

सवारी डिब्बा कारखाना  
**INTEGRAL COACH FACTORY**

सतर्कता बुलेटिन  
**VIGILANCE BULLETIN**

## **DISCLAIMER**

This bulletin is purely for the purpose of providing guidelines and is intended for official use only and should not be quoted as authority in any official reference or produced in a court. A reference, wherever necessary, should always be made to

Front Cover : ICF Administrative Building



भारत सरकार  
रेल मंत्रालय, (रेलवे बोर्ड)  
नई दिल्ली-११० ००१  
GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)  
NEW DELHI-110001

**MESSAGE**

I am pleased to know that Vigilance Organization of Integral Coach Factory is bringing out its Twelfth issue of Vigilance Bulletin, during the Vigilance Awareness Week.

CVC has declared the theme for this year as Participative Vigilance for observing Vigilance Awareness Week.

To make the fight against corruption more effective, we would have to concentrate not only on Punitive & Preventive Vigilance but also move into areas of Pro-active and Participative Vigilance.

It is imperative that the employees be aware of rules and regulations and take reasoned and transparent decisions in their work areas. This year's Vigilance Bulletin covers various Railway Board instructions, Do's & Don'ts related to important aspects and a few case studies. I hope, the areas covered in this Vigilance Bulletin will be useful to the employees.

I congratulate the Vigilance Organization of ICF for their sincere efforts to bring out this Vigilance Bulletin as part of Vigilance Awareness Week 2011.

**(A.K.Maitra)**  
**Adviser(Vigilance)**

## **FOREWORD**

This is the 12<sup>th</sup> issue of the Vigilance Bulletin, brought out by the Vigilance department on the occasion of Vigilance Awareness Week from 31<sup>st</sup> October to 5<sup>th</sup> November, 2011. This Bulletin contains important circulars, DOs & DON'Ts, PIDPI resolution, interesting cases detected by ICF/Vigilance.

It is hoped that this Bulletin would be useful and read with interest by Officers and Supervisory Officials.

Suggestions for improvement are welcome and may be addressed to CVO/ICF.



*Senior Vigilance Officer*

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No.010/ORD/003/103208  
Central Vigilance Commission

Satarkta Bhavan,  
New Delhi  
Dated: 28.9.2010

Circular No.33/09/10

Sub: Guidelines for checking delay in grant  
of sanction for prosecution – reg.

Attention is invited to Department of Personnel & Training's Office Memorandum No.399/33/2008/AVG-III dated 6.11.2008 and dated 20.12.2006 and Commission's Circular No.22706/10 dated 23.6.2010 regarding guidelines for checking delay in grant of sanction for prosecution. It has been prescribed that Ministeries/Deppts/Orgn., are required to formulate their tentative views within three weeks of receipt of CBI's requests seeking sanction for prosecution and seek the advice of the commission.

2. It has come to the notice of the Commission that the provisions of the DoPT circular referred above, are not strictly adhered to. It is therefore, decided that in case the Commission does not receive communications/comments on CBI report from the competent authority within 3 weeks, the Commission would suo moto tender its advice. Any communication / comments received from competent authority after three weeks but before 31 days will be entertained by the Commission as a reconsideration request and CVC within a fortnight, after consulting experts, will tender its advice. Any communication / comments received from the competent authority after 31 days of receipt of CBI's report will not be entertained by the Commission and will be sent to DoPT for a final decision.

s/d  
Director

Central Vigilance Commission

Satarkta Bhavan,

New Delhi

Dated: 11.2.2011

Circular No.01/02/11

Sub: Transparency in Tendering System

There have been instances where the equipment / plant to be procured is of complex nature and the procuring organization may not possess the full knowledge of the various technical solutions available in the market to meet the desired objectives of a transparent procurement that ensures value for money spent simultaneously ensuring upgradation of technology & capacity building.

2. The Commission advises that in such procurement cases where technical expression of interest and proceed to finalize specifications based on technical discussions / presentations with the experienced manufacturers/ suppliers in a transparent manner. In such cases, two stage tendering process may be useful and be preferred. During the first stage of tendering, acceptable technical solutions can be evaluated after calling for the Expression of Interest (EOI) from the leading experienced and knowledgeable manufacturers / suppliers in the field of the proposed procurement. The broad objectives, constraints etc., could be published while calling for EOI. On receipt of the Expressions of Interest, technical discussions / presentations may be held with the short-listed manufacturers / suppliers, who are prima facie considered technically and financially capable of supplying the material or executing the proposed work. During these technical discussions stage the procurement agency may also add

those other stake holders in the discussions who could add value to the decision making on the various technical aspects and evaluation criteria. Based on the discussions / presentations so held, one or more acceptable technical solutions could be decided upon laying down detailed technical specifications for each acceptable technical solution, quality bench marks, warranty requirements, delivery milestones etc., in a manner that is consistent with the objectives of the transparent procurement. At the same time care should be taken to make the specifications generic in nature so as to provide equitable opportunities to the prospective bidders. Proper record of discussions / presentations and the process of decision making should be kept.

