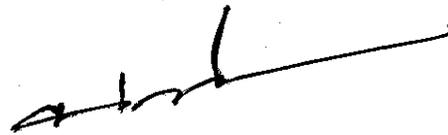


The Central Vigilance Commission presents its 44th Report relating to the calendar year 2007.

A handwritten signature in black ink, appearing to read 'Pratyush Sinha', written in a cursive style.

(PRATYUSH SINHA)
CENTRAL VIGILANCE COMMISSIONER

New Delhi
Dated: the 26th June, 2008

ACKNOWLEDGEMENT

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

CONTENTS

S. NO.	TITLE	PAGES
1.	INTRODUCTION	1-8
2.	OBSERVATIONS AND INITIATIVES	9-16
3.	COMMISSION'S ACTIVITIES DURING THE YEAR	17-29
4.	SUPERINTENDENCE OF VIGILANCE ADMINISTRATION	30-37
5.	AREAS OF CONCERN INCLUDING NON-COMPLIANCE AND DELAY IN THE IMPLEMENTATION OF THE COMMISSION'S ADVICE	38-49
6.	CHIEF TECHNICAL EXAMINERS' UNIT	50-57
7.	FUNCTIONING OF DELHI SPECIAL POLICE ESTABLISHMENT (CENTRAL BUREAU OF INVESTIGATION)	58-63
ANNEXURES		
I	Group-wise staff strength and related information	65
II	Organisation-wise details of punishments imposed during 2007 in respect of cases where Commission's advice was obtained	66-69
III	Work done by CVOs during the period 1.1.2007 to 31.12.2007	70-78
IV	List of organizations yet to submit reports on complaints forwarded by the Commission	79-83
V	List of organizations yet to appoint CDIs nominated by the Commission	84
VI	Organisation-wise list of cases in which Commission has not received information about implementation of its advice	85-90
VII	Cases inspected by CTE resulting in advice of penalty proceedings by the Commission	91

CHAPTER-1

Introduction

The Central Vigilance Commission was constituted by the Government of India through a Resolution of 1964, for prevention of corruption in Central Govt. institutions and public administration. It all began with a debate in the Parliament in June 1962 where many Members of Parliament expressed concern over the growing menace of corruption in administration. This led to the setting up of a committee by Shri Lal Bahadur Shastri, then Hon'ble Minister for Home Affairs under the Chairmanship of Shri K. Santhanam, MP, to review the existing instruments for checking corruption in central services and to advise practical steps to make anti-corruption measures more effective. The committee identified the following four major causes of corruption:

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

Recognizing the limitations of the existing vigilance arrangements to deal with corrupt activities by public servants and the conspicuous absence of a dynamic integration between the vigilance units in the various Ministries and the Administrative Vigilance Division, the Committee conceptualized an apex body for exercising general superintendence and control over vigilance administration. The committee also recognized the need for providing this body, the technical expertise to deal with matters relating to engineering works, constructions, etc. They recommended that the body may undertake an inquiry into the transactions of suspected public servants or into allegations for having acted for improper purposes or in a corrupt manner. Thus, the Central Vigilance Commission came into existence in 1964, as an apex body, through the Government of India Resolution of 11.2.1964. Later, in September 1997, the Central Government constituted an independent review committee to suggest measures for strengthening anti corruption activities. The Review Committee recommended for conferring statutory status on the Central Vigilance Commission. Months later, the Hon'ble Supreme Court of India in Criminal Writ Petition Nos.340-343/93 (Vineet Narain and others Vs. Union of India and others) popularly known as Jain Hawala Case also gave directions on 18.12.1997 that statutory status should be conferred upon the Central Vigilance Commission.

The Central Government promulgated an Ordinance dated 25.8.1998 to comply with the directions of the Supreme Court which was later replaced with Ordinance dated 8.1.1999 as the earlier ordinance was expiring and the Central Vigilance Commission Bill 1998, introduced in the Parliament had not been passed. As the ordinance dated 8.1.1999 was also expiring, the Central Government promulgated another Resolution dated April 4, 1999 and the Central Vigilance Commission continued to function under the Resolution dated 4.4.1999 till the Central Vigilance Commission Act was passed by both the Houses of the Parliament in 2003.

Present Status

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

Important Features of the Central Vigilance Commission Act, 2003

- The Commission shall consist of a Central Vigilance Commissioner (Chairperson) and not more than two Vigilance Commissioners (Members).
- The Central Vigilance Commissioner and the Vigilance Commissioners shall be appointed by the President on the recommendations of a Committee consisting of the Prime Minister (Chairperson), the Minister of Home Affairs (Member) and the Leader of the Opposition in the House of the People (Member).
- The term of office of the Central Vigilance Commissioner and the Vigilance Commissioners would be four years from the date on which they enter their office or till they attain the age of 65 years, whichever is earlier.
- It shall exercise superintendence over the functioning of the Delhi Special Police Establishment (CBI).
- **According to the provisions of the Act, the Central Vigilance Commissioner (CVC) is also the Chairperson of the two Committees, on whose recommendations, the Central Government shall appoint the Director of the Delhi Special Police Establishment and the Director of Enforcement.**
- The Commission shall have the powers to inquire or cause an inquiry or investigation to be made on a reference made by the Central Government.
- The Commission shall have the powers to inquire or cause an inquiry or investigation to be made into any complaint received against any official under its jurisdiction under the Act.
- The Commission shall exercise superintendence over the vigilance administrations of the various Central Government Ministries, Departments and organizations of the Central Government.
- The Commission, while conducting the inquiry, shall have all the powers of a Civil Court with respect to certain aspects.
- The Commission shall tender advice to the Central Government and its organizations on such matters as may be referred to it by them.

Public Interest Disclosure Resolution

In response to a PIL filed in the Supreme Court following the murder of Shri Satyendra Dubey, an employee of the NHAI, the Supreme Court directed the Central Government to devise a suitable mechanism to act on the complaints from “whistle blowers” till such time as a suitable legislation was enacted to that effect. **The Central Government, through the Public Interest Disclosure and Protection of Informers’ Resolution dated 21st April, 2004, designated the Central Vigilance Commission as the agency to act on the complaints from “whistle-blowers”** till such time as the Parliament passes a law on the subject. According to the resolution, popularly known as the Whistle Blower Resolution, the Commission has been entrusted the responsibility of keeping the identity of the complainant lodging the complaint under PIDPI Resolution, secret and the power to take action against complainants making motivated or vexatious complaints. While the Central Vigilance Commission Act 2003 restricts the jurisdiction of the Commission mainly to Group A Officers and such level of officers as notified by the Central Government, there is no such restriction on the Commission in the Government of India **‘Public Interest Disclosure and Protection of Informers’ Resolution, 2004.**

Important Features of the “Whistle-Blowers” Resolution

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

- The Commission shall not entertain or inquire into any disclosure in respect of which a formal and public inquiry has been ordered under the Public Servants Inquiries Act, 1850, or a matter that has been referred for inquiry under the Commissions of Inquiry Act, 1952.
- In the event of the identity of the informant being disclosed in spite of the Commission's directions to the contrary, the Commission is authorised to initiate appropriate action in accordance with the extant regulations against the person or agency making such a disclosure.

The Commission on its part, in keeping with the spirit of PIDPI Resolution has laid down a detailed procedure for lodging complaints. This has been given wide publicity and has also been put on the Commission's website. Only the complainants following the procedure would be entitled to protection under this resolution.

Jurisdiction, Powers and Functions of Central Vigilance Commission

In principle, the jurisdiction of the Commission extends to all the organizations to which the executive power of the Union of India extends. Sections 8(1)(d) and 8(2)(a) of the Central Vigilance Commission Act extend its jurisdiction to Group A level officers of the Central Government and such level of officers in the corporations, Govt. companies, societies and other local authorities of the Central Government as may be notified by the Central Government separately.

Commission's Jurisdiction under the Act at present

- Members of All India Services serving in connection with the affairs of the Union and Group A officers of the Central Government.
- Chief Executives and Executives on the Board and other officers of E-8 and above in Schedule 'A' and 'B' Public Sector Undertakings of the Central Government;
- Chief Executives and Executives on the Board and other officers of E-7 and above in Schedule 'C' and 'D' Public Sector Undertakings of the Central Government;
- Officers of the rank of Scale V and above in the Public Sector Banks;
- Officers in Grade D and above in Reserve Bank of India, NABARD and SIDBI;
- Managers and above in respect of General Insurance Companies;
- Senior Divisional Managers and above in Life Insurance Corporation;
- Officers drawing salary of Rs. 8700/- per month and above on Central Government D.A. pattern, in societies and local authorities owned or controlled by the Central Government.

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

Powers and Functions of the Central Vigilance Commission

- Exercise superintendence over the functioning of the Delhi Special Police Establishment (DSPE) with respect to investigation under the Prevention of Corruption Act, 1988; or offence under the CrPC for certain categories of public servants and to give directions to the DSPE in discharging this responsibility;
- Review progress of investigations conducted by the DSPE into offences alleged to have been committed under the Prevention of Corruption (PC) Act;
- Undertake an inquiry or cause an inquiry or investigation to be made into any transaction in which a public servant working in any organization, to which the executive control of the Government of India extends, is suspected or alleged to have acted for an improper purpose or in a corrupt manner;
- Advice to the disciplinary and other authorities in disciplinary cases, involving vigilance angle at different stages i.e. investigation, inquiry, appeal, review etc.;
- General check and supervision over vigilance and anti-corruption work in the Ministries or the Departments of the Govt. of India and other organizations to which the executive power of the Union extends;
- Respond to Central Government on mandatory consultation with the Commission before making any rules or regulations governing the vigilance or disciplinary matters relating to the persons appointed to the public services and posts in connection with the affairs of the Union or to members of the All India Services;
- CVC is the chairperson and the Vigilance Commissioners are two of the members of the Committee to recommend selection of the Director (CBI) and the Director (Enforcement Directorate). The Committee concerned with the appointment of the Director CBI is also empowered to recommend, after consultation with the Director (CBI), appointment of officers to the posts of the level of SP and above in DSPE; and
- Undertake or cause an inquiry into complaints received under the Public Interest Disclosure and Protection of Informer and recommend appropriate action.

Approval of the Central Government

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

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

- the employees of the Central Government of the level of Joint Secretary and above; and

- such officers as are appointed by the Central Government in Corporations established by or under any Central Act, Government Companies, Societies & Local authorities owned or controlled by that Government.

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

Advisory Role

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

The Commission examines the investigation reports furnished by the CVO or the CBI and depending on the facts of each case and the evidence/records available, advises (a) initiation of criminal and/or regular departmental action against the public servant(s) concerned; (b) administrative action against public servants concerned; or (c) closure of the case. The Commission's advice at this stage is termed as the first stage advice. The regular departmental action could be for the imposition of a major or a minor penalty as specified in the service rules of the organization concerned.

In those cases where major penalty proceedings were advised, on the conclusion of the inquiry proceedings, the Commission's second stage advice is required to be sought along with the inquiry report and other records relating to the inquiry. In case it is not possible to conduct the inquiry proceedings due to special circumstances, the Commission has to be consulted before finalizing the case. In cases where Commission advised initiation of minor penalty proceedings, no second stage advice is required to be obtained if the organization concerned has decided to impose one of the defined minor penalties. In case the authorities concerned propose to exonerate the officer concerned after considering his defence statement, the Commission is required to be approached for advice before issuing final orders.

Present composition of the Commission

In terms of the Central Vigilance Commission Act 2003, the Commission consists of one Central Vigilance Commissioner as Chairperson and two Vigilance Commissioners as Members. The appointment of the CVC as well as that of the VCs is made by the Hon'ble President of India on the recommendations of a Committee consisting of (a) the Prime Minister; (b) the Minister of Home Affairs; and (c) the Leader of the Opposition in the Lok Sabha. At present, Shri Pratyush Sinha, IAS (Retd.) is the Central Vigilance Commissioner and Shri Sudhir Kumar, IPS (Retd.) and Smt. Ranjana Kumar (Retd. Chairperson, NABARD) are the Vigilance Commissioners.

Staff Composition

The Central Vigilance Commission is assisted by a Secretary (in the rank of Additional Secretary to the Government of India), two Additional Secretaries (in the rank of Joint Secretary to the Government of India) and other staff which includes twelve officers (in the rank of Director/Deputy Secretaries), two OSDs and four Under Secretaries. In addition, there are twelve Commissioners for Departmental Inquiries (CDIs) who are nominated to conduct departmental inquiries relating to major penalty proceedings on behalf of the disciplinary authorities in disciplinary cases against senior officers having serious charges of a vigilance nature. The group-wise staff strength of the Commission as on 31.12.2007 and related information is at **Annexure - I**.

Technical Wing

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

Chief Vigilance Officers

Each department/organization covered under the normal advisory jurisdiction of the Commission has a vigilance unit headed by the Chief Vigilance Officer (CVO). The CVOs act as an extended arm of the Commission and for all practical purposes represent the Commission in respect of all vigilance matters including that of the junior officers, who are not covered under the normal jurisdiction of the Commission. The CVOs are required to provide assistance to the head of the organization concerned in all matters relating to vigilance administration by providing appropriate advice/expertise to them. The CVOs serve as a vital link between the organization and the Commission and it is their primary function to advise the authorities in the organizations for establishing effective systems and procedures and to periodically monitor their compliance to minimise systemic failures/loopholes, which provide opportunities for malpractices/irregularities. The CVOs are also required to ensure speedy processing of vigilance matters, especially the disciplinary cases.

