| 2. | Issue of IE report by CTEO       | : | 30 days from the date of Inspection.                                |
| 3. | First reply by CVO to IE Para    | : | Within 60 days from the date of issue of IE report.                 |
| 4. | Rejoinder to CVO's reply         | : | 30 days from the date of reply.                                     |
| 5. | Reply to CTEO's rejoinder by CVO | : | 45 days from the date of issue of rejoinder.                        |
| 6. | Submission of I.R. by CVO        | : | 3 months from the date of issue of the reference by the Commission. |

# Central Vigilance Commission

No. 98-VGL-25

Date: 30.07.2012

## CIRCULAR NO. 15/7/12

**Subject: Revised threshold values for submission of Quarterly Progress Report-QPR.**

In supersession of the Commission's earlier OMs on the subject, the threshold limits for reporting of the contracts in the QPRs to the Commission, are revised as under: -

---

Works / Contracts	Revised Value
-------------------	---------------

---

### Category-I:

- |   |                       |
|---|-----------------------|
| (a) Civil Works   |                       |
| (b) Turnkey Works Contracts                             |                       |
| (c) Stores & Purchase                                   | Rs. 5 Crores & above. |
| (d) PPP-Public Private Partnership[Cost/Revenue values] |                       |
| (e) Sale of Goods / Scrap / Land                        |                       |

### Category-II:

- |   |                      |
|---|----------------------|
| (f) Electrical/Mechanical works/Maintenance/Service Contracts including Electronics/Instrumentation/ Telecommunication/ Manpower Supply, etc. | Rs.1 Crore & above   |
| (g) Medical Equipment   | Rs.50 lakhs & above. |
| (h) Consultancy contracts   | Rs.1 Crore & Above.  |

### Category-III:

- |                                  |                      |
|----------------------------------|----------------------|
| (i) Horticulture Works           | Rs.10 lakhs & above. |
| (i) Supply of Medicines Contract | 4 Largest Value      |

2. QPRs should be submitted both in softcopy (in MS Excel format) through e-mail at [gpr.te.general@nic.in](mailto:gpr.te.general@nic.in) as well as in hardcopy separately for each sub-category mentioned above. For contracts below the threshold value, CVO may conduct CTE type inspections and intimate the outcome to the Commission through their regular monthly/quarterly reports.

3. The revised limits would come into effect from July-September 2012 Quarter onwards.

4. The Commission is in the process of 'On-line' submission of QPRs. The detailed instructions on this would follow. Meanwhile, Organisations are requested to make necessary arrangement for on-line submission of QPRs and also documents (if called for). These facilities may be developed in next two months and confirmed to the Commission.
5. The following explanatory notes are for guidance regarding the QPRs.
  - (i) Civil works also include marine, mining, excavation and transportation works.
  - (ii) Electrical/Mechanical works also include air conditioning, fire fighting, fire alarm and all other allied works.
  - (iii) In case there are no works awarded more than the threshold value mentioned under each sub-category, 2 contracts with highest value in each of such sub-category should be reported. In case no contracts are awarded, "Nil" QPRs may be sent.
  - (iv) In case the orders are placed in foreign currency, the threshold limit would be determined based on conversion of foreign currency with Indian Rupee at the exchange rate defined in the tender documents. However the currency of payments may also be indicated as per the contract.
  - (v) Contracts awarded on Assignment/Nomination/Single Tender/OEM/OES/PAC  
(\* ) basis falling in the above category shall also be reported.  
(\* ) OEM: Original Equipment Manufacturer  
OES: Original Equipment Supplier  
PAC: Proprietary Article Certificate.
  - (vi) For furnishing the QPRs related to Sale Contract [Sub-category-1 (e)], the QPRs may also to indicate the value as per reserve price besides the sale price.
  - (vii) The Organisations shall report all types of contracts irrespective of their role as Client/Owner or Engineer-in-Charge of the Contract or Project Management Supervision Consultant.
  - (viii) All works whether in India or outside India in progress, contracts awarded and the works completed during the quarter shall be included in the QPRs. In respect of works completed during the relevant quarter, the actual date of completion shall be indicated.
  - (ix) CVO to certify on the QPRs that all the Works/Purchases/ Consultancies and other contracts required to be reported as per circular have been included in the QPRs.

6. In case of any doubt regarding threshold value or the type of contract, the CTE's Organisation of the Commission may be consulted.
7. The contents of the circular may be brought to the notice of all concerned.