3. Once the technical specifications and evaluation criteria are finalized the second stage of tendering could consist of calling for techno commercial bids as per the usual tendering system under single bid or two bid system, as per the requirement of each case. Final selection at this stage would depend upon the quoted financial bids and the evaluation matrix decided upon.

4. Commission desired that organizations formulate specific guidelines and circulate the same to all concerned before going ahead with such procurements.

S/d

Chief Technical Examiner

Ministry of Railways  
(Railway Board)

No.E(NG)I-2011/TR/11

Dated: 20.6.2011

Sub: Periodical Transfer of Railway Employees

As the Railway Administrations are aware, a comprehensive list of sensitive posts for the purpose of periodical transfers are drawn by the Ministry of Railways and circulated to the Railways under its letter No.E(NG)1/87 /TR/34 (JCM/DC) dated 27.9.1989. The posts of Stock Verifiers (SVs) were also included in this list vide Board's letter No.E(NG)1/94/ TR/29 dated 28.3.2005.

2. The Ministry of Railways have reviewed the matter and have decided that nature of job of Assistant Stock Verifiers (ASVs) in Accounts Department is similar to that of SVs, hence the post of ASVs should also be included in the list of sensitive posts for the purpose of periodical transfers.

S/d

Dy. Director Estt(N)

Ministry of Railways  
Railway Board

No. 2011/V01/ALS/1/1

Dated:20.9.2011

Sub: Advance Correction Slip No.14

Ministry of Railways (Railway Board) have decided to amend para 9 of Annexure III/1 of the Indian Railways Vigilance Manual (2006 edition). The amended para 9 of Annexure-III/1 of Chapter III is enclosed for information.

S/d

Director Vigilance (M)

Indian Railways Vigilance Manual (2006 edition)

Para 9 of Annexure-III/1 of the Indian Railway Vigilance Manual (2006 edition) shall be replaced as under:-

9. Medical Department

- (i) Medical Superintendents and Chief Medical Superintendents of all Railway Hospitals.
- (ii) Posts on which Doctors are nominated to conduct PME and Medical Examination of new recruits.
- (iii) Posts on which Doctors are made in charge of Hospital Medical Stores and dealing with local purchases.
- (iv) Posts on which Doctors are dealing with contracts relating to Sanitation / cleaning etc.
- (v) Deputy Chief Medical Directors / Additional Chief Medical Directors.

*(Board's letter pertains to sensitive post).*

## **CIVIL ENGINEERING DEPARTMENT**

### **DO's**

#### ***1 Tender***

1. Ensure that all tender notices and documents are put on the nominated website in time.
2. Evaluate the tender strictly as per the conditions specified in the Tender.
3. Authenticate all important certificates and documents submitted by the contract agency while evaluating the tender and during the course of execution of contract.
4. Mention Railway approved laboratories in the tender documents to get proper qualitative tests of the material used in the works.
5. Ensure prompt submission of Performance Guarantee by the contractor before entering into the agreement.
6. Assess the penalties and other charges stipulated in the agreement properly and effect prompt recoveries. Ensure consistency in incorporation of penalty clauses in different agreements.
7. Do read the specifications in conjunction with the relevant IS codes and follow scrupulously. Ensure that steel manufactured by BIS certified firms is only used in the work.
8. Confirm that specified laboratory tests of materials have been carried out and results are in conformity within laid down tolerances before allowing the material in the work and before recording measurements for payment to the contractor.

## ***II Execution of Works:-***

1. Ensure good workmanship by proper supervision.
2. Keep proper account of Railway materials issued to the contractors at the site of work.
3. Keep proper account and classification of released materials.
4. Ensure inspection and proper passing of materials supplied by contractors or through rate contracts before these are used in work. Maintain proper records.
5. Issue materials to the contractors only through authorized agents and control the issues commensurate with progress of work.
6. Ensure recovery of cost of materials supplied by Railway, hire charge for tools & plants etc., from the contractors' running bills immediately after their use.