The Commission has a system of obtaining monthly reports and annual reports from the CVOs as an effective tool of communication between the Commission and CVOs, on all activities pertaining to vigilance administration in the organizations concerned. The Commission holds annual zonal review meetings with the CVOs of all major government departments/organizations in order to take stock of the effectiveness of vigilance activities in those organizations and to review the performance of those CVOs. Likewise, periodical meetings are also convened by the Commission with those organizations where specific vigilance concerns are noticed to bring about systemic and other required changes to address vigilance related

issues and to devise strategic initiatives to promote transparency and accountability in administration. As and when required, the Commission invites the CVOs individually to discuss important issues relating to their organizations with them.

The Commission also attaches considerable importance to the training of the CVOs and other vigilance personnel, and has come to an understanding with the CBI Training Academy, Ghaziabad, for imparting training to the CVOs. The CTEs have also been conducting workshops for the CVOs and other officials of the organizations to help them examine work/purchase contracts from the vigilance point of view and for checking whether the measures provided to ensure transparency in such contracts have been complied with. The CTEs also held a two-day workshop of IT Managers of Public Sector Banks on IT procurement and management in Mumbai.

At present, seven departments of the Government of India, and larger PSEs, banks and insurance companies have full-time CVOs while others have part-time CVOs. The total number of full-time CVO posts available is 199. The functions of CVOs in other organizations are performed by part-time CVOs who are officers of appropriate level already working in the organization.

During the year 2007, the Commission considered the suitability of 109 officers recommended by the administrative authorities for appointment to the post of CVOs in different organizations including names of 70 officers for appointment as part time CVOs in various Departments/Ministries/Autonomous Bodies.

The Commission also accorded 489 vigilance clearances for Board Level appointments.

Right to Information Act, 2005

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

During the year 2007, 938 applications were received and all the complaints were disposed of according to the provisions under the Act. 157 appeal cases as first appeal were filed with the appellate authority of the Commission and these were accordingly disposed of. 27 appellants filed appeals before the Central Information Commission (CIC). Comments in 24 cases were sent to the CIC, who after due consideration of the Commission's views decided 12 appeals. In 3 cases, the matter is under process to forward the comments to the CIC and 12 cases are pending for decision with the CIC. At the end of the year 2007, 26 RTI applications and 7 appeals to the Appellate Authority of the Commission were pending for disposal.

CHAPTER-2

Observations and Initiatives

General Observations

In the recent past, India has emerged as a progressive and vibrant economy. With the rapid growth in all sectors of the economy, huge investments were made in country's infrastructure; construction, retail and many other sectors in the government. Rapid growth in economy throws up its own challenges in the fight against the menace of corruption. There is greater need in such times to address the shortcomings in the system. India with its economy growing at a sustained pace and in a globalised world can ill afford to have an adverse perception regarding the country's commitment and capacity to address the issue of corruption.

It is the lack of qualities like accountability, transparency, justice and fair play which promotes corruption, which, when, endemic further undermines these qualities thus completing a vicious circle. It has been observed that the public mainly interacts with the State Govts./local self government agencies for seeking various kinds of permissions, licenses etc. and for redressal of grievances. Unfortunately, the situation at the grass root level is far from satisfactory and urgent steps are required to improve the position there and to make the system responsive, transparent and accountable. The public has, however, become more vocal of late in expressing his concern regarding the erosion of ethics and a decline in the moral values in various aspects of public administration.

Two more developments have contributed to the increased awareness of the public. One, the legislation on right to information by Govt. of India, two, the well documented studies of international agencies working in the area of promoting transparency and fair play to reduce corruption. The expectations, therefore, from the Central Vigilance Commission has correspondingly increased manifold.

Combating corruption requires a multi pronged strategy which involving all the stakeholders in the society in a participatory manner. The Commission is also of the view that evolving and effectively implementing strategies and methods for preventive vigilance is the most important aspect of vigilance administration which includes transparency, fair-play, objectivity and timely response in dealing with matters relating to public administration. The Commission, on its part, has been taking every possible step to ensure a prompt, responsive, accountable, transparent and corruption free system of Government by ensuring decision in a time bound manner. It has taken many initiatives in this regard some of which are discussed below:-

Safeguards to be taken while granting mobilization advance.

The Commission in the past has expressed its concern over the payment of interest free mobilization advance to the contractors, who use the money to build their own capital rather than using it for the purpose for which it was meant. In high value projects even 5-10% mobilization advance works out to a huge amount conferring upon the contractor undue benefit.

The Commission has reiterated that provisions of mobilization advance in tender documents should entirely be need based and a decision regarding providing mobilization advance should be taken only at the level of Board and that too by specifically stipulating the same in tender documents with time specific recovery period. The Commission has also directed that the mobilization advance should be granted in installments and each installment should be released only upon receipt of utilization certificate from the contractor for the previous installment. The Commission has also impressed upon the need for taking bank guarantee against the mobilization advance granted as a security which should be enforced strictly, if the need arises. The Commission has also directed that in case of delayed recoveries from the contractor, interest should to be charged from him.

Leveraging of technology for improving vigilance administration

The Commission has been receiving a large number of complaints from public regarding non-adherence to the first-come-first-serve principle and lack of objectivity and consistency in applying rules and procedures while granting licenses, certificates, permissions etc. The Commission, therefore, has been emphasizing/promoting transparency in the functioning of the government organizations by making extensive use of information technology, which provides for minimum personal contacts of the public with the govt. functionaries and thus, minimizes the scope for indulging in irregular practices for undue financial and other gains. The Commission has also been advocating and encouraging systemic improvements, in order to tackle such malpractices and had issued directions to all Govt. organizations, making it compulsory for them to provide detailed information regarding the rules and procedures governing issue of licenses, permissions etc. on their web-sites besides asking them to make available all the application forms, proformas etc. on the web-sites in a downloadable form. The Commission has observed that some of the organizations were not adhering to the Commission's guidelines in this regard and were lagging behind in providing adequate information to the public through the web-sites. The Commission has, therefore, reiterated its guidelines on effective use of web-sites for increasing transparency and improving vigilance administration. The Commission has been constantly monitoring the status of implementation of its guidelines through the monthly reports being received from the CVOs concerned and by raising the issue time and again in the various meetings with the CVOs.

Constitution of committee of experts for scrutiny of cases where CBI has recommended launching of prosecution against the Govt. officials.

The Commission has been emphasizing on decisions to be taken in a timely manner, as delays, more often than not, affect vigilance administration in a negative manner. There have been occasions where the authorities concerned have taken unduly long to decide about the grant of sanction for prosecution or otherwise against a public servant by repeatedly raising various issues in a piece-meal fashion. In order to ensure that there is no unwarranted delay in an important issue like the prosecution of public servants, the Commission has constituted a committee of experts for the scrutiny of such cases where the Commission has, in agreement with the CBI's recommendations advised launching of prosecution against a public servant and the

disciplinary authority, in disagreement with such an advice approaches the Commission for reconsideration of its advice.

The Commission has constituted a panel of experts of six eminent persons, for scrutiny of such reconsideration proposals. Depending upon the nature of the case, a committee consisting of three members including the Chairperson, shall examine the CBI recommendation and the tentative view of the Ministry/Department concerned in greater detail. The committee shall consist of two members drawn from the panel of six experts and one of the Vigilance Commissioners in the Commission would chair the meeting. In the light of the experts committee's recommendation, the Commission would render appropriate advice to the competent authority within 15 days of the meeting of the committee.

Constitution of the Advisory Board on Bank, Commercial and Financial Frauds – reg.

Keeping in view the complexities involved in the decision making process while taking commercial decisions by the management and the officials in public sector banks, financial institutions and public sector undertakings, the Commission found it worthwhile that the CBI should have the benefit of expert advice from eminent persons in various disciplines before taking a final decision regarding registration of PE/RC in respect of financial or commercial frauds in PSUs and financial institutions including banks. The Commission, therefore, had decided to constitute an advisory board called Advisory Board on Bank, Commercial and Financial Frauds to primarily advise CBI in those cases where there was a difference of opinion regarding registration of PE/RC between the organization concerned and the CBI. The Commission had initially constituted the board on 26.2.1999. As the term of the Board constituted earlier was expiring on 30.6.2007, the Commission reconstituted the Board drawing persons from various disciplines like Judiciary, All India Services, professional financial experts and senior bankers of repute. The Board consists of six persons including one Chairman and five Members.

The Board primarily tenders its advice in those cases where, in disagreement or dispute with the Bank, PSU or financial institution, the CBI desires to register an PE/RC in respect of an allegation of a fraud:

- a) in a borrowal account in a public sector bank; or
- b) financial or commercial frauds in a financial institution or Public Sector Undertaking.

The Board may also be asked to advise on any other technical issues referred to it by CVC, CBI or RBI.

Adoption of Integrity Pact

The Commission, as a part of systemic improvements in vigilance administration has been emphasizing transparency, equity and competitiveness in public procurements. The Commission, in order to bring about greater transparency and competition in the procurement/award of tender has found an useful tool in the Integrity Pact, promoted by the Transparency International. The Commission has issued guidelines to all

organizations under its advisory jurisdiction to incorporate Integrity Pact as part of tendering process in all major procurements by them.

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

The Commission has also directed the organizations to appoint a panel of Independent External Monitors (IEMs), as envisaged in the Integrity Pact in order to ensure proper implementation of the Integrity Pact. The IEM has the power to access all project documentation and to examine any complaint received by him and is required to submit a report to the Chief Executive of the organization, at the earliest.

The IEMs are persons of high integrity and repute with experience in the relevant field. Their names are approved by the Commission, for inclusion in the panel.

Complaints

The Commission attaches great importance to the complaints received from public and organizations engaged in exposing corrupt activities by public servants. The Commission always encourages complainants listing instances of malpractices, financial impropriety, favoritism etc. which provide verifiable information so that appropriate action can be taken against the delinquent official from a vigilance point of view. The complaints in the Commission are processed according to the Commission's complaint handling policy which also serves as a guide to the public educating them about the Commission's jurisdiction and the process for lodging complaints with the Commission. The Commission's complaint handling policy is a well publicised document which can be accessed through the Commission's website by any person and can be downloaded. The Commission, in order to ensure that genuine complainants providing information regarding verifiable and specific instances of malpractices do not face any harassment at the hands of the establishment, withholds the identity of the complainants, if they so desire. In keeping with the high credibility of the Commission, it has also been made the "Designated Agency" under the 'Public Interest Disclosure Protection of Informer Resolution', popularly known as the 'Whistle Blowers' Resolution'. The Commission has a well established mechanism to handle such complaints where the identity of whistle blowers is duly protected. In order to ensure both, a regular flow of genuine complaints and confidentiality of the complainant, the Commission has formulated a set of instructions to guide the complainants lodging complaints under whistle blowers' resolution.

Vigilance Administration

The Commission's endeavour has been to eradicate unfair/corrupt practices from public administration and in this regard the Commission has been making all efforts to put in place an efficient and effective vigilance administration which combines both the preventive and punitive aspects. The Chief Vigilance Officers (CVOs) of respective organizations function as the extended arms of the Commission in those organizations. The complaints forwarded to the organizations, by the Commission and those received by the organization on its own are investigated by the CVO. The CVO is also responsible for pointing out acts of improper functioning in discharge of official duties by the employees of the organization concerned, for fixing the responsibilities on the errant public servants, to seek Commission's first/stage advice for taking appropriate departmental action against them and to follow up with the disciplinary authorities for taking prompt and appropriate action in all vigilance related matters.

The Commission is of the view that for effective functioning of the vigilance unit in any organization, it is important that a fair degree of independence is available to the vigilance unit in its functioning. The Commission strives to ensure independence, objectivity and effectiveness of the vigilance units in govt. organizations. The CVOs in the Central Govt. organizations are appointed on the recommendations of the Commission and from the panel approved by it. The Commission takes adequate care while approving the names for appointment as CVOs and sees to it that only officers with impeccable record and integrity are empanelled for the post of the CVO. The Commission is of the strong view that an effective and objective vigilance administration plays a very constructive and vital role in the growth of the organization apart from enhancing its reputation in the eyes of the people. To achieve this objective, the Commission has been emphasizing the need to have not only full time CVOs in large govt. organizations but also to have outsiders as CVOs there. The Commission always tries to ensure that the post of the CVO does not remain vacant and expects the organizations to initiate the process of appointment of new CVO well before the incumbent CVO relinquishes the charge.