**-Sd-**  
**(Ramesh Chandra)**  
**Chief Technical Examiner**  
**Telephone: 011-24651813**  
**30.7.2012**

To: All CVOs of Ministries / Departments / PSUs / Banks / Insurance Companies / Autonomous Organisations / Societies/UTs.



**APPENDIX-II****Statement showing the Quarterly Progress of Original Works for Quarters ending March/  
June/September/December**

S. No.	Name of work and location	Estimated Cost	Tendered cost	% above / below SOR	Agmt. No.	Agency	Date of start	Time of Comp.	Physical Progress	Name of E-in-C with address	Remarks
1.											
2.											

**Appendix-III**

No.  
Government of India  
Central Vigilance Commission  
(CTE's Organisation)

Satarkata Bhawan,  
Block 'A', GPO Complex,  
INA, New Delhi-110023.

To

**Sub: Intensive Examination of works.**

**Ref:**

Sir,

1. It has been decided to carry out Intensive Examination of the following works of your Division/Organisation from \_\_\_\_\_ to \_\_\_\_\_

S.No.	Name of work & Location	Agreement No.	Name of contractor/agency
-------	-------------------------	---------------	---------------------------

2. To enable the inspection to be carried out properly, you are requested to please arrange to collect and make the following documents available to the undersigned/Asstt. Technical Examiner/Jr. Technical Examiner as explained below.
- 2.1 PROFORMA FOR GENERAL INFORMATION IN ANNEXURE-I: Item under para 1.1 to 1.3 may be filled in and the proforma returned immediately duly signed. In case the administrative set up is different from that indicated in paras 1.2 and 1.3, the information may be furnished as per the set up available in your Organisation.
- 2.2 PROFORMA FOR TECHNICAL INFORMATION IN ANNEXURE-II: This may please be filled in, signed and forwarded immediately along with copies of relevant documents.
- 2.3 DOCUMENTS FOR INSPECTION AT SITE OFFICE ANNEXURE III: All these original documents will be examined at site/site office and may please be kept ready after inspection programme is intimated.
3. After intimation of inspection programme, arrangements may please be kept at site for the inspection of different work along with required tools, plants and workmen. You may kindly ensure that all parts of the building/work are made available for inspection.
4. The information in proforma at Annexure I & II is to be furnished on factual basis as per records already available. As such it may please be ensured that requisite information in these proforma is forwarded immediately so as to reach this office within 15 days after issue of this letter. If one or two items are not readily available, submission of entire proforma should not be delayed on that account. The remaining information may follow shortly thereafter.
5. Kindly acknowledge receipt of this communication.

Yours faithfully,  
(  
TECHNICAL EXAMINER

**For Chief Technical Examiner**

- Enclosures:** 1. Annexure I, II, III.  
2. Proforma A, B, C, D

**Annexure-I****General Information**

	Particulars of Work	
1.1	Name of the work:	
	Agreement No	
	Name of Contractor	
	Estimated Cost	
	Tendered Cost	
	Due date of Start	
	Due Date of Completion	
	Present Progress	
1.2	Departmental Authorities	
	Zone	
	Circle	
	Division	
1.3	Officials In charge of Work	
	Chief Engineer / ED	
	Superintending Engineer / GM	
	Executive Engineer / DGM	
	Asst. Engineer	
	Jr. Engineer	
	Divisional Accountant	
	Complete Postal Address	
	Office Telephone No.	
	Fax No.	
	Office Mobile No.	
	E-MAIL ID	

## Technical Information

2.0		Chronology of Events		
	2.1	Sanction and Estimation		
		Ref. & Date of Administrative Approval	:	
		Ref. & Date of Expenditure Sanction		
		(A) Ref.& Date Of Technical Sanction (T.S.) (B) Basis Of Preparation Of Estimate For T.S.	:	
	2.2	Tender Process	:	
		Date of Approval of PQ Criteria	:	
		Mode of Tender (A) Open/Limited/Nomination (B) Domestic/ICB		
		Type of Tender One Stage/Two Stage	:	
		In Case of Two Stage Tendering, Details About First Stage of Tender		
		Purpose*		
		Date of Advertisement*		
		Date of Issue of RFP*		
		Date of Receipt of Proposals*		
		Total No. of Proposals Received*		
		Number of Proposals Accepted*		
		Name of Accepted Proposals*		
		Details, In Case of One Stage Two Bid/Envelop Tendering/ In Case of Two Stage Tendering, Details About Second Stage of Tendering		
		Mode of Tender One Envelop/Two Envelops/Three Envelops C) Details of Bids/Documents in These Envelops Envelop:1 Envelop:2 Envelop:3		
		Date of Approval of NIT by Competent Authority	:	
		Date of Issue of NIT in Press		
		(A) Date of Appearance of NIT on Website	:	
		Last Date of Sale of Bids	:	
		Dates of Pre Bid Meetings	:	
		Corrigendum to NIT, if Any		
		Date		
		Date of Receipt of Bids & Extensions	:	