## ***III Measurement***

7. Record levels on machine numbered level books only.
8. Carry out prescribed test checks of measurements paying particular attention to the hidden measurements.
9. Ensure test check of 100% longitudinal levels and not less than 20% of cross levels in an earth work contract.
10. Ensure inspection of correct thickness of items payable on 'area measurements' such as slabs, flooring, premixed road carpet, wood work etc., Test check must cover this aspect also.
11. Ensure recovery at penal rates for excess consumption of cement and steel as per terms of contract.

## **DON'Ts**

### ***I    Execution of works***

1. Don't allow execution of work without proper sanctioned work order.
2. Don't allow the contractor to first execute only those items considered more profitable by him at his discretion so that contractor's interest in completing the whole works remains.
3. Don't allow execution of partly left over work by another agency before taking final measurements of earlier contract and getting them accepted by both the old and the new contractors.
4. Don't permit use of substandard materials.

### ***II   Measurements***

5. Don't endorse test check certificates without putting date initials against individual identifiable items of works.
6. Don't pay long leads without physical verification and prepare a lead diagram for this purpose.
7. Don't allow recoveries on account of use of departmental machinery by contractors to be accumulated upto the final bill.

## **SELECTIONS**

### **DO's**

1. Ensure that calendar of selections is properly maintained, notified and selections conducted accordingly.
2. Conduct selections at regular intervals to eliminate indefinite continuance of ad-hoc arrangements.

3. Ensure that vacancies are correctly assessed with distribution of vacancies among different categories and the competent authority approves these.
4. Ensure that selection committee is properly constituted with the approval of competent authority having two officers from concerned department and one from personnel department. One of them must be from reserved community and none of them subordinate to the other.
5. Ad-hoc promotions shall not be resorted to after commencement of the selection formalities.
6. The bonafide of the candidates are to be verified at the time of the written examination so as to avoid impersonation.
7. Ensure that selection committee members are well aware of the instructions on the subject issued from time to time.
8. Ensure that Selection Board consists of at least three officers.
9. The officer nominated to set question paper and to evaluate the answer sheets should belong to the department for which the selection is held.
10. As far as possible the officers nominated to set the question paper and evaluate the answer book should be different.
11. Ensure pre-promotional training for SC/ST candidates when vacancies are reserved for SC/ST employees.
12. Ensure that all employees called for selection are fulfilling the eligibility criteria as per notification.

13. Ensure that all eligible candidates are informed in advance of the date of examination. It is desirable to give 3 to 4 weeks notice.
14. Ensure that question paper is both in Hindi and English as well as in regional language wherever necessary.
15. Ensure that at least 10% of the total marks prescribed for the written test are on official language policy and Rules and answering such questions shall not be compulsory and be optional.
16. Objective type questions to the extent of 50% of the marks are to be set (i.e., 45% to 55% of marks) for all selections in Non-Gazetted posts.
17. Ensure that marks allotted to each question / sub question, are clearly mentioned.
18. Maintain absolute secrecy in printing of question papers and pack the question papers in sealed covers duly affixing signatures on sealed covers.
19. With the advent of introduction of computers, and if question papers are prepared in the computer, after taking hard copy all files have to be deleted including the recycle bin. This has to be ensured immediately after taking hard copy and by Question Setting Authority.
20. Before handing over of answer sheet in sealed cover to the evaluator, ensure that proper coding is done and top slips are removed and kept separately in sealed cover along with coding sheet.
21. Evaluation of answer sheets should be in indelible ink and in no case, a lead pencil be used.
22. Ensure proper and uniform evaluation of the answer sheets especially for narrative type of answers. Objective

- type questions shall be evaluated with the help of key.
23. Ensure tabulation on the top sheet.
  24. Ensure that only required number of questions is evaluated and totaling of marks is correct. If, excess questions are answered, evaluate first attempted questions. If all questions are evaluated, only the marks awarded to the first attempted questions are included in the tabulation on the top sheet and rest ignored.
  25. Ensure that there is no erasing / cutting/overwriting in awarding of marks.
  26. Before conducting viva-voce in special designated categories, ensure updating of SR's, correct entries of punishments / awards in the SR and availability of CRs.
  27. Ensure that adequate notice, minimum of one week is given to the candidate to attend the interview.
  28. Ensure that single tabulation chart is prepared properly indicating all the details of marks allotted under different heads and remarks as to 'suitable' or 'unsuitable' and signed by all selection committee members.
  29. Ensure that awarding the marks and signing the marks statement should take place on the date of viva-voce.
  30. While forming the panels, ensure that suitable candidates are placed in the order of seniority within each group (SC, ST, General) adhering such rules.
  31. Before publishing the panel, ensure that proceedings are signed by all committee members and approved by the competent authority.
  32. Sealed covers containing question papers are to be

opened only after taking witness of employees (2 or 3) taking the examination.