As part of its proactive role in ensuring an effective vigilance administration in all govt. organizations, the Commission, during the year, held a number of meetings with the Chief Executives and CVOs of major govt. ministries/departments/PSUs/Banks. The Commission mainly discussed the following issues in the meetings:

- (i) The Commission observed that many vigilance cases in the banking sector related to consortium financing and multiple banking solutions and therefore held a meeting with the Chief Executives of major public sector banks to discuss problems relating to such issues and to devise systemic improvements in order to minimize the recurrence of such problems.
- (ii) The Commission held a meeting with the senior functionaries of public sector banks regarding procedures relating to purchase of IT related products.
- (iii) The Commission emphasized the leveraging of information technology for improving the vigilance administration and increasing transparency in discharging regulatory/enforcement functions, service delivery and other

functions. The Commission advised the CVOs to ensure implementation of its guidelines on the subject in letter and spirit. It was pointed out that transparency and objectivity in the functioning of the organization not only enhanced the credibility of the organization but also brought about efficiency in the overall functioning of the organization. Greater stress was laid on system improvements, proper training and upgradation of skills of officials besides updation of their knowledge through workshops, training courses etc.

- (iv) It was impressed upon the CVOs that timely investigation of complaints through prompt seizure and scrutiny of documents/records was essential for a realistic examination of issues raised by the complainant as any delay in securing records may allow the suspected public servant to tamper with the records or a delayed action may even defeat the very purpose of lodging a complaint. The CVOs were also advised to give priority to complaints from Whistle Blowers and to submit the reports within the stipulated period.
- (v) The Commission has been emphasizing the need for expeditious completion of disciplinary action, particularly against officials likely to superannuate soon. A delay in taking timely action against the SPS/ CO often defeats the deterrent aspect of vigilance administration.

Further Initiatives

1. The Commission is of the view that there should be greater use of information technology in day to day functioning of the organizations. In its endeavour, in this regard, the Commission has already started work on the development of a workflow software to be implemented in the Commission as a pilot project. The software would not only ensure paperless movement of communications but would also ensure greater accountability as the movement of files/communications would be tracked and accounted. Once implemented in the Commission, the software would be recommended for use in other govt. organizations also.

2. The Commission, in its endeavour to improve Vigilance Administration in Government has been emphasizing preventive vigilance in the form of surprise checks and annual audits. As a step in this direction, the Commission has decided to undertake Technical Vigilance Audit of major spending Govt. of India departments, Public Sector Undertakings and Public Sector Banks incurring huge expenditure on projects, works, services, and procurements.

The main thrust of the audit would be to bring to light major deviations and non-adherence to the laid down rules/regulations/procedures in these activities. The modalities for conducting technical vigilance audit are being finalized.

Transparency in Tendering Process

- (a) The Commission had observed that post tender negotiations could be a source of corruption and during the year reiterated its instructions directing the organizations not to conduct post tender negotiations with L1 except in certain exceptional situations, the justification for which should be duly recorded and documented immediately giving

convincing reasons. The Commission also pointed out that in case of distributing quantities among more than one suppliers/bidders, the same should be fair, transparent and equitable.

- (b) The Commission had, in the past stressed on the need to bring about greater transparency and accountability in the award of the contracts on nomination basis. However, it was noticed that certain organizations were not following the Commission's guidelines in letter and spirit. The Commission, therefore, during the year reiterated that tendering process was a basic requirement for award of contracts by any govt. agency and ensures transparency, efficiency and healthy competition among the tenderers.

The Commission has been taking every conceivable step to ensure honesty and transparency in the functioning of the govt. organizations through effective vigilance administration. Having accumulated experience over the years on the short comings in the system which lead to malpractices and abuse of authority by the govt. functionaries, the Commission from time to time, issues appropriate instructions plugging loopholes and bringing about systemic improvements. But the fact remains that the overall role of the Commission is only an advisory one with limited statutory authority to enforce its recommendations. **It is felt that for the Central Vigilance Commission to play a more proactive and authoritatively significant role in the eradication of corruption, many important measures have to be taken by the Government to provide teeth to the Commission.** Some of these measures are:

- (i) The Central Civil Services, Classification, Control and Appeal Rules, 1965 delineates the procedure for the disciplinary Authorities to institute minor and major penalty proceedings against the Central civil services employees. The Commission is consulted at two stages by the organizations under its purview with respect to the vigilance cases investigated by the Disciplinary Authorities concerned. The two-stage consultation mechanism has been outlined in the Central Vigilance Commission's Vigilance Manual and is based on the Central Vigilance Commission's instructions to all organizations under its purview. However, the CCS (CCA) rules of the Government of India do not specifically mandate such consultation with the Commission. The Commission's first stage advice in vigilance cases should be made mandatory to be implemented by all Government of India organizations, Public Sector undertakings and banks. An appropriate amendment to the CCS (CCA) Rules, 1965 is required to be made by incorporating a clause making the Commission's First Stage Advice mandatory for all Government of India organizations under its purview. The Commission has taken up the issue with the Department of Personnel & Training (DOPT).
- (ii) The Government is required to approach the Commission for its advice at two different stages, in matters relating to the disciplinary proceedings against the public servants coming within the purview of the Central Vigilance Commission. In respect of the officers of the All India Services and Group 'A' Officers, the Government is also required

to approach the UPSC to decide about the quantum of punishment to be imposed on the officers. The UPSC was established in 1952 with the main aim of carrying out selection of officers under All India Services and other Group 'A' posts. As at that time, Central Vigilance Commission was not in existence, UPSC was given the responsibility of deciding about the quantum of punishment to be imposed on these officers in disciplinary cases decided against them.

After the establishment of CVC in 1964, which is the apex body for consultation in matters relating to the disciplinary action against the officers of All India Services and Group 'A' Officers, the provision regarding consultation with UPSC also, not only leads to duality of authority but also causes avoidable delays in finalizing the disciplinary proceedings leading many a time to the superannuation of the charge sheeted official before a penalty could be imposed. There is a need to review the system of consultation mechanism with UPSC regarding the quantum of punishment to be imposed on the govt. officials.

- (iii) **It has already been pointed out that there is a need to undertake some inquiries directly**, where there is apprehension on the part of the complainant that entrusting it to the organizational vigilance may not yield proper and quick result. At present, the Commission has been undertaking only a limited number of such direct inquiries by diverting its limited resources. **The Commission has, on the basis of a scientific study of work undertaken in the organization, proposed strengthening of the resources of the Commission. This has to be addressed most urgently.**
- (iv) In accordance with the CVC Act, 2003, the Commission has been given the responsibility to exercise superintendence over the functioning of the Delhi Special Police Establishment, popularly known as CBI, to issue directions and review the progress of investigation under PC Act or any offence committed by public servant charged under CrPC.

CHAPTER-3

Commission's Activities During the Year

The Central Vigilance Commission has adopted the file tracking software developed by D/o Personnel & Training in order to ensure that a proper record of the movement of files within the Commission and various communications received by the Commission is maintained. This file tracking software also ensures accountability and transparency in movement of files. It also enables monitoring of pendency.

Advice on vigilance cases by the Commission

In accordance with para 8(1)(g) of CVC Act 2003, the Commission has the mandate to tender advice to the Central Government, corporations established by or under any Central Act, Government companies, societies and local authorities owned or controlled by the Central Government against a certain level of officers as defined in para 8(1)(d) and 8(2)(a&b) of CVC Act 2003.

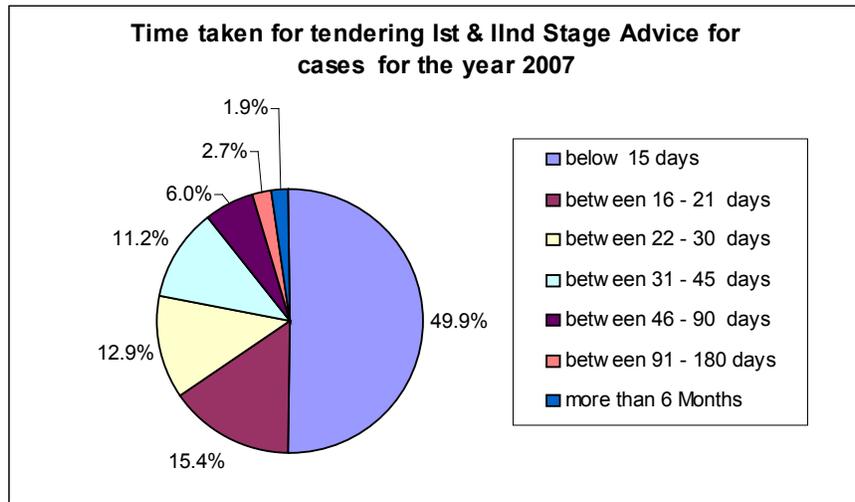
The Commission tenders advice at two stages i.e. first stage and second stage. At first stage, the Commission, after thoroughly examining the investigation reports (alongwith the relevant records) forwarded to it by the CVOs of the organizations concerned or the CBI's investigation report, tenders advice for initiation of appropriate disciplinary action/criminal proceedings against the delinquent officials in case, prima facie a case of vigilance nature is made out against the officials concerned.

At second stage, the Commission after considering the inquiry report submitted by the Inquiry Officer appointed by the disciplinary authority to conduct oral inquiry, tenders advice for imposition of appropriate penalty against the officials found guilty of misconduct. In those cases where Commission had advised initiation of regular departmental action against the public servants at first stage, Commission's second stage advice is essential before exonerating the charged officer.

The Commission takes due care to adhere to a strict time-limit in the examination of cases received in the Commission and to convey its advice in these cases. The Commission, time and again, including through review meetings also impresses upon the organizations the need to complete the disciplinary proceedings within the time schedule prescribed by the Commission, as delay in finalization of vigilance cases is neither in the interest of the organization nor that of the public servant.

The Commission, on its part, makes every possible effort to tender its advice within four weeks, and in the year 2007 more than 65 percent of its advices were tendered within three weeks of receipt of the cases. About 21.8 percent of the cases were delayed beyond four weeks, and the primary reason for delay in tendering of advice by the Commission was due to the respective organizations having failed to provide complete facts relating to the case, or their recommendations/inputs were not supported by logical reasoning and hence further clarifications were sought by the Commission. The break-up of time taken by the Commission in tendering advice is given in **Chart-1**.

Chart-1



The Commission during its interaction with the chief executives and the CVOs of various organizations, has been laying great stress on the importance of timely handling of vigilance cases and constantly monitors the progress of all vigilance cases being handled by the organizations through the monthly reports sent by the CVOs to the Commission. **As a result of the Commission's continuous monitoring and its efforts in ensuring implementation of its advice, the organizations concerned imposed penalties against 2718 officers during the year 2007, in cases where the Commission had advised for imposition for appropriate penalty on the charged officers. The percentage of the cases where punishments were awarded compared to the number of cases received in the Commission, works out to more than 55 percent, indicating the effectiveness of the Commission's vigilance administration and its monitoring of various organizations. The charts 2, 3 and 4 provide a comparative study of the number of cases received in the Commission and number of penalties imposed during the last five years by the various organizations based on Commission's advice.**

Chart-2

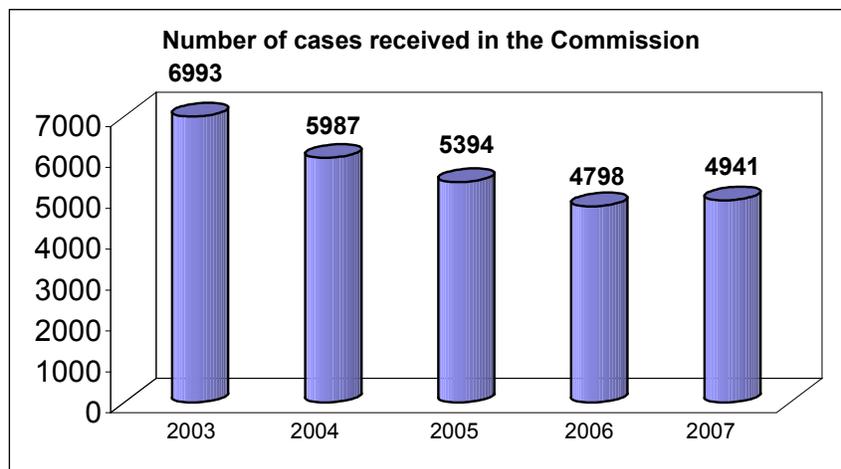


Chart-3

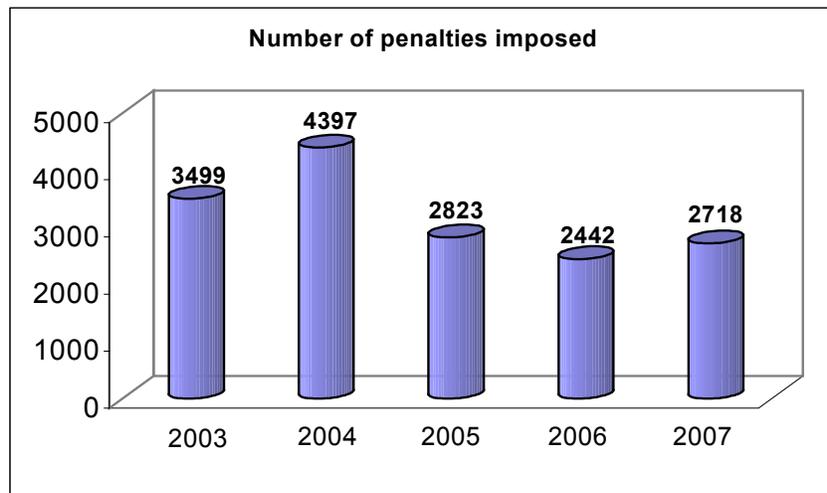
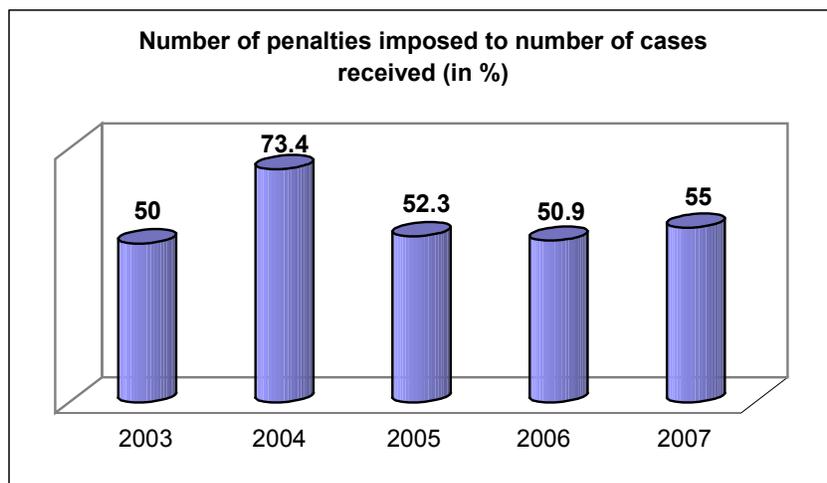