		Date & Time of Opening of Different Bids Envelop:1 Envelop:2 Envelop:3		
		Dates of Technical/Eligibility Bid Evaluation Committee (TEC) Meetings**	:	
		Name & Designation of TEC Members**	:	
		Technical/Eligibility Bid Approving Authority & Date of Approval**	:	
		Total No. of Tenderers Declared Technically Qualified/Eligible**	:	
		Name & Designation of TEC Members	:	
		Tender Approving Authority & Date of Final Ap- proval	:	
		Whether Work Awarded to Lowest Tenderer		
		Quoted Amount of Lowest Bidder	:	
		Whether Negotiations Conducted (Yes/No)	:	
		Accepted Amount of Lowest Bidder	:	
		Works Manual Adopted		
	2.3	Post Contract	:	
		Event	:	
		Deviation Item No.	:	
		Deviation Item No.	:	
		Extra Item No.1	:	
		Extra Item No.2	:	
		Extra Item No.3		
		Substituted Item No.	:	
		Substituted Item No.	:	
		Last Running Account Bill Paid	:	
		Shifting of Milestone		

\*Not applicable in case of one stage two bid system of tendering

\*\*Not applicable for two stage tendering

**ANNEXURE-III****DOCUMENTS FOR INSPECTION AT SITE OFFICE**

- 1 (a) Press cutting including extended dates, if any.
  - i) For Pre-qualification of Architects / Consultants.
  - ii) For pre-qualification of Contractors.
  - iii) Call of Tenders.
- (b) Register of sale of tenders.
- (c) Register of opening of tenders.
2. File giving reference to Financial Sanction and approval of competent administrative authority-Preliminary estimated.
3. Copy of detailed estimate and its Technical Sanction by competent technical authority.
4. Approval of NIT (Notice inviting Tenders) in Original.
5. Rejected tenders and comparative statements for:
  - (a) Selection of Architects / Consultants.
  - (b) Short-listing or pre-qualifications of tenders.
  - (c) Other tenders.
6. Justification statement and corresponding notings in support of lowest tender's offer accepted.
7. Details of negotiations if any, made before acceptance of tenders.
8. Original contract with consultant / contractor.
9. Guarantee Bond etc. towards security for work. Machinery/Mobilization Advance etc. including extension of validity.
10. Insurance policies for work materials equipment, men etc. including extension of validity.
11. Guarantee for water tightness, termite proofing etc.
12. Standard specifications.
13. Standard schedule of rates.
14. Drawings-Architectural and Structural.
15. All connected Measurement Book, Level Books, Field Books and Lead Charts.

16. All running Account Bills with all connected statements/ vouchers.
17. Statements showing details of check of measurements by superior officers-copies of order laying down such requirements.
18. Materials at site accounts / cement, steel bitumen, paints, water proofing compound, anti-termite chemical etc.
19. Site order Books / Test Records / Log Books.
20. Details of extra / substituted items and of deviated quantities being executed/considered for execution in the work along with Analysis of rates.
21. Hindrance Register.
22. Office, correspondence files and inspection notes, if any, issued by inspecting office.
23. Complaint records, if any.
24. Any other documents relevant to the works.
25. Details of payments in proforma 'A'.
26. Cement consumption statement in proforma 'B'.
27. Steel consumption statement in proforma 'C'.
28. Statement of test material in proforma 'D'.

**Performa 'A' Details of Payments**

S.L. No (CC Bill Nos) of Bill	CR No (CC Bill Nos). date	Account Payable				Total	Detail of recoveries								Net Amount	
		Work done	Mobilisation Advance	Price Variation paid	Secured Advance		Security Deposit	Income Tax	Work Contract Tax	Labour Cess	Cost of issued Material	Secured Advance	Mobili- sation Principal	Interest on mobili- sation @		

Name

Signature

**Proforma 'B'**

Cement consumption Statement for last bill Paid (S. No. ).