33. It shall be ensured that all answer sheets bear the office seal and date stamp with the signature of the officer-in-charge of conduct of the written examination.
34. The panel once published shall not be modified normally. However, if modification of panel is involved due to administrative / other reasons, the same shall be resorted to with the approval of the next higher authority.

### **DON'Ts**

1. Do not change classification of post as selection or non-selection post without the approval of Railway Board.
2. Do not publish notification indicating excess posts so as to help employees who would otherwise not be within zone of consideration.
3. Do not change number of vacancies once the selection proceedings are set in motion.
4. Do not include names of the candidates, who are not originally in the zone of consideration.
5. Do not exchange the reserved posts between SC/ST or do not de-reserve the post without following proper procedure and competent authority's approval.
6. When the candidates are called in the ratio of 1:3 and in case there are not enough reserved candidates for the reserved vacancies to make the 1:3 ratio, do not call general candidates to make good this shortfall.

7. Do not substitute another officer as committee member in place of officer on leave / transferred without competent authority's approval.
8. Do not nominate an officer in selection board without obtaining vigilance clearance, so as to avoid officers borne on the agreed / secret list.
9. Do not nominate committee members / invigilators if their relation is appearing in the selection.
10. Do not entrust the job of preparation of the question paper to the subordinate due to lack of time or because of ignorance or inexperience.
11. Do not make copies of the question paper in the absence of paper setter.
12. Do not entrust the evaluation of answer sheets to others, if you are nominated to evaluate the same.
13. Do not award grace marks to individual candidates.
14. Do not forget to date your signature in the selection proceedings.
15. Do not be prejudiced while performing your duties due to pressure of any kind.
16. Do not co-opt any officer or take consultation of other officer who are not part of selection board.
17. Do not relax the eligibility criteria for selection without competent authority's approval.
18. Do not call additional candidate for selection if a candidate gives unwillingness after the commencement of the selection.
19. Do not evaluate the answer sheets without dummy numbers.

20. Do not review your own evaluation keeping in mind the percentage of pass marks with a view to bringing more candidates into the zone of viva-voce test.
21. Do not round off the decimal marks given by the evaluator.
22. Do not add notional seniority marks to the final result.
23. Awarding of marks should be based on the merit and the performance of the candidates.

### **SCRAP DISPOSAL**

#### **DOs**

1. Ensure that reserve price is fixed for each lot without fail before auction.
2. Ensure that all modifications to auction terms are announced before the auction.
3. Except where specifically exempted ensure that all lots put up for auction are surveyed by the survey committee.
4. Ensure that the lots are maintained in such a way that they cannot be changed by unauthorized persons before the delivery is completed.
5. Bring to notice of the depot officer if the contents of the lot to be delivered are found to be significantly different from the description shown in the delivery order.

#### **DON'Ts**

1. Do not allow fresh arisings to get mixed-up with lots already surveyed and ready for sale.
2. Do not allow purchaser to pick and choose while arranging delivery of the sold materials.

3. Do not allow the scrap merchants or other unauthorized persons to enter the scrap yard except strictly on business and under proper authorization.

## **MEDICAL DEPARTMENT**

### **DOs**

1. Ensure proper issue of Sick/Fit certificate to the bonafide employees.
2. Ensure correct local purchase medicines.
3. Ensure correct observance of rules for treatment of outsiders.
4. Ensure periodical inspection on the stock of medicines.
5. Ensure proper relationship as per rules before treatment of Railway employees relatives.

### **DON'Ts**

1. Avoid purchase of spurious medicines.
2. Avoid leaving blanks in the Medical Attendance Register.
3. Avoid issuing back dated medical certificates.
4. Avoid simultaneous use of two or more sick/fit certificate books.
5. Avoid frequent and indiscriminate local purchase

## **LOCAL PURCHASES**

### **DOs**

1. Ensure that a register of purchase sources is maintained after inspection of their capacity.
2. Ensure that every item ~~sp~~ sealed quotations are obtained.

3. Where bearer quotations are called, ensure separate acknowledgement of receipt of quotations from all the suppliers to whom the tenders are sent.
4. Critically examine the reasonableness of rates and record the reasons for accepting a rate. The lowest rate may not be a reasonable rate.
5. Ensure that quotations are obtained from genuine firms who can also quote competitive rates.
6. Avoid cash payments as far as possible, in any case not exceeding the powers granted by the Railway Board for affecting cash payments.
7. Ensure that inquiries are sent by rotation to registered local suppliers.