Chart-4



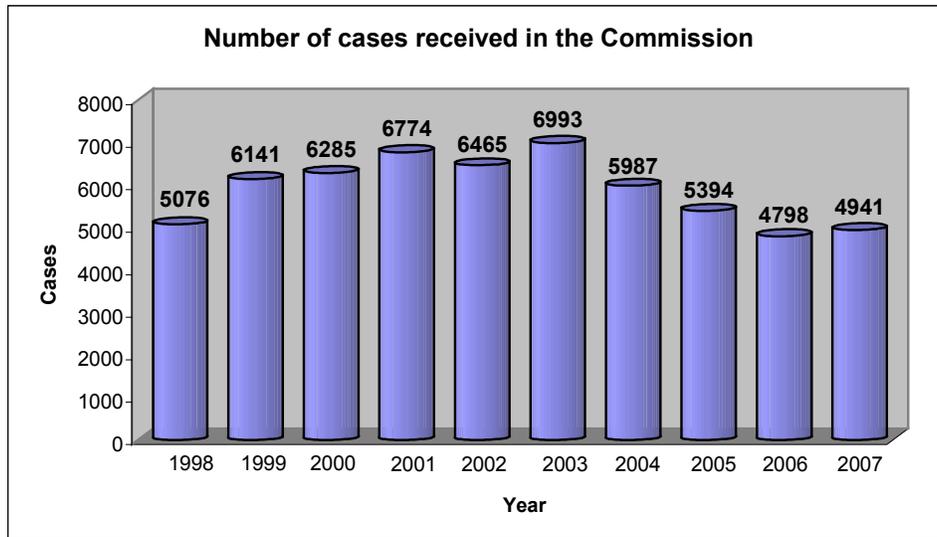
Receipt and Disposal of Vigilance Cases

The Commission, since inception has had jurisdiction over all gazetted officers of Central Govt. and its equivalent grades in other Central Govt. organizations, besides Scale-III and above officers of the Public Sector Banks. Over the years, the number of cases received in the Commission for obtaining its advice has increased manifold. Keeping in view the limited manpower resources available with it, the Commission, in the year 2004 raised the level of the officers under its jurisdiction, for seeking its advice before initiation of appropriation disciplinary action against them. At present, the Commission's advice is required against the Group 'A' officers of the Central Government ministries/departments. In case of Public Sector Banks, the Commission's advice is to be sought against officers of Scale-V and above.

In case of public sector undertakings dependent on the schedule of the company, the vigilance advice cases are processed in the Commission. For schedule 'A' & 'B'

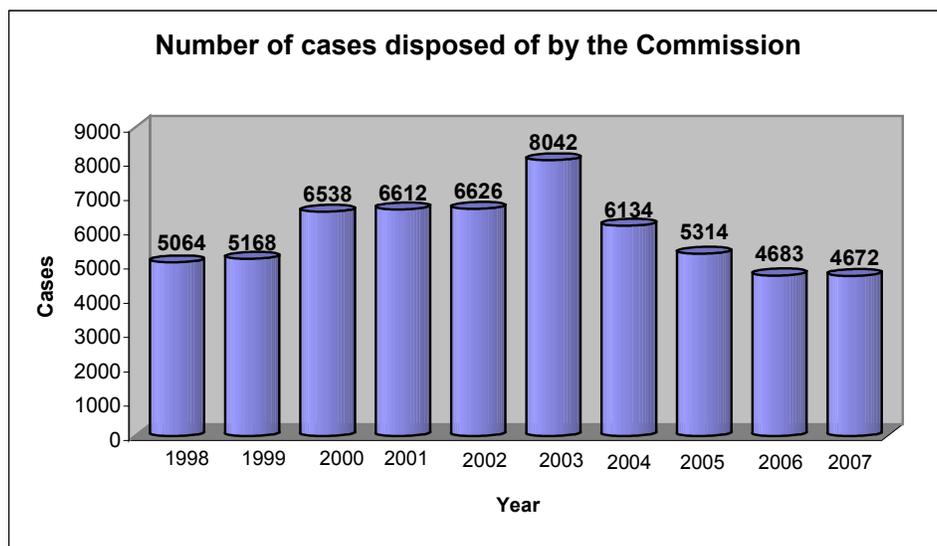
PSUs, levels E8 and above, including CMDs and Board of Directors fall under the normal vigilance advisory jurisdiction of the Commission. In the year 2007, the Commission received 4941 cases, tendered its advice in 4672 cases including cases brought forward from the previous year. A total of 441 cases were brought forward from the year 2006. This includes cases disposed of by the Commission as first stage, second stage advices and reconsiderations received. The comparative figures of cases received in the Commission during the last ten years is given in **Chart- 5**.

Chart- 5



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

Chart-6



First stage advice cases

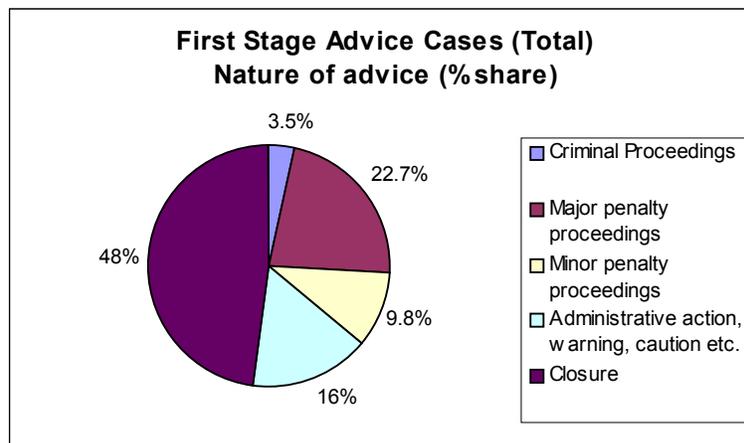
During the year 2007, the Commission tendered first stage advice in 2469 cases, of which 258 cases were based on the investigation reports of the CBI and 2211 cases were based on investigation reports forwarded by the CVOs concerned. Out of the cases investigated by the CBI, the Commission advised for launching of prosecution in 28.7 percent cases, major penalty proceedings in 25.2 percent cases and minor penalty proceedings in 9.7 percent cases. From amongst the cases investigated by the CVOs concerned, the Commission advised initiation of major penalty proceedings in 22.4 percent cases and minor penalty proceedings in 9.9 percent cases. In the remaining cases, initiation of regular departmental action was not warranted as, prima facie, the allegations were either not established conclusively or were merely procedural in nature. **Table – 1** provides the summary of nature of advice tendered by the Commission at first stage.

Table – 1
First Stage Advice Cases During 2007

Nature of advice	On the investigation reports of		Total
	CBI	CVO	
Criminal Proceedings	74	12	86
Major penalty proceedings	65	495	560
Minor penalty proceedings	25	218	243
Administrative action, warning, caution etc.	46	349	395
Closure	48	1137	1185
Total	258	2211	2469

During the year 2007, the Commission recommended penal action in 48.5 percent of the cases where CBI and CVOs concerned had forwarded their investigation reports. **Chart-7** provides a summary of various actions advised by the Commission at first stage.

Chart- 7



Second stage advice cases

During the year, the Commission tendered second stage advice in 1355 cases. Out of these cases, the Commissioners for Departmental Inquiries (CDIs) of the Commission conducted inquiry in 176 cases and in the remaining 1179 cases, the inquiries were conducted by the inquiry officers appointed from within the organizations concerned. **Table-2** provides a break-up of nature of advices tendered /penalty advised by the Commission during 2007 at the second stage of examination of the vigilance case after receipt of an oral inquiry report in the vigilance matter earlier advised for major penalty proceedings at the first stage.

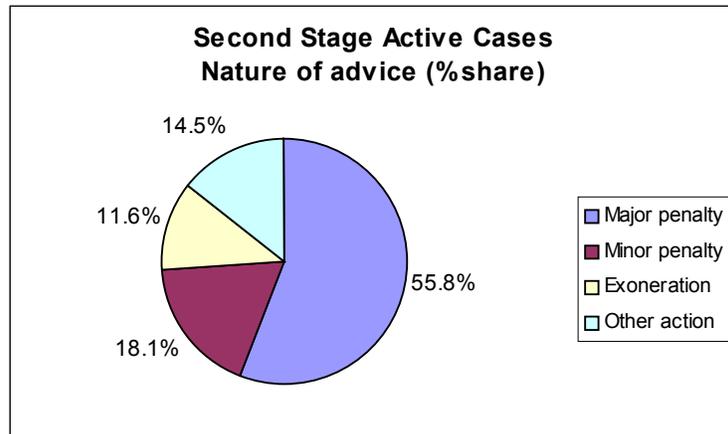
Table – 2

Second Stage Advice Cases During 2007

Nature of advice	On the CDI's Reports	On the cases received from CVOs	Total
Major penalty	107	649	756
Minor penalty	36	210	246
Exoneration	21	136	157
Other action	12	184	196
Total	176	1179	1355

As can be seen, the Commission recommended imposition of major and minor penalty in 55.8 percent (756 cases) and 18.1 percent (246 cases) respectively during the year 2007. In 11.6 percent of the cases the charges could not be proved conclusively. **Chart-8** provides the percentage figures in this regard.

Chart- 8



Prosecution and Punishments

In pursuance of the Commission's advice, the competent authorities in various organizations, issued sanction for prosecution against 192 public servants, imposed

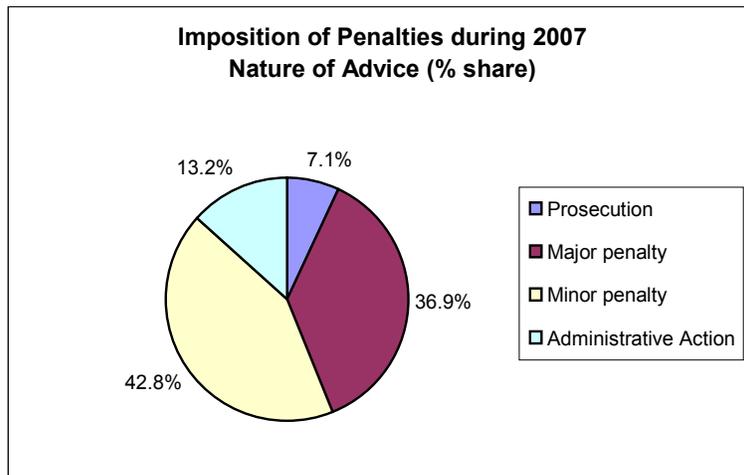
major penalties on 1002 public servants and minor penalties on 1164 public servants during 2007 (Table-3, Chart-9).

Table – 3

Prosecution Sanctioned and Punishment Awarded

Year	Prosecution sanctioned	Punishment awarded			
		Major penalty	Minor penalty	Administrative Action	Total
2003	127	1432	1372	568	3499
2004	120	1951	1616	611	4298
2005	141	1084	1136	462	2823
2006	150	1024	936	332	2442
2007	192	1002	1164	360	2718

Chart-9



The officers against whom sanction for prosecution was accorded by the authorities concerned, includes General Managers, one each from Bharat Sanchar Nigam Ltd. and Hindustan Organic Chemicals Ltd. and one Retd. Director of M/o Personnel, PG and Pensions. Further, one Dy. Commissioner of Income Tax, one Dy. Commissioner and one Asstt. Commissioner of CBEC, two Chief General Managers of Mahanadi Coalfields Ltd. and one Ex. General Manager of Central Coalfields Ltd. were dismissed from service by the organizations concerned on Commission's advice; and one Dy. Director General of M/o Information & Broadcasting was compulsorily retired from service. A penalty of 100% cut in pension was imposed on an Asstt. Labour Commissioner of M/o Labour and a penalty of withholding of 50% of gratuity and 50% cut in pension for five years was imposed on a Divisional Engineer of M/o Railways. A penalty of withholding 25%, 25%, 10% of gratuity was imposed on a Director of D/o Coal, a Chief General Manager of South Eastern Coalfields Ltd. and a General Manager of Airports Authority of India respectively, besides recovery of Rs. 4.48 lacs from gratuity of a GM of Eastern Coalfields Ltd. A penalty of cut in pension has been imposed on the

following officers: one Divisional Commercial Manager and one Divisional Signal and Telecom Engineer of M/o Railways and one Joint Commissioner of Income Tax (20%), one Deputy Commissioner of Income Tax (15%), two Divisional Electrical Engineers, one Dy. Chief Mechanical Engineer, one Divisional Signal and Telecom Engineer of M/o Railways, two Deputy Commissioners of Income Tax (10%), one Joint Director of Employees State Insurance Corp. (5%).