LAST DATE OF MEASUREMENT	THEORETICALLY REQUIRED IN BAGS/MT		ACTUALLY CONSUMED IN BAGS/MT..	RECOVERED/RE-CEIVED AT SITE.	REMARKS
	QUANTITIES OF COCRETE & FACTORS TAKEN	QUANTITIES OF CEMENT			

Name

Signature



## Performa 'C'

### DETAILS OF STEEL REINFORCEMENT FOR LAST (S No. ) BILL PAID

Reinforcement Steel Diameter in mm	8	10	12	16	20	22	25	28	32	36	40	42
Qty issued By Deptt (MT)												
Qty measured for payment (MT)												
Qty recovered from bill (MT)												

**Name**

**Signature**

Note: If structural steel is used, information may be furnished in similar proforma for various sections instead of various diameters.

## PROFORMA - D

### STATEMENT OF TESTS OF MATERIAL

Sl. No	Description of material	Qty. consumed till date(MT)	Desc. Of test BIS/ agreement provision	Frequency of test of test as per BIS/ agreement	No. of tests		Lab. where test conducted	Lab. Whether lab approved By Govt.	Status of test result. (Pass/ Fail)	If failed, what action taken	Whether testing charge borne by deptt./ agency. (Ref. to agree. Provision	Recovery proposed for short fall in test/ failed result.
					Required	Conducted						
1	2	3	4	5	6	7	8	9	10	11	12	13

Sd/-  
Engineer in Charge

Sd/-  
Chief Vigilance Officer

**APPENDIX-III A**

No.  
Government of India  
Central Vigilance Commission  
(CTE's Organisation)

Satarkata Bhawan,  
Block 'A', GPO Complex,  
INA, New Delhi-23.

To

**Sub: Intensive Examination of Stores/Purchase Contracts**

**Ref:**

Sir,

It has been decided to carry out Intensive Examination of the "Store procurement and Inventory" against the following contracts of your Organisation

- | S. No. | Contract No. | Description of Stores   | Value |
|--------|--------------|---|-------|
| 2.     |              | To enable the inspection to be carried out properly, you are requested to please arrange to collect and make the following documents available to the undersigned/Asstt. Technical Examiner/Junior Technical Examiner: -  |       |
|        | 2.1          | Proforma for General Information (Annexure I) & Technical Information (Annexure II)   |       |
|        |              | The details may please be filled in and the proforma returned immediately duly signed along with the following documents: -   |       |
|        | a.           | Photocopy of Note sheet portion of the complete purchase file comprising of all details beginning from initiation of procurement till placement of contract including Comparative/Ranking Statement of Bids, briefs and minutes of various T.P.C. and negotiation meetings.   |       |
|        | b.           | Photocopy of note sheet of post contract portion of purchase file.  |       |
|        | c.           | One attested true copy of each contract/agreement and the supplier's quotation.   |       |
|        | d.           | Photocopies of the bills paid till date.  |       |
|        | 2.2          | Documents for Inspection at site office (Annexure III)  |       |
|        |              | All these original documents will be examined at your office and may please be kept ready after Inspection programme is intimated.  |       |
| 3.     |              | After intimation of inspection programme, arrangements may please be kept at warehouse/godown for the inspection of inventory. You may kindly ensure that all the document like receipt and issue of Stores register are made available for inspection.   |       |
| 4.     |              | The documents and information as per para 2.1 above may please be forwarded immediately so as to reach this office within 15 days after the issue of this letter. If one or two items are not readily available, submission of the entire proforma should not be delayed on that account. The remaining information may follow shortly, thereafter. |       |
| 5.     |              | Kindly acknowledge receipt of this communication.   |       |

Yours faithfully,

( )

Technical Examiner

**For Chief Technical Examiner**

**Encl:** 1. Annexure – I, II & III

2. Proforma A

No.  
Government of India  
Central Vigilance Commission  
(CTE's Organisation)

## Appendix-IV

Satarkata Bhawan,  
Block 'A', GPO Complex,  
INA, New Delhi-23.

No.

Government of India

Central Vigilance Commission

(CTE's Organisation)

Satarkata Bhawan,

Block 'A', GPO Complex,

INA, New Delhi-23.

Name of work :

Agreement No. :

Name of Organisation:

### Sub: Testing of Samples of Building Materials.

Following samples were collected from site of work on \_\_\_\_\_ in presence of \_\_\_\_\_

Code No.	Description of Material	Location	Details of tests to be conducted	Ref. Of I.S. Code / Specifications as per contract agreement
1	2	3	4	5

The above samples have been sealed with the Commission's seal, the three impressions of which are as under.