### **DON'Ts**

1. Do not split indents to bring the purchase within local purchase powers.
2. Do not issue an inquiry unless the exercise of the firm has been checked.
3. Do not entertain open quotations, which are unsigned or appear to be corrected on terms involving financial implications without being attested by the tenderer.
4. Do not entertain indents with unattested corrections.
5. Do not accept the offer without verifying the reasonableness of rates especially for the branded items.

### **ACCOUNTS**

## **DOs**

1. Ensure that the expenditure has been properly and fully vouched and has been so recorded as to render the second claim on the same account impossible.
2. The bill should be in original and in prescribed form.
3. Ensure that the bill has been signed by the officer competent to sign the same and that his signature tally with those available in the record.
4. Ensure that advance payment is released only in accordance with provisions of contract and that such payments are adjusted while making final payment.
5. There is no delay in the payment of bills and that the bills are checked / paid according to their turn on the first come first serve basis.

## **DON'Ts**

1. Don't pass the bill with erasures or alterations unless attested by the bill signing authority as many times as such alterations are made.
2. Don't allow payment of rates higher than those included in the Agreement without specific competent sanction.
3. Don't pass the 90% or more advance bills until accompanied by the proof of despatch of the material i.e., the original Railway Receipt and proof of inspection where required.
4. Don't fail to exercise sample check in the matter of pending items of passing of bills, refund of earnest money, security deposit and staff payment such as PF advance, TA or final settlement bill, so that prompt

action by the concerned staff is ensured.

5. Don't give preference in passing the bills of any particular contractor or supplier except under specific authority.

## **ELECTRICAL**

### **DOs**

#### **Execution of Contract**

1. Ensure prior administrative approval of competent authority before executing additional quantities in each item so that the contracts are not vitiated.
2. Keep proper account of Railway materials issued to the contractors at the site of work.
3. Keep proper account and classification of released materials.
4. Ensure inspection and passing of materials supplied by contractors before these are used in work. Maintain proper records.
5. Issue materials to the contractors only through authorized agents and control the issues commensurate with progress of work.
6. Ensure recovery of cost of materials supply by Railways, hire charges for tools & plants etc., from the contractors running bills immediately after their use.
7. Measurement Books should be issued by competent authority, duly filling and signing the first page of MB, to the concerned supervisors only and record should be maintained.

8. Maintain necessary records at site as required based on the instructions contained in the Engineering Code, relevant manuals and instructions issued from time to time.
9. Consumption of material like wires, cables etc in work execution by contractor must be maintained in the site register by supervisor incharge of the work.

### **DON'Ts**

1. Do not operate non-schedule items where it is possible to do work as per scheduled items or a combination thereof.
2. Do not allow two or more agencies to do similar works at one site.
3. Don't allow the contractor to first execute only those items considered more profitable, at his discretion, so that contractor's interest in completing the whole works remains.
4. Don't allow execution of partly left over works by another agency before taking final measurements of earlier contract and getting them accepted both by the old and the new contractor.
5. Don't endorse test check certificates without putting date initials against individual identifiable items of works.
6. Don't allow recoveries on accounts of use of departmental machinery by contractors to be accumulated upto the final bill.
7. Don't make payment of a 'finished item of work' on mere arrival of the material at site unless it is fixed in position as per description of the item of work.

## **GOI Resolution on Public Interest Disclosure and Protection of Informer**

The Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) had issued a public notice vide No. 371/12/2002 – AVD.III dt. 21/29.4.04 which has been published in the Gazette of India. The Central Vigilance Commission has also issued a Public Notice in this regard which is given below:

### **Public Notice**

## **GOI Resolution on Public Interest Disclosure and Protection of Informer**

The Government of India has authorized the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. The jurisdiction of the Commission in this regard would be restricted to any employee of the Central Government or of any corporation established by or under any Central Act, government companies, societies or local authorities owned or controlled by the Central Government. Personnel employed by the State Governments and activities of the State Governments or its Corporations etc. will not come under the purview of the Commission.

3. In this regard, the Commission, which will accept such complaints, has the responsibility of keeping the identity of the complainant secret. Hence, it is informed to the general public that any complaint, which is to be made under this resolution should comply with the following aspects.

i) The complaint should be in a closed/secured envelope.