An analysis of organization-wise break up of penalties imposed by the disciplinary authorities concerned in cases where the Commission's advice was obtained shows that **BSNL has issued sanction for prosecution in 49 cases, M/o Home Affairs in 18 cases, CBEC in 15 cases, CBDT in 10 cases, M/o Personnel, PG & Pensions and M/o External Affairs in eight cases each, D/o Telecom, LIC of India and M/o Railways in seven cases each, National Insurance Co. Ltd. in six cases and M/o Defence and New India Assurance Co. Ltd. in five cases each.** The complete list giving organization-wise break-up of the number of cases where either sanction for prosecution has been accorded or a penalty has been imposed on the public servants on Commission's advice is given in **Annexure-II**.

The maximum number of punishments including Administrative Action during 2007 have been imposed, by the Ministry of Railways (346), Bharat Sanchar Nigam Ltd. (242), Indian Overseas Bank (156), Delhi Development Authority (143), New India Assurance Co. Ltd. (78), Central Board of Excise & Customs (70), National Buildings Construction Corp. (63), Union Bank of India (56), Municipal Corp. of Delhi (55), Indian Bank (54), Oriental Insurance Co. Ltd. (52), and D/o Telecom (42).

Amongst the penalties so imposed, major penalties of the higher order, viz. dismissal, removal and compulsory retirement from service were imposed on 98 officers by the disciplinary authorities in various organizations.

Pendency

The Commission lays great stress on timely finalization of the disciplinary cases, and on its part has been making every effort to tender the vigilance advice as promptly as possible. Out of a total of 5382 cases received during 2007 (including those brought forward), it disposed of 4672 cases – leaving a pendency of 710 cases at the end of 2007. Of these, 355 cases were pending for want of clarifications/comments on the CBI reports from the organizations concerned and the remaining 355 cases were awaiting advice of the Commission. (Table-4)

Table – 4

Number of Cases Received and Disposed of During the Year

Cases	Investigation Reports (1 st Stage)	Inquiry Reports and minor penalty cases (2 nd Stage)	Other Reports/ cases such as reconsideration etc.	Total
Brought forward	345	74	22	441
Received	2702	1362	877	4941

Total	3047	1436	899	5382
Disposed of	2469	1355	848	4672
Pending	578	81	51	710

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

Handling of Complaints in the Commission

The Central Vigilance Commission in its efforts to make the conduct of govt. officials corruption free, recognizes importance of complaints received from various quarters as a good source of information about the inappropriate activities and misconducts being indulged in by the public servants. As a consequence of the changing scenario, and increasing awareness of his rights by the common man and peoples expectations of delivery of services by the public agencies, the public is coming forward more frequently to point out shortcomings in the system, corrupt practices and apathy of the public servants. This is reflected in the increasing number of complaints being received in the Commission. The complaints received in the Commission are scrutinized diligently before deciding whether a complaint requires further investigation by the appropriate agency or needs to be simply filed.

The Commission has the mandate to inquire or cause an inquiry or investigation to be made into any complaint received by it against any official belonging to such category of officials under its jurisdiction which it draws from Para 8 (1) (d) of the CVC Act 2003. The complaints are received by the Commission from various sources/channels like individuals, civil society organizations engaged in creating awareness among public etc. Internally, the Chief Technical Examiners' Unit of the Commission, while conducting inspections of works/procurements etc., looks into the aspects of lapses and irregularities. In addition, whenever any misconduct comes to the Commission's notice, the same is treated as a source information for taking up the matter for investigation by the organization concerned. Of late, the Commission has been receiving a large number of complaints through the complaint lodging facilities available on its website. The Commission has a well laid out complaints handling policy and all complaints received are treated as per the guidelines laid down in the complaint handling policy. The Commission is further strengthening its scrutiny, analysis of complaints and is planning to get an International Certification for the same.

As a measure of Commission's credibility and its pivotal role in vigilance administration, on the directions of the Supreme Court of India, the Govt. of India vide its "Public Interest Disclosure and Protection of Informers" Resolution (popularly known as the Whistle Blower Resolution) has designated the Central Vigilance Commission as the authority, to receive written complaints or disclosure of any kind regarding allegation of corruption or misuse of office by any employee of Central Government and its organizations. The resolution was promulgated with the aim of keeping the complainants' identity secret. To safeguard the complainant's interests, the Commission has formulated a detailed and well documented procedure enlisting the various requirements for submitting complaint under PIDPI Resolution to ensure

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

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

General complaints

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

As the Commission lays stress on establishing proper mechanism for processing of all matters, it has itself adopted appropriate BIS Standards for processing of complaints. All complaints received in the Commission are registered and processed in a standardised manner and a decision on the further course of action on the complaints is taken at appropriate senior level. The Commission also lays emphasis on an electronic complaint handling mechanism in each organization and recommends adoption of an online web based electronic complaint registration and feedback mechanism for the convenience of the complainants and to have a transparent and an efficient complaint mechanism in each organization.

As the Commission had found that more often than not the anonymous/pseudonymous complaints were becoming a source of harassment and blackmailing for public servants rather than bringing out corrupt activities against them, it decided

that as a matter of policy, such complaints should not be entertained. However, to ensure that genuine complaints having verifiable, specific allegations/data of vigilance nature do not remain uninvestigated, the Commission, as a safeguard, issued directions to seek Commission's prior approval before conducting investigation into such complaints. In those cases where the complainants (other than those making complaints under PIDPI Resolution), request the Commission to maintain confidentiality regarding their identity, the Commission accepts their request for the same.

During the year 2007, the Commission received 11062 complaints and about 7.9 percent of them were anonymous/ pseudonymous, which were filed as per the Commission's complaint handling policy. During the year, the Commission received a large number of complaints having either vague allegations or containing administrative issues. The Commission also received a considerable number of complaints against public servants who were outside its normal advisory jurisdiction like public servants working in the state governments etc.

After a scrutiny of all complaints received, only 727 (6.5 percent) complaints were found serious enough to warrant further follow up at the Commission's end and these complaints were forwarded to the CVOs concerned or the CBI, for investigation and report. The break-up of all the complaints received in the Commission and action taken on them is given in **Charts 10 and 11.**

The Commission, out of 11436 complaints (including 374 complaints brought forward from the previous year) disposed of 11248 complaints during the year 2007 and only 188 complaints remained pending at the end of the year. The nature of complaints received and action taken in respect of them are given in **Table-5.**

Table – 5

Complaints received and Disposed of During 2007

Complaints	Nos.	Action Taken
No. of complaints received and B/F	11436	
Anonymous/Pseudonymous	883	Filed
Vague/Unverifiable	3027	Filed
Non-vigilance/officials not Under CVC jurisdiction	6611	For necessary action to Orgns./Deptts.
Verifiable	727	Sent for investigation to CVO / CBI
Total disposed of	11248	
Pendency	188	

Chart-10

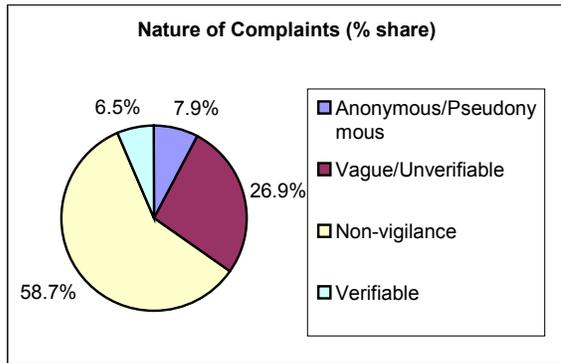
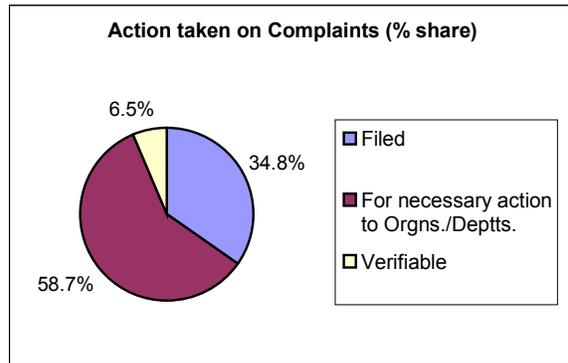


Chart-11



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

During 2007, 30 complaints were entrusted to the officers of the Commission, for conducting direct inquiries which had the desired effect on the organizations and in 10 of these 30 cases, the CVOs concerned submitted their investigation reports immediately. The Commission's officers completed their direct inquiry in 11 cases (including those brought forward from 2006) and submitted their reports.

Complaints Received under PIDPI Resolution, 2004

The Government of India has notified the Central Vigilance Commission as the designated agency to receive the complaints under the "Public Interests Disclosure & Protection of Informer" Resolution, 2004.

The procedural requirements for making complaints under PIDPI Resolution have been defined by the Commission and are being given wide publicity by putting it on the Commission's website to enable the public to lodge complaints against officials of the Central Government and its organizations to the Central Vigilance Commission without any fear or apprehension of retributive action.

The Commission has established a very well defined internal procedure for processing complaints received under PIDPI Resolution to ensure that the complainant's identity is not disclosed to anyone who are investigating these complaints. The Joint Secretary (Home), Ministry of Home Affairs has been made the nodal authority to arrange for protection to the complainants

wherever required and as directed by the Commission. The Commission has formed a Screening Committee headed by the Secretary, CVC, to examine these complaints and to decide the further course of action on such complaints.

The Commission received 328 complaints from whistle blowers during 2007 and 80 complaints were sent to the CVOs concerned or the CBI for investigation/discreet verification of facts/comments, which constitute 24.4 percent of such complaints. 164 (50 percent) of these complaints were sent for necessary action and the remaining 84 i.e. 25.6 percent being anonymous/pseudonymous or without vigilance angle were filed.

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

Table – 6

Complaints Received and Disposed of during 2007 Under the PIDPI Resolution

Complaints Received	Nos.	Action Taken
No. of complaints received	328	
Anonymous/Pseudonymous	84	Filed
Non-vigilance	164	For necessary action to Orgns. / Deptts.
Verifiable	80	For investigation to CVO / CBI
Total disposed of	328	

Chart-12

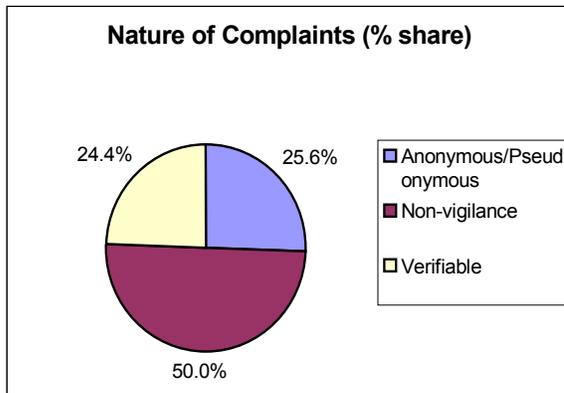
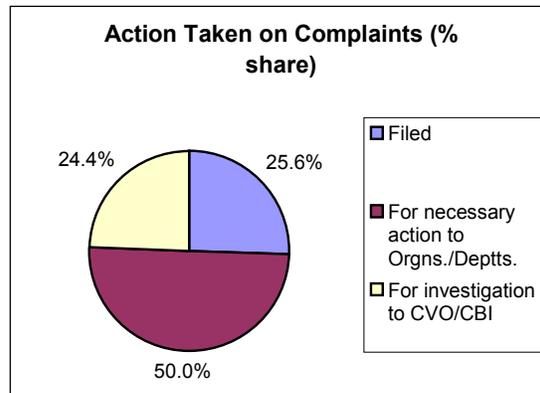


Chart-13



It is observed that the complaints received under the PIDPI Resolution provide more specific and verifiable allegations as compared to complaints received otherwise. The PIDPI complaints are also to be investigated on priority and the CVO/agency entrusted the investigation is to submit a confidential report to the Commission in 15 days time as per provisions of the PIDPI resolution.

CHAPTER-4

Superintendence over Vigilance Administration

The main function of the Commission pertains to effective superintendence over the Vigilance Administration of the various Ministries/Departments of the Central Government or corporations established by or under any Central Act, Government companies, societies and local authorities owned or controlled by that Government. The mandate for superintendence over vigilance administration is derived by the Commission from Section 8(1)(h) of CVC Act, 2003. Although, the Central Vigilance Commission is authorized to supervise the vigilance activities of the organizations under its advisory jurisdiction but the primary responsibility for maintaining integrity and effective vigilance administration in the organization concerned rests with the CEO/Heads of the organizations. The Chief Vigilance Officer of the organization works as an Advisor to the Head of the organization in maintaining objectivity and effectiveness of the vigilance administration.