**1.**  
**Sd/-**  
**Name**  
**Engineer-in-charge**

**2.**  
**Sd/-**  
**Name**  
**Representative of CVO**

**3.**  
**Sd/-**  
**Name**  
**TE/CVC**

Received above samples for delivery and testing to Test House/Laboratory.

**Signature of Rep. Of CVO** \_\_\_\_\_

**Appendix-V**

**No.**  
**Government of India**  
**Central Vigilance Commission**  
**(CTE's Organisation)**

Satarkata Bhawan,  
Block 'A', GPO Complex,  
INA, New Delhi-23.

To,

(Name of Test House)

**Sub: Testing of samples of material**

Sir,

Enclosed please find herewith \_\_\_\_\_ packet(s) duly sealed, containing samples as per details given below for performing the tests indicated against each. The test results may kindly be sent confidentially by name to the undersigned indicating the code no. of each sample.

<b>Code No.</b>	<b>Description of Material</b>	<b>Quantity</b>	<b>Details of tests to be conducted</b>	<b>Ref. Of I.S. Code / Specifications as per contract agreement</b>
1	2	3	4	5

2. Bills for testing charges may be sent to the authority at address mentioned below. The testing charges shall be borne by them. Sealed sample(s) of above material(s) has/have been handed over to them for delivery to your Test House for testing.
3. The above samples have been sealed with the Commission's seal, the three impressions of which are as under.

1.

2.

3.

**Encl: (i) \_\_\_\_\_ No. of packets of samples.**

(.....)  
TECHNICAL EXAMINER

**Appendix-VI**



**Intensive Examination  
Report**



**by**

(.....)

**(TECHNICAL EXAMINER)**

**CHIEF TECHNICAL EXAMINER'S ORGANISATION  
CENTRAL VIGILANCE COMMISSION**

		Period of Inspection	:	
A		Particulars of Work	:	
	A.1	Name of Work	:	
		Agreement No.	:	
		Name of the Contractor	:	
		Estimated Cost	:	
		Tendered Cost	:	
		Due Date of Start	:	
		Due Date of Completion	:	
		Present Physical Progress %	:	
	A.2	Departmental Authorities	:	
		Zone	:	
		Circle	:	
		Division	:	
	A.3	Officials in Charge of Work	:	
		Chief Engineer/ED	:	
		Superintending Engineer/GM	:	
		Executive Engineer/DGM	:	
		Asstt. Engineer	:	
		Junior Engineer	:	
		Divisional Accountant	:	
		Others (Specify)		
	A.4	Details of office of Chief Vigilance Officer		
		Complete Postal Address	:	
		Office Telephone No.	:	
		Fax No.	:	
		Office Mobile No.	:	
		E-Mail Id	:	
	A.5	Details of office of Chief Engineer/Director (Projects)/Project Head of this work		
		Complete Postal Address	:	
		Office Telephone No.	:	
		Fax No.	:	
		Office Mobile No.	:	
		E-Mail Id	:	
B		Chronology of Events	:	
	B.1	Sanction and Estimation	:	

	Ref. & Date of A/A	:	
	Ref. & Date of E/S		
	(A) Ref.& Date of Technical Sanction (T.S.) B) Basis of Preparation of Estimate for T.S.		
B.2	Tender Process	:	
	Date of Approval of PQ Criteria	:	
	Mode of Tender (A) Open/Limited/Nomination (B) Domestic/ICB	:	(a) (b)
	Type of Tender One Stage/Two Stage	:	
	In case of two stage tendering, details about first stage of tender		
	Purpose*		
	Date of Advertisement*		
	Date of Issue of RFP*		
	Date of Receipt of Proposals*		
	Total no. of Proposals Received*		
	Number of Proposals Accepted*		
	Name of Accepted Proposals*		
	Details, In Case of One Stage Two Bid/Envelop Tendering/ In Case of Two Stage Tendering, Details About Second Stage of Tendering		
	Mode of Tender One Envelop/Two Envelops/Three Envelops C) Details of Bids/Documents in These Envelops Envelop:1 Envelop:2 Envelop:3		
	Date of Approval of NIT by Competent Authority	:	
	Date of Issue of NIT in Press		
	(A) Date of Appearance of NIT on Website	:	
	Last Date of Sale of Bids	:	
	Dates of Pre Bid Meetings	:	
	Corrigendum to NIT, if any	:	
	Date of Issue	:	
	Date of Receipt of Bids & Extensions	:	
	Date & Time of Opening of Different Bids Envelop:1 Envelop:2 Envelop:3		
	No. of Tenders Sold/ Downloaded**	:	
	Total no. of Tenders Received**	:	