- ii) The envelope should be addressed to Secretary, Central Vigilance Commission and should be superscribed "Complaint under The Public Interest Disclosure". If the envelope is not superscribed and closed, it will not be possible for the Commission to protect the complainant under the above resolution and the complaint will be dealt with as per the normal complaint policy of the Commission. The complainant should give his/her name and address in the beginning or end of complaint or in an attached letter.
  - iii) Commission will not entertain anonymous/ pseudonymous complaints.
  - iv) The text of the complaint should be carefully drafted so as not to give any details or clue as to his/her identity. However, the details of the complaint should be specific and verifiable.
  - v) In order to protect identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are advised not to enter into any further correspondence with the Commission in their own interest. The Commission assures that, subject to the facts of the case being verifiable, it will take the necessary action, as provided under the Government of India Resolution mentioned above. If any further clarification is required, the Commission will get in touch with the complainant.
4. The Commission can also take action against complainants making motivated/ vexatious complaints under this Resolution.
5. A copy of detailed notification is available on the website of the Commission <http://www.cvc.nic.in>.

## **GOI Resolution on Public Interest Disclosure and Protection of Informer**

In continuation of Board's letter of even number dated 13.5.04 (RBV No. 10/2004) on the above subject, a copy of the Gazette of India Extraordinary, Part 1- Action 1 referred to therein, is enclosed for ready reference.

**The Ministry of Personnel,  
Public Grievances and Pensions  
(Department of Personnel and Training)**

### **RESOLUTION**

**New Delhi, the 21<sup>st</sup> April, 2004**

No. 371/12/2002 – AVD.III “Whereas while hearing writ petition (C) No. 539/2003 regarding the murder of Shri Satyendra Dubey, the question of a suitable machinery for acting on complaints from ‘whistle blowers’ arose”

And whereas the “The Public Interest Disclosure and Protection of Informers” Bill, 2002, drafted by the Law Commission is under examination.

Now, therefore, the Central Government hereby resolves as under :

1. The Central Vigilance Commission (CVC) is hereby authorized, as the designated Agency, to receive written complaints or disclosure on any allegation of corruption or misuse of office by any employee of the Central Government or of any Corporation established by or under any Central Act, Govt. Companies, Societies or local authorities owned or controlled by the Central Govt. The disclosure or complaint shall contain as full particulars as possible and shall be accompanied by supporting documents or other material.

2. The designation agency may, if it deems fit, call for further information or particulars from the persons making the disclosure. If the complaint is anonymous, the designated agency shall not take any action in the matter.

3. Notwithstanding anything contained in the Official Secrets Act, 1923, any public servant other than those referred to clauses (a) to (d) of article 33 of the Constitution of any other person including any non-governmental organization, may make a written disclosure to the designated agency.

4. If the complaint is accompanied by particulars of the person making the complaint, the designated agency shall take the following steps:

- (i) The designated agency will ascertain from the complainant whether he was the person who made the complaint or not.
- (ii) The identity of the complainant will not be revealed unless the complainant himself has made the details of the complaint either public or disclosed his identity to any other office or authority.
- (iii) After concealing the identity of the complainant, the designated agency shall make, in the first instance, discreet inquiries to ascertain if there is any basis of proceeding further with the complaint. For this purpose, the designated agency shall devise an appropriate machinery.
- (iv) Either as a result of the discreet inquiry, or on the basis of the complaint itself without any inquiry, if the designated agency is of the opinion that the matter requires to be investigated further, the designated agency shall officially seek comments/or explanation from the Head of the Department of the concerned Organization or

office. While doing so, the designated agency shall not disclose the identity of the informant and also shall request the concerned Head of the Organization to keep the identity of the informant secret, if for any reason, the concerned Head comes to know the identity.

- (v) After obtaining the response of the concerned Organization, if the designated agency is of the opinion that the investigations reveal either misuse of office or substantiate allegation of corruption, the designated agency shall recommend appropriate action to the concerned Govt. Department or Organization. These shall, inter alia, include following:
  - (a) Appropriate proceedings to be initiated against the concerned Government servant.
  - (b) Appropriate administrative steps for redressing the loss caused to the Government as a result of the corrupt act or misuse of office, as the case may be.
  - (c) Recommend to the appropriate authority/agency initiation of criminal proceedings in suitable cases, if warranted by the facts and circumstances of the case.
  - (d) Recommend taking of corrective measures to prevent recurrence of such events in future.

5. For the purpose of making discreet inquiry or obtaining information from the concerned organization, the designated agency 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.

6. 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 designated agency seeking redress in the matter, who shall take such action, as deemed fit. The designated agency may give suitable directions to the concerned public servant or the public authority as the case may be.

7. Either on the application of the complainant, or on the basis of the information gathered, if the designated agency is of the opinion that either the complainant or the witnesses need protection, the designated agency shall issue appropriate directions to the concerned Government authorities.