The Commission is of the view that effective, objective vigilance administration is vital to overall efficient administration and governance. The Commission's belief is that efficiency and objectivity in governance hold the key to eradication of corruption from public life and for this purpose it has to be ensured that transparent and foolproof systems and procedures are put in place which provide for appropriate accountability at every level of hierarchy in public administration. The prime responsibility for establishing and making operational appropriate systems and procedures for enabling transparency, objectivity and effectiveness in administration lies with the Head of the organization concerned. Although, the advice tendered by the Commission recommending appropriate punitive action, wherever required, is based on the material/verifiable record available with it and is entirely objective in view, the organizations have an equally important role to play insofar as the responsibility for taking appropriate punitive, corrective and preventive actions in line with the advice of the Commission, is concerned.

In order to exercise its powers of superintendence over vigilance administration, the Chief Vigilance Officers (CVOs) in the organizations function as the extended arms of the Commission and all the vigilance activities in the organizations are monitored through the CVOs only. The Commission, therefore, lays stress on the effective functioning of the CVOs and constantly monitors their performance. The Commission has established a mechanism to assess and monitor the CVOs work through the monthly reports and various meetings conducted at regular intervals. The monthly reports in an exhaustive format provide information on all aspects of vigilance administration including complaints received and action taken on them, action taken on cases where disciplinary proceedings have been initiated and also the various initiatives taken by them for making systemic improvements.

Performance of the CVOs

The CVOs are required to forward to the Commission, the Monthly Reports, Quarterly Progress Reports and Annual Reports which provide an insight into the promptness and efficiency of the CVO in handling vigilance cases besides the overall effectiveness of the vigilance administration in a particular organization.

These reports not only provide statistical details of the complaints received and handled, action taken in cases where disciplinary proceedings have been initiated and inspections undertaken by the CVOs but also provide details about the promptness with which various vigilance issues are being handled in a particular organization besides the steps taken to plug shortcomings/systemic loopholes which give rise to the malpractices.

The progress of complaints/cases against officers who are covered under the Commission's advisory jurisdiction is monitored by the Commission through the CVOs who are the link between the Commission and the organizations. The CVOs of the organizations have a greater role to play as they are required to advise the chief executives of the organizations in all vigilance related matters and have to ensure that the cases pertaining to those officials who are outside the jurisdiction of the Commission also receive appropriate attention. The reports being sent by the CVOs to the Commission include details regarding those cases also where Commission's direct intervention is not called for and the Commission is able to keep a watch on the progress of such cases.

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

The performance of the CVOs, as reported by them in their annual reports to the Commission, is given in **Annexures-III A-F. The list of some of the important organizations who have submitted the annual report to the Commission within the stipulated time is enclosed at Annexure III G.**

Based on the data as given in the annexures quoted above, it is seen that during the year 2007, punitive action was taken in a total of 8296 cases (for all category of officers) dealt with by the CVOs. Major penalty was awarded in 3526 cases and minor penalty was awarded in 4770 cases. The details on major and minor penalties imposed is given below in Table-7.

Table – 7

Details of Penalties Imposed in cases for all category of officers handled by the CVOs

S. No.	Nature of Penalty	No. of officers
	Major Penalty	3526
1.	Cut in pension	99
2.	Dismissal/Removal/Compulsory retirement	827
3.	Reduction to lower scale/rank	1876
4.	Other major penalty	724
	Minor penalty	4770

5.	Minor penalty other than censure	1408
6.	Censure	3362
	Total	8296

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

In order to review the performance of the CVOs and for exchange of views with them, the Commission holds zonal review meetings every year apart from sectoral meetings whenever required. The Commission has found these meetings to be constructive and very effective as these meetings provide an opportunity to the CVOs to seek Commission's guidance on various issues relating to vigilance administration in their organizations. The Commission also takes this opportunity to inform the CVOs about the focus areas where they need to pay more attention to ensure that the vigilance mechanism functions smoothly and effectively. During the year 2007, the Commission held 8 zonal review meetings where about 180 CVOs covering a wide spectrum including Ministries, Financial Institutions, Power, Coal and Oil Sector PSUs, manufacturing sector PSUs & Port Trusts etc. participated. **During these meetings, the Commission emphasized**

- **the need for the investigation of the complaints by the CVOs in a time bound manner as delay in investigation might allow the culprit to go scot-free due to tampering of records or his retirement before the completion of investigation.**
- **the need for improving the quality of investigation and to properly scrutinize the relevant records to arrive at the truth.**
- **the need for use of information technology to bring about transparency and efficiency in the organization's functioning besides minimizing the public servants personal interaction with the common man which, in turn would minimize the corrupt practices.**
- **to use the monthly reports being sent by them to the Commission more effectively by making it more analytical in nature.**
- **the need for proper framing of charge sheets in the inquiry proceedings and to avoid unwarranted delay, the factors which reduce the effectiveness of the disciplinary action initiated.**
- **the need to analyse the cases thoroughly before approaching the Commission for advice and to provide qualitative, clear inputs giving categorical, unambiguous reasoning in an objective and dispassionate manner.**
- **that in the event of the CVO diluting the intensity of a misconduct without justifiable logical reasoning, his competency and intent would be under doubt.**
- **that once the Commission's advice had been tendered, it was the primary responsibility of the CVOs to ensure timely action on the same, adhering to the time limit prescribed by the Commission, which had been arrived at after taking into consideration all the relevant factors.**
- **to verify from the various govt. agencies the authenticity of the claims of the contractors regarding payment made towards excise duty etc. The data in this regard may be made available to the Central Board of Excise and Customs to verify the contractors' claim.**

- **the need to make CVOs more accessible to the employees of the organization, to interact with them regularly, to conduct training programmes in order to educate them about the latest changes in rules, procedures etc.**
- **the need to amend service rules appropriately so that action against a retired employee can be taken in case any act of serious malpractices/irregularities is detected after the employee's retirement.**

Pendency with the CVOs – All categories

The Commission constantly reviews the status of complaints and cases pending in the organizations concerned as it is of the view that timely finalisation of investigation into complaints and completion of disciplinary proceedings is of paramount importance to effective vigilance administration. At the close of the year 2007, 8815 complaints were pending with the CVOs concerned for investigation out of which 2989 complaints were pending beyond a period of 6 months. The complaints forwarded by the Commission, including complaints received under the Whistle Blower Resolution, mainly relating to officers under the Commission's jurisdiction, were 1712 out of which 713 were still pending at the close of 2007. The number of departmental inquiries pending with the inquiry authorities was 789 in respect of officers under the jurisdiction of the CVC and 5833 in respect of officers outside its jurisdiction.

During 2007 a total of 660 cases were received from the CBI for sanction of prosecution. The disciplinary authorities gave sanction for prosecution in 535 cases and denied sanction in 50 cases. Only 75 cases were pending for decision with respect to sanction for prosecution, of which 6 were pending for more than 6 months.

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

Appointment of CVOs

In order to ensure that the Commission's superintendence over the vigilance administration in the government organizations is carried out in an efficient manner, it is important that the CVO of the organization is a person of impeccable integrity and efficient in his functioning. The CVO is the Commission's eyes and ears in the organization and on his effectiveness, is based the promptness with which the

Commission's guidelines and advices in individual cases are implemented in the organizations, in letter and spirit.

The Department of Personnel & Training calls for applications from the individual officials for appointment as CVOs in various PSUs and the same are forwarded to the Commission for their empanelment. The Commission carefully scrutinizes the service record of each individual officer and approves the appropriate official only after satisfying itself about his integrity and efficiency. The Commission also calls for the past track records of the officer from the CBI and the organizations where he might have served previously to satisfy itself that his conduct has been above board all through his career. **The Commission has identified major banks and important public sector undertakings as select organizations. For appointment of a CVO in the select organizations, the Commission calls for a separate panel of names for each organization, out of which a shortlist of officers is approved for appointment as the CVO in individual organization. The Commission, during the year 2007, approved the suitability of 39 officers recommended by the administrative authorities for appointment to the post of CVOs in various organizations. Further, it has also approved names of 70 officers for appointment as CVOs in various Ministries/Departments/Autonomous Bodies on part-time basis. Besides, the Commission also approved the names of 353 officers, for their empanelment for consideration for the post of CVOs in other organizations.**

The Commission discourages any delay in posting of the CVOs in the organizations and always tries to ensure that the proposals for appointment of the CVOs in various organizations are processed expeditiously and the selection process is completed well in advance so that immediately on expiry of the term of the incumbent CVO, the new CVO could take over without any time gap.

Despite, best of efforts by the Commission, there has been delay in appointment of successor CVOs in some organizations due to either delay in initiating the process by the organizations concerned or some other reasons beyond the Commission's control. As an interim measure, part-time ad-hoc CVOs were appointed from within the organization, which is not a healthy practice and is not encouraged by the Commission. The Commission has in the past pointed out towards the need for full-time CVOs in important ministries/departments, mainly those who have large size PSUs under their administrative control.

Vigilance Clearance

The Commission provides vigilance clearance for board level appointments in the Public Sector Undertakings. **During the year 2007, the Commission issued vigilance clearances in respect of 489 persons under consideration for Board Level appointments in public sector undertakings.** The Commission on its part has been making every effort to process vigilance clearance related matters within the shortest possible time but sometimes delay takes place on account of factors like receipt of incomplete information/bio-data from the Ministry/Department concerned.

Vigilance Advisory Council

The Commission had constituted a Vigilance Advisory Council of eminent persons from various fields of public life to receive and discuss quality inputs about making improvements in the system of vigilance administration and for making the overall system of governance more receptive and accountable to common man's needs and aspirations. At present, the members of Vigilance Advisory Council include entrepreneurs and retired officers of impeccable integrity and other eminent persons from various professions. These members not only provide their objective assessment about the present system of governance including vigilance administration but also suggest practical ways and means to make qualitative improvements which would make the system more transparent and people friendly. During the year, the Commission held two meetings of the Vigilance Advisory Council which were attended by a majority of the members. The members made some valuable suggestions which are summarized below: -

- i) There should be a proper scrutiny of deployment of funds under the National Rural Employment Guarantee Scheme as it was feared that the funds were not being utilized properly.
- ii) Constitution of a technical audit committee on the lines of the RBI's committee, which examines the process followed in award of contract and only after the committee gives the clearance, the contract is signed in RBI. The technical audit committee could function in all PSUs/Govt. departments to review important contracts/works.
- iii) Implementation of workflow software and file tracking system in all govt. organizations.
- iv) Making the process of registration of properties online to cut down on unwarranted delay and to reduce corruption in sub-registrar's office.
- v) Use of information technology in reducing citizen's contact with public officials, review/simplification of procedures and making systemic improvements.

National Conference on Vigilance Administration and Anti-Corruption Measures

The Central Vigilance Commission held a National Conference on Vigilance Administration and Anti-Corruption Measures at Ahmedabad which was co-hosted by the Gujarat Vigilance Commission and was attended by the Lokayuktas/Vigilance Commissioners/Chiefs of Anti-Corruption Bureaus of various States and Union Territories of the Union of India. The conference was held with the aim of exchanging ideas among the various agencies engaged in vigilance and anti-corruption activities at the Union and State level and to explore the possibility of bringing about functional/structural uniformity among them.

During the conference, the main issues that emerged were as follows:-

- i) More executive powers and functional autonomy was required to be given to the State Vigilance Commissions besides bringing about structural uniformity in vigilance set-up in various States of the country.

- The role of various institutions set up as anti-corruption measures needed to be defined clearly.
- ii) Reducing/eliminating personal contact between the public and the service provider agency, and simplifying procedures to make public services zero corrupt.
 - iii) Providing statutory status to the Vigilance Commissions in order to make them more effective and free from interruptions/outside interference.
 - iv) Expanding the scope of CrPC to include NGOs receiving financial support from the Govt. for providing services of any kind to the public.
 - v) Amendment to the Representation of Peoples' Act for funding of election expenses by the Govt.
 - vi) Eliminating delay in processing of files/cases by govt. officials, holding officials accountable for the delay and implementing the existing laws in letter and spirit rather than enacting new law every now and then.
 - vii) Bringing about uniformity in laws, procedures and institutions and making possible sharing of data among various investigating agencies besides reducing the number of agencies, while at the same time, making the institutions stronger with effective powers and functional autonomy.
 - viii) Making available more financial resources to judiciary/trial courts for expeditious disposal of cases. Augment the strength of judges/judicial officers at all levels in the judiciary.
 - ix) Limiting and clearly defining the discretion of senior officers and defining a time frame for taking decisions.
 - x) Making the system of preventive vigilance and punitive vigilance stronger besides educating the public servants about vigilance issues in order to tackle corruption.

Important instructions/guidelines issued by the Commission – January 2007 to December 2007.