		Name of Bidders who Submitted Bids**	:	
		Dates of Tender Evaluation Committee (TEC) Meetings	:	
		Name & Designation of TEC Members	:	
		Tender Approving Authority & Date of Final Approval	:	
		Quoted Amount of Lowest Bidder	:	
		Whether Negotiations Conducted (Yes/No)	:	
		Accepted Amount of Lowest Bidder	:	
	B.3	Post Contract	:	
		Event	:	Date of Sanction
		Deviation Item No.	:	
		Deviation Item No.	:	
		Extra Item No.	:	
		Extra Item No.	:	
		Substituted Item No.	:	
		Substituted Item No.	:	

\*Not applicable in case of one stage two bid system of tendering

\*\*Not applicable for two stage tendering

C	FACTUAL DETAILS
D	OBSERVATIONS
1.0	
2.0	
3.0	

## SAMPLE COLLECTION

S. No.	Code No.	Description of Material	Location	Details of Tests to be conducted	Ref. Of I.S. Code/ Specifications as per contract agreement
1	2	3	4	5	6

E MISCELLANIOUS REMARKS (IF ANY)

F ANNEXURES

(.....)  
Technical Examiner



**Appendix-VII****First Reply to Paras**

S. No.	Para No.	Reply of Technical Authority		CVO's comments
		Reply	Cost Adjustment proposal	

**Sd/-**  
**Name and Designation of**  
**Technical Authority**

**Sd/-**  
**CVO**

**Appendix-VIII****Reply to Rejoinders**

S. No.	Para No.	Rejoinder	Reply of Technical Authority		CVO's comments
			Reply	Cost Adjustment proposal	

Sd/-  
Name and Designation of  
Technical Authority

Sd/-  
CVO

**Appendix-IX**

No.  
Government of India  
Central Vigilance Commission

Satarkata Bhawan,  
Block 'A', GPO Complex,  
INA, New Delhi-110023

Shri .....  
Chief Vigilance Officer,

**Sub:**

Sir,

Intensive examination of above work was carried out from \_\_\_\_\_ to \_\_\_\_\_ by a team of this Commission and a Report was sent to the Chief Vigilance Officer, vide letter No. \_\_\_\_\_ dated \_\_\_\_\_. Para as enclosed is being referred to you for a detailed vigilance investigation. It is requested that the detailed investigation report may be submitted directly to the Secretary, Central Vigilance Commission, Satarkata Bhawan, Block 'A', GPO Complex, INA, New Delhi- within a period of 3 months.

For the purpose of investigation, you may please refer to the instructions contained in para 4.8 of CVC's OM No. 7R-CRD-37 dt. 19/8/87 & O.M. No.3 (v)/99/12 dt. 14/8/2000. You may get an independent and reliable Engineer appointed to assist you in identifying and seizing the relevant records, preparing scrutiny notes thereon, fixing responsibilities, calling for the explanations of the indicted officials and preparing scrutiny notes on the validity of the explanations received. The report may conclude with your considered comments and recommendations in respect of each lapse referred to you for investigation. All the above notes and explanations may be included in the investigation report. In brief, the lapses are given in Appendix-I enclosed [Appendix to indicate the lapses in brief].

Kindly acknowledge receipt of this reference.

Yours faithfully,

(.....)

**Director**

**Assurance Memo**

This is to provide reasonable assurance to the Commission:

- (a) That all necessary facts and relevant evidence have been gathered.
- (b) That all facts and supporting evidence have been duly verified.
- (c) That contested evidence, if any, have been conclusively handled with reference to the facts at the disposal of Vigilance.

**Chief Vigilance Officer**

## Appendix-XI

### Format of Bio-Data of officer(s) against whom Commission's advice is sought

(To be incorporated in the Vigilance Report of the CVO)

1. Name of the officer :
2. Designation :
  - (a) At present :
  - (b) At the time of alleged misconduct :
3. Service to which belongs :

(Cadre and year of allotment in case of officers of the organised/All India Services)

4. Date of birth :
5. Date of superannuation :
6. Level/group of the present post and pay scale :
7. Date of suspension [if under suspension] :
8. Disciplinary Rules applicable to the officer :

\*\*\*\*\*

“Knowledge without integrity  
is dangerous and dreadful”

-Samuel Johnson