8. The machinery evolved herein shall be in addition to the existing mechanisms in place. However, secrecy of identity shall be observed, only if the complaint is received under this machinery.

9. In case the designated agency finds the complaint to be motivated or vexatious, the designated agency shall be at liberty to take appropriate steps.

10. The designated agency shall not entertain or inquiry into any disclosure

- (a) in respect of which a formal and public inquiry had been ordered under Public Servants Inquiries Act, 1850 or
- (b) in respect of a matter which has been referred for inquiries under the Commissions of Inquiry Act, 1952.

11. In the event of the identity of the informant being disclosed inspite of the designated agency's directions to the contrary, the designated agency is authorized to initiate appropriate action as per extant regulations against the person or agency making such disclosure.

12. The machinery created herein shall operate till Parliament passes a Law on the subject.

## INTERESTING CASES DETECTED

### STORES DEPARTMENT

#### **(i) Receipt of materials w/o proper documents**

- PC was conducted in receipt of materials (SS Double Ferrule fittings & SS pipes) without proper documents.
- Discrepancies were noticed in the receipt of SS pipe fittings.
- Originally a consignment of SS Double Ferrule fittings were received. However the pipes were not received along with the original receipt.
- The pipes were received along with another receipt in another PO, but there was no document for the receipt of pipes
- IR was prepared. It was noticed that the pipes were received subsequently. The Rites hologram on the pipes were checked with the Rites IC.
- Though there is no loss to the Railways, Vigilance advised Stores branch to take up the DMS under DAR for receiving the material without any document.

#### **(ii) Computer Paper**

- During a PC on availability of Computer paper, it was noticed that every bundle of 500 Sheets had a shortage of 50 Sheets (approx)
- Proceedings were recorded at the places where the Computer Paper was issued and was advised to shift all the paper to Depot for further course of action.
- The lot has been rejected and Depot has advised Accounts to recover the money.

### **(iii) Receipt of items**

- A PC was conducted in the receipt of GS coach sets in Fur Depot
- It was noticed that the full coach set was not received, but the DBR was taken in the system.
- The balance items (Longitudinal luggage rack and the light luggage rack) were received subsequently.
- This gives substantial advantage to the firm as the supply date is fixed in the system.
- The subsequent balance items supplied are taken under manual DBR and hence no link with the system.
- The DBR date is a very crucial data, especially while calculating liquidated damages.
- The date entered in the system form the supply date. In reality, the firm has not supplied One full coach set till 30/6/ 11 (original delivery date)
- The issue got still complicated when the longitudinal and light luggage racks got rejected.
- A manual rejection letter was issued to the firm indicating the reasons of rejection.
- Any part / component supplied along with another component as set, if rejected, the whole set gets rejected and the rejection memo has to be generated and issued to the firm detailing the rejection reasons. In this case it has not been done.
- By not issuing a system generated Rejection memo, the firm's poor quality performance has not been recorded.
- In all, the firm's poor performance on delivery as well as quality has not been recorded in the system, thereby, the firm's vendor rating has not been affected at all.
- Corrective action taken by Stores Branch on advice

from Vigilance.

## **MECHANICAL DEPARTMENT**

### **(i) *Installation Contract***

- In a PC in the installation contract for installation of Brake system in Kolkata Metro coaches, it was noticed that the contractor had brought some SS Double Ferrules inside the factory unauthorisedly.
- The firm's clarification was taken.
- It was noticed that the item was not sought by any ICF officials
- The firm indicated that they had brought the material inside for testing purpose, which was not convincing.
- Incidentally, the contractor is also an liaison agent for the component supplier
- It was suspected that the component supplier had used the contractor to take the material inside and use the ferrules whenever there is a failure while fitment.
- This helps the firm to avoid any possible rejections and also does not affect the rating of the supplier in respect of quality performance.
- IR has been prepared and Mechanical branch has been advised to take action against the contractor and also against the supplier of Double ferrule fittings

### **(ii) *Quality of Materials***

- During a check in the quality of the Cover Moulding it was noticed the samples drawn from the accepted lot did not meet the requirement of the specification in respect of galvanizing.

- Depot was advised for further course of action.
- The lot has been rejected and finance has been advised to recover the amount.