- Instructions relating to seizure of records by CVOs while carrying out investigation of complaints (Circular No.3/2/07 dated 23.02.2007)
- Instructions regarding caution to be exercised in the tendering process while carrying out negotiations with L1 (Circular No.4/3/07 dated 03.03.2007)
- Instructions regarding providing mobilization advance to contractors by the organizations concerned (Circular No. 10/4/07 dated 10.04.2007)
- Instructions regarding improving vigilance administration by increasing transparency through effective use of websites (Circular No.13/4/07 dated 18.04.2007)
- Instructions regarding constitution of committee of experts for scrutiny of reconsideration proposals where CBI had recommended launching of prosecution against the public servant concerned (Circular No. 17/5/07dated 19.06.2007)
- Instructions regarding constitution of the Advisory Board on Bank, Commercial and Financial Frauds to advise CBI regarding registration or otherwise of PE/RC in fraud cases of banks, financial institutions and PSUs (Circular No. 21/6/07 dated 25.06.2007)
- Instructions regarding bringing about transparency and objectivity in contracts awarded on nomination basis (Circular No. 23/7/07 dated 05.07.2007)
- Instructions regarding laying down the criteria for defining the quasi judicial powers of public servants while discharging their official duties (Circular No.39/11/07 dated 01.11.2007)
- Instructions regarding adoption of Integrity Pact by Govt. organizations in major procurement activities (Circular No.41/12/07 dated 04.12.2007)
- Instructions regarding making appropriate amendment in Conduct, Disciplinary and Appeal Rules of PSUs for enabling disciplinary action after retirement of an employee of the PSU concerned (Circular No. 44/12/07 dated 28.12.2007)

CHAPTER-5

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

The Central Vigilance Commission is the apex body on all issues relating to vigilance administration. It is an independent authority with a statutory status conferred upon it. The Commission tenders unbiased and fair advice based on a reasoned appreciation of all the facts and documents/records relating to a particular case brought to its notice by the organizations concerned. The Commission has noted with satisfaction that in a majority of cases, where the officials involved are covered under its advisory jurisdiction, the authorities concerned have accepted the Commission's advice and acted in accordance with them, which in itself is an indication of the objectivity and fairness of the Commission's advice. However, it remains a matter of concern that in some cases, where the officers were covered under its jurisdiction, either the consultation mechanism with the Commission was not adhered to or the authorities concerned did not accept the Commission's advice. During the year, there were instances where the advice tendered by the Commission was diluted considerably without approaching the Commission for reconsideration of its advice.

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

In accordance with the powers conferred upon it under Section 8(1)(g) and 8(1)(h) of CVC Act, 2003, the Commission tenders advice in cases of certain category of officers covered under its advisory jurisdiction besides providing guidelines for proper and effective vigilance administration to the organizations of the Central Govt. Any failure on the part of the organizations concerned to seek the Commission's advice in vigilance related matters involving the category of officials under its jurisdiction or the organizations' unwillingness to accept the Commission's advice against some officers are viewed as examples of a selective approach by the organizations in order to favour/disfavour certain officers, which not only dents the credibility of the vigilance administration but also weakens the objectivity/impartiality of the system. Whenever such cases come to the Commission's notice, its concerns are conveyed to the organizations. A few cases of deviations from the prescribed procedure or of non-acceptance of the Commission's advice are being mentioned specifically here in order to highlight the instances where the officials concerned have benefited unduly due to the organizations not accepting the Commission's advice. The Commission has observed that during the year 2007, there were deviations from the Commission's advice in 56 cases. Some of the significant cases are illustrated below (**Table-8**):

Table – 8

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

S. No.	Department/ Organization	Commission's advice	Action taken by the Department	Remarks
1.	Ministry of Railways	Major penalty proceedings	Closure & Counseling	Non compliance

2.	Ministry of Railways	Major penalty proceedings	Closure & Counseling	Non compliance
3.	Ministry of Railways	Minor penalty proceedings	Closure	Non-consultation
4.	Ministry of Railways	Minor penalty	Withholding of privilege passes	Non compliance
5.	Ministry of Railways	Major penalty proceedings	Closure	Non compliance

Detailed notes on the aforementioned cases are as follows:

Ministries/Departments

Ministry of Railways

Case-1

In a case pertaining to award and execution of work of “augmentation of power supply arrangements in Central Hospital, Garden Reach”, the Commission had observed serious irregularities on the part of the then Executive Electrical Engineer (EEE), the then Chief Electrical & Design Engineer (CEDE), the then Chief Electrical & Signal Engineer (CESE), and the Executive Assistant to the Chief Signal & Telecommunication Engineer (EA to CSTE).

The irregularities pertained to (i) preparation and approval of defective tender schedule; (ii) putting up a note for calling a material-intensive tender without the approval of the AGM; (iii) calling of tenders at inflated rates and that too without obtaining the AGM’s approval, without finance concurrence and without the sanction of the revised detailed estimates; and (iv) assessment of rates without comparing with the latest last accepted rates and the rates of the supply items of stores. The Commission advised initiation of major penalty proceedings against the first three officers and initiation of minor penalty proceedings against EA to CSTE.

The Commission reiterated its advice against the four officers on reconsideration. The Railway Board, however, did not accept the Commission’s advice and decided to initiate minor penalty proceedings against the then EEE, counseled the then CESE; and closed the case against the then CEDE and the EA to CSTE.

The proposed minor penalty proceedings against the then EEE, however, could not be initiated as the officer had expired. Thus, in a case involving serious irregularity on the part of public servants, a penalty commensurate to the misconduct committed by them could not be imposed.

Case-2

The Commission had observed that the then Chief Commercial Manager (CCM) had taken up many time barred cases of appeals of wharfage in which the delay ranged from 96 days to 390 days, as against the Railway’s policy to entertain such appeals only within 60 days of the original order. The CCM had given refunds amounting to

Rs.1.03 crores in 1049 cases to two firms owned by one person, and his successor gave waivers of Rs. 59 lakhs approximately. The latter had also decided the cases of appeal against the DRM's decision though both of them were in the same pay scale and having the same financial powers. According to the policy, financial concurrence was also required if the refund exceeded Rs.25,000 in each case. Both the officers had taken care to ensure that the refunds remain within that limit. Despite that, the CCM had exceeded his powers in 45 cases. While the Railway Board had held the Head Clerk and the Office Superintendent (OS) responsible for the statement that the value of the waiver had not been more than Rs.25,000, the Commission observed that the Deputy CCM was equally responsible as the letters were issued by him on the basis of the reports furnished by the Head Clerk and the OS. The Commission, therefore, advised initiation of major penalty proceedings against the CCM; and initiation of minor penalty proceedings against the successor CCM and the Dy. CCM. The Railway Board referred the matter to the Commission recommending closure of the case against the CCMs and counseling of the Dy. CCM. But, the Commission keeping in view the seriousness of the charges, reiterated its earlier advice. The Railway Board, however, closed the cases against the CCM and the successor CCM and issued a letter of counseling to the Dy. CCM. Thus, a case of serious financial impropriety and undue gain to private parties by public servants went unpunished.

Case-3

Based on the recommendation made by a Screening Committee for award of Rail Travellers' Service Agents (RTSA) Licenses for Mumbai, the successful applicants were advised to submit (a) police clearance certificate, (b) income tax clearance certificate, (c) bank guarantee of Rs.15,000, and (d) to pay a security deposit of Rs.5,000 and license fee of Rs.1,200 before issuance of final allotment letters. Later, discrepancies were noticed in the documents submitted by two firms, which were issued licenses. These irregularities were so glaring that while two individuals had applied for licenses on the letter heads of the firms, there was no proof of the applicants being proprietor/partner of the firms.

The Commission had advised, inter alia, initiation of minor penalty proceedings against the Divisional Commercial Manager for the lapses in the scrutiny of documents. The disciplinary authority had issued him a charge sheet for minor penalty but exonerated him of the charge, on receipt of his written statement of defence, on the grounds, which were not based on facts. The Commission's advice at the second stage was also not obtained before exonerating the officer of the charges.

Case-4

The case relates to irregularities in the written examination for selection to Group B posts of APO. Investigations made by the Western Railway Vigilance revealed that answer sheets of three candidates had unusual cuttings, over writings, etc. and these were made in the answer booklets, when these were in the custody of the CPO, the evaluating officer. In agreement with the Railway Board, the Commission advised, inter alia, initiation of major penalty proceedings against the CPO, the evaluating officer. During the departmental inquiry, the Inquiry Officer held the

charge as not proved. This was not agreed by the Railway Board. The Board Vigilance concluded that the officer failed to report the glaring oddities in corrections made by some successful candidates and recommended imposition of minor penalty other than censure and withholding of passes and privilege ticket orders. However, the Member Staff, Railway Board proposed to impose a penalty of withholding two sets of passes of the charged officer. The Commission agreed with the conclusion of the Railway Board Vigilance and advised the penalty recommended by the Railway Board Vigilance. Subsequently, on reference for reconsideration by the Railway Board, the Commission reiterated its previous advice. The disciplinary authority, however, disagreed with the advice of the Commission and imposed penalty of withholding of two sets of privilege passes.

Case-5

This case relates to violation of the catering policy, 2000 in the allotment of tea stalls at Bandra Terminus Station. The policy stipulated, inter alia, that additional facilities at Class 'A' stations would require Board's sanction on adequate justification, and recommendation of the General Manager of the Railway. The Zonal Railways, however, could review the need for additional facilities; and in case of any requirement, the effort was to be made for shifting of stalls from other platforms at the same station, and thereafter for shifting of stalls from other congested stations and other Railways.

In the instant case, the Dy. Chief Commercial Manager (Dy. CCM) had proposed creation of four tea stalls at platform No.3/4 of Bandra Terminus, in violation of the above policy. This was supported by the then Chief Commercial Manager (Passenger Marketing) [CCM(PM)], who recommended shifting of two stalls from Bandra (Local) station and creation of remaining two stalls by inviting applications from open categories. The then CCM (since retired) permitted creation of the stalls and also approved the mode of filling up the vacancies.

Observing that the Railway officers had exceeded their powers by creating four tea stalls against the catering policy and had filled up two vacancies without exhausting recourse to shifting of the stalls, the Commission advised initiation of proceedings under the Pension Rules against the retired CCM; initiation of major penalty proceedings against the then CCM(PM) and initiation of minor penalty proceedings with a view to imposing a penalty other than 'censure' and 'stoppage of passes/ PTOs' against the then Dy. CCM. The Railway Board, however, closed the case against all the three officers.

Delays and Deficiencies

The Commission is of the view that timely handling of vigilance matters is the sine qua non of an effective vigilance administration and has been, time and again, impressing the need for expeditious investigation of complaints and timely finalisation of disciplinary proceedings. Prompt investigation of complaints helps in timely action against the officials found responsible for improper conduct, prima facie, besides ensuring that the honest officials unnecessarily implicated are cleared of allegations at the earliest possible. Such timely action sends a clear message to the officials that any misconduct observed on their part would not go unaccounted

besides reposing the public's faith in the system of governance and public administration. The Commission has already issued guidelines declaring undue/unjustified delays in the disposal of a case as one of the elements of the existence of a vigilance angle in any case.

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

Delay in investigation of complaints

The Commission, as part of vigilance administration, pays due attention to the complaints received from various sources, which are in large numbers. With the increasing level of awareness and expectations among the public, the number of complaints being received in the Commission is constantly on the rise every year. The Commission is of the view that complaints provide valuable information about the systemic deficiencies in any organization besides pointing out towards the instances of malpractices being indulged in by individual officers for personal gains or undue favour to some particular persons, parties etc. All the complaints received in the Commission attract due attention and are thoroughly scrutinized before the Commission decides about a particular course of action in respect of individual complaints. The Commission has a well defined Complaint Handling Policy and action on complaints is decided in accordance with that policy. The complaints, found to be anonymous/pseudonymous or vague/unverifiable allegations, are normally filed while those having administrative or procedural lapses only, are sent to the CVOs concerned for necessary action at their end alongwith those complaints where the officials named are not within the Commission's normal advisory jurisdiction. In some of the complaints sent to the CVO for necessary action, the Commission also seeks a feedback in the form of an Action Taken Report. These complaints are classified as NA & ATR complaints. Those complaints, which contain serious, verifiable allegations with a perceptible vigilance angle, are normally forwarded to the CVOs concerned for thorough investigation and sending a report to the Commission. In case, the Commission feels that it would not be possible for the CVOs to investigate the matter properly (e.g. where outside agencies/persons are involved over whom the CVOs have no jurisdiction/control) the complaints are forwarded to CBI for discreet verification/investigation.

As most of the complaints received in the Commission pertain to personal grievances or other unverifiable routine procedural matters, only a small percentage of complaints are found serious enough by the Commission to be forwarded to the organizations concerned for investigation and submitting a report to the Commission. During the year 2007, only 6.6 percent of the complaints received in the Commission were sent for investigation and report by the Commission. Although, only 6.6% of the total complaints received in the Commission were sent for investigation and report to the CVOs, the CVOs concerned delayed submission of reports to the Commission as investigation was not carried out within the three months' time-limit as prescribed by the Commission. The delay becomes all the more significant and serious as only those complaints were sent by the Commission for investigation and report, which contain allegations of serious nature involving a perceptible vigilance angle and point towards the involvement of senior level functionaries of the organizations concerned.