**(iii) Completion Certificate**

- Stores contract for supply & application of High Performance Anti-Corrosive Epoxy Coating.
- Application work to be certified by an officer from the production
- Two completion certificates were issued for 19 coaches
- Excess payment certified to the extent of ₹1,10,600.00
- Excess payment made to the extent of ₹13,900.00
- Based on Vigilance advice, ₹13,900.00 was recovered

**(iv) Vendor Approval by Design**

- During a PC, it was noticed that a firm was downgraded to Part-II status due to its poor performance on quality.
- As per the extant rules, the review of the downgraded firm shall be done only after the firm completes one year with down-graded status.
- The SAG officer had reinstated the firm to Part-I, which was against the extant procedure order, despite that his subordinates had brought out the essence of procedure order.
- In other case, the same SAG officer had given approval to a firm for supply of an item for which the specification itself was not ready
- The firm had sought approval from ICF for supply of certain types of bogies. AME & DyCME had recommended that the firm can be considered as a

developmental source subject to the firm confirming certain conditions like ISO, welders qualification report etc

- The SAG officer had given his orders for approving the firm even before the firm complied with the aspects brought out by AME.
- In addition to the above, the SAG officer had also given approval to the firm, for manufacture and supply of FIAT bogies for which the specification itself was not ready at that time.
- Investigation has been completed. Case under finalization.

**(v) *Indulging in private business.***

- A supervisor was found to be promoting Amway products during working hours in his workplace.
- His spouse was the business-promoter.
- The employee was taken up under Major penalty disciplinary proceedings for not intimating the Admn. about the business activities and for indulging in promoting the business during working hours. Punishment of Compulsory Retirement has been awarded.
- Two employees requested for permission to visit Switzerland, indicating same travel plans.
- On suspicion, both the employees were enquired and it was learnt that their spouses were engaged in promoting Amway products/business.
- Both have been charge sheeted for not disclosing the fact of business activities being carried out by their spouses.

## **GENERATION OF AWARENESS** **AGAINST CORRUPTION**

Chanakya, the Indian Machiavelli very rightly commented on corruption as “It’s just as difficult to detect an official’s dishonesty as it is to discover how much water is drunk by the swimming fish”. In the Indian scenario this holds water even today. Corruption has gained the ultimate form, it is as much omnipresent as the Almighty. Corruption starts at the grassroots level and reaches the top layer of an administration or nation.

It is disheartening to note that people are resorting to shortcuts in all walks of life. For example if an admission to a kindergarten level school can be fraught with such malpractice, ie. paying huge sums as an inducement to obtain a seat, then it would not be surprising that large chunks of money laundering are done at higher levels.

Awareness of corruption does exist amongst people at large thanks to the input from media such as newspaper, television and the cinemas. In fact it is aided and abetted by the masses to achieve their own ends. Ironically those who retain certain scruples are sometimes forced to join the bandwagon and resort to dishonest means.

Invoking awareness against corruption should be done amongst the youngsters who will be the future guardians of the society. If at all a leeway is to be made against corruption, then it would be ideal to inculcate values among the younger generation to create a better nation tomorrow. Visual media can be best used to depict the ill effects that corruption has on the society. For instance documentaries, simulated 3D virtual stories etc. will impinge on their memory. Lectures

and seminars can also be held in schools and colleges to target these young citizens of the nation. They should be educated to use their franchise to vote wisely and help create an egalitarian society.

It would not be remiss to invoke Chanakya who envisioned a society where the people are not running behind material pleasures. Spiritual development is essential for the internal strength and character of the individual. Our land is abounded with spiritual wealth and to combat corruption, this can be artfully used. A very inspiring incident in the life of the great Kautilya should serve as an eye opener to those corrupt at the helm of affairs in a nation. Once Chanakya was entrusted with the duty of storing blankets to be distributed to the poor and needy. Though he was a highly respected minister in the court of King Chandragupta, Chanakya lived the life of an austere Brahmin and lived in a hut. On the day, the blankets were kept for storage in his hut, a thief entered to steal hoping to get some valuables since Chanakya was a valued aide of the King and he assumed he would be hoarding riches at his house. However he was shocked to notice the man lying in cold without a blanket on the floor. The surprised thief asked Chanakya as to why he did not use one of the blankets, when there was so many stacked. Chanakya replied that it was not his to use, but that which has been entrusted in his care to be distributed and that he would never undermine that trust placed by the King in him. The thief felt ashamed and mended his wicked ways.

Though such extreme moral values cannot be expected in this day and age and would sound utopian, the fight against corruption can only be won only when awareness amongst the next generation is created. The adults are cynical and

rightly skeptical if one initiates any cause against corruption. The plights of the whistleblowers are sad deterrents to those who want to espouse the campaign against corruption.

Hopefully young India can be geared up to establish a nation sans corruption.

( J.SUBHADRA)

Head Clerk

Emp.No.707671/PB/

SHELL/90 A

Winner of Vigilance Awareness Week, 2010

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