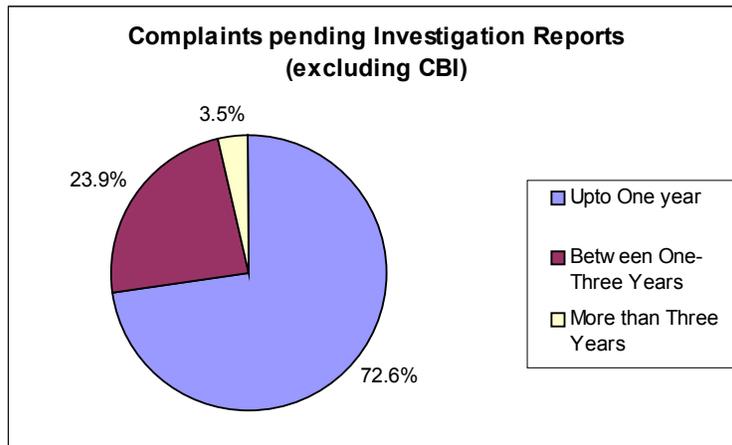
The Commission after careful consideration of all factors and with a view to ensuring promptness in the matters involving vigilance administration has prescribed a period of three months for completing investigation into a complaint and sending the report to the Commission by the CVOs concerned. For the CBI, the time limit prescribed is six months. It is with some concern that the Commission has noted that at the end of the year 2007, in a total of 851 complaints forwarded by the Commission to the CVOs concerned, the investigation reports were still awaited from them. Despite the CVOs being reminded repeatedly, 30 (nearly 3.5 percent) complaints were still pending investigation for more than three years and 203 (nearly 23.9 percent) complaints were pending for a period ranging between one to three years. The remaining 618 (nearly 72.6 percent) complaints were pending for a period of less than one year. **Table-9** and **Chart-14** below provide the details regarding delay in submission of investigation reports by the CVOs during 2006 and 2007:

Table – 9

Complaints Pending for Investigation and Report

Year	Upto one year	Between 1-3 years	More than 3 years
2006	431	182	92
2007	618	203	30

Chart – 14



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

Organizations/Departments	Delays in reports on complaints
Central Board of Direct Taxes	66
Municipal Corp. of Delhi	45
Govt. of NCT of Delhi	44
M/o Railways	34
Central Board of Excise & Customs	33
M/o Defence	30
D/o Secondary & Higher Education	26
Employees Provident Fund Organization	26

A case of inordinate delay in the investigation of a complaint forwarded by the Commission is illustrated below:

Ministry of Environment & Forests

Certain allegations were received in the Commission against an officer of Indian Forest Service, posted as Principal, State Forest Service College, Dehradun. The allegations related to misuse of Government funds for the purchase of house for the officer, misuse of services of Government employees, lavish renovation of Government residence allotted to him, misuse of Government vehicles by him; etc. As the allegations were specific and verifiable, the same were forwarded by the Commission to the Ministry of Environment & Forests in May, 2000 for investigation. Though a report was obtained by the Ministry from the State Forest Service College in 2005, comments were sought from certain authorities and fresh investigation was ordered and ultimately it was decided by the Ministry to close the matter. Thus, the Ministry took more than seven years to investigate the allegations and furnish their report.

Delay in holding oral inquiry

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

The Commission, due to the limited resources available with it, advises the organizations concerned to appoint their own Inquiry Officer(IO) where departmental inquiry is required against the charged officers. The Commission nominates its officers as IO to conduct inquiry proceedings in a limited number of cases, where the charged officers are senior in rank and the charges against them are grave in nature. Even then, it has been noticed that there was considerable delay in issuing the appointment orders of Commission's Commissioners for Departmental Inquiries (CDIs) as IOs, by the Disciplinary Authorities concerned. During the year 2007, appointment orders for the CDIs as IOs was delayed beyond the stipulated time frame in 55 cases. Of these, 12 cases were more than one year old and 43 cases were more than three months old. The organization-wise break-up of 55 cases of delay in the appointment of the CDIs as IOs is given in Annexure-V.

Even after the orders for appointment as IO are issued, the IO requires the relevant documents viz. a copy of charge sheet, reply of the charged officer, order of appointment of the Presenting Officer, the listed documents, list of witnesses etc. to proceed with the inquiry proceedings. During the year 2007, these relevant documents were not made available by the disciplinary authorities concerned to the Commission's CDIs in 5 cases due to which the inquiries could not progress in a timely manner.

Delay in the implementation of the Commission's advice

The Commission tenders its advice after due consideration of all the facts presented before it and any delay in the implementation of its advice reflects poorly on the state of vigilance administration in the organizations concerned. The Commission notes with concern that at the end of the year 2007, as many as 2030 cases were pending for over six months for the implementation of the Commission's first stage advice. During the same period, 892 cases were pending for the implementation of the second stage advice of the Commission beyond six months. The organization-wise details of these cases are given in

Annexure-VI. Some of the organizations where a large number of cases have been delayed considerably are as follows:-

Table – 10

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

Organizations/Departments	First State Advice	Second Stage Advice
Bharat Sanchar Nigam Ltd.	352	63
Central Board of Excise & Customs	175	111
M/o Railways	109	74
Central Board of Direct Taxes	107	60
M/o Information & Broadcasting	67	35
National Insurance Co. Ltd.	39	20
M/o Urban Development & Poverty Alleviation	33	23
IBP Balmer Lawrie Group of Companies	12	43
Govt. of NCT of Delhi	18	32
M/o Defence	40	5
Life Insurance Corp.	10	30
Delhi Development Authority	35	4
Hindustan Petroleum Corp. Ltd.	6	33
UT of Daman & Diu and Dadra & Nagar Haveli	29	10
M/o Home Affairs	26	12
Central Public Works Department	22	13
M/o Personnel, PG & Pensions	22	13
United India Insurance Co. Ltd.	29	5
MTNL	21	12
Municipal Corp. of Delhi	27	5
State Bank of India	27	3
Govt. of Puducherry	24	4

Delay in seeking advice/conduct of disciplinary proceedings

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

Some of the illustrative cases of delay in seeking Commission's advice and conduct of disciplinary proceedings by the organizations are listed below:

Delhi Development Authority (DDA)/M/o Urban Development

In this case, the Commission had advised initiation of major penalty proceedings in July 1991 against the charged officer (CO), who was on deputation to DDA, for the misconduct that he had tampered with the noting portions in a file with a view to favouring a contractor in the year 1984 while he was working under the administrative control of Ministry of Commerce. In December 2001 the CO was transferred back to the Ministry of Urban Development. Before any charge sheet could have been issued, the CO retired from the service on 31.7.2005. The Principal Accounts Office of Ministry of Urban Development thereafter approached the Commission in February 2007 for seeking advice on the further course of action to be taken in the matter.

The Commission observed that the alleged irregularity in question relates to the year 1984, and the CO had retired from service in July 2005. In terms of the four-year limitation clause, the matter has become time barred for disciplinary proceedings against the CO. It is a case of continuous delays – perhaps deliberate to bail out the officer concerned – and serious inaction on the part of the officials of the organizations concerned.

Govt. of National Capital Territory of Delhi (GNCTD)

The Commission had advised major penalty action against a DANICS officer in September 1998. However, the Charge-sheet to the officer could be issued by Ministry of Home Affairs only in August 2005 i.e. after a gap of almost seven years since the file had been kept pending by GNCTD for that long. The Department also displayed incompetence in fixing the accountability of the officials concerned citing reasons of non-availability of certain basic records. Such inordinate delay on the part of the department formed the basis for the charged officer to approach the CAT, Principal Bench, New Delhi for getting the charge-sheet issued to him in August, 2005 quashed. Consequently, the Hon'ble CAT vide its order dated 11.5.2007 quashed the charge-sheet and the case against the official had to be closed by the Department in September, 2007.

Ministry of Information & Broadcasting

Serious irregularities were committed by one Executive Engineer of CCW, AIR, Leh in the purchase of 4 diesel generator sets in the year 1987. However, the case was not investigated in time and it was sent for advice of the Commission only towards the end of December, 2001 i.e. after a lapse of more than 14 years. The Commission advised RDA for major penalty against the officer in February 2002 but the Ministry did not take immediate action and the chargesheet was issued to him in July 2003 i.e. after a lapse of more than a year. Ministry also delayed the processing of the case further and took almost a year and a half to appoint the Inquiry Officer. In the

meantime, the Charged Officer moved to the Central Administrative Tribunal, which quashed the chargesheet against him on the ground of delay. Even on appeal, the Hon'ble High Court upheld the decision of the CAT, following which the charges were dropped against the officer. Thus, primarily due to the abnormal delay caused in investigation and subsequent processing of the case by the Ministry/DG:AIR, the officer could not be punished despite having committed serious irregularities in the case. The Ministry has shown utmost casual attitude which reflects poorly on its vigilance administration.

Ministry of Urban Development

Based on an investigation done by the Andaman & Nicobar Administration, the Commission had advised initiation of minor penalty proceedings against one Chief Engineer of the CPWD on 30.3.2006 for allegedly issuing directions to his juniors to release payments before actual completion of various works. Since the officer was to retire on 31.7.2007, the Ministry of Urban Development was required to process his case on priority so that the minor penalty proceedings could be concluded before his retirement. However, instead of doing so, the Ministry sought reconsideration of the Commission's advice, which was subsequently re-iterated on 30.11.2006. The Ministry further delayed the processing of the case on the ground of non-receipt of documents from the Andaman & Nicobar Administration. The case was once again referred for the Commission's advice, just one month before the retirement of the charged officer submitting that there was hardly any time left for consultation with the UPSC which was mandatory for imposition of a minor penalty. The Commission had to advise closure of the case as minor penalty could not be imposed in the circumstance. Thus, the Ministry had delayed the processing of this case inordinately which reflects poorly on its vigilance administration.

Other Areas of Concern

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

An example of a case where action could not be taken against the public servant due to the absence of provisions for continuing action after retirement is given below:

Food Corporation of India (FCI)

While considering an out of court settlement in a court case, a Committee consisting of five senior officers, one Divisional Manager, two Joint Managers, a Manager and an Assistant Financial Advisor, recommended refund of Rs. 75 lakh to a sugar mill, subject to the condition that the party would give a written undertaking to the effect that they would withdraw the court case. The case had been filed by the sugar mill against recovery of Rs.1.16 crore made by the FCI from the sugar mill on account of

shortage, wet and sweated sugar and excess freight paid to the Railways for the supplies made, besides the interest. The undertaking furnished by the party was conditional, but the Joint Manager (Legal) found the same legally in order. After receipt of the amount of Rs. 75 lakh, the party filed an amendment application and backed out from the mutual consent for withdrawal of the court case. Had the undertaking furnished by the party been properly examined, the amount of Rs. 75 lakh would not have been refunded.

At the time of making a reference to the Commission on 12.7.2006 for advice, the FCI stated that out of the five Committee Members, four had already retired except the then Manager, who had been promoted as Executive Director. He too was reported to be retiring on 31.7.2006 on superannuation. Taking into consideration the seriousness of the lapse, the Commission advised initiation of major penalty proceedings against the Executive Director on 25.7.2006. However, the FCI allowed the Executive Director to retire on 31.7.2006 without taking any action against him on the ground that FCI (Staff) Regulations did not contain a provision for continuing disciplinary proceedings against an officer after his retirement. Under these circumstances, the Commission had to per force agree to the closure of the case against the Executive Director. The Commission simultaneously directed the FCI to amend their Staff Regulations providing for continuation of proceedings after the retirement of an employee.

Pursuant to the Commission's directions, FCI vide Notification dated 30.4.2007 has amended their regulations incorporating a provision therein for continuation of disciplinary proceedings against retiring officials if already instituted while in service.

CHAPTER-6

CHIEF TECHNICAL EXAMINER'S UNIT

The Chief Technical Examiners' (CTEs) Unit of the Commission provides necessary technical advice to the Commission to enable it to deal with cases of technical nature.

The CTE Unit conducts inspection of ongoing Civil/Electrical/Horticulture projects of high value being carried out by various Central Government Departments, Public Sector Undertakings/Banks and Financial Institutions etc. This unit also conducted inspection of Stores/Purchase contracts.

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

Technical Examinations

During the year under review, Quarterly Progress Reports were received from about 450 organizations. The CTE Unit inspected works of 77 organizations and submitted 136 reports. The details of these examinations are given below in **Table-11**:

Table-11

Inspection of CTE Unit during 2007

Details of Organization	No. of Deptts./PSUs	No. of I.E. Reports
Government Departments	14	23
Banks/Insurance Companies & Financial Institutions	9	11
Public Sector Undertakings, Autonomous Bodies, etc.	54	102
Total	77	136

Some of the organizations inspected by the CTE during the year i.e. 2007 were DJB, IDBI, SBI, NBCC, NHAI, JNPT, HPCL, RINL, NHPC, NLC, MTNL, AAI, AIR INDIA, SJVNL, ONGC, SAIL, PGCIL, HSCCL, ITI, and PHLL etc.

Inspection reports are forwarded to the CVOs concerned or CBI, depending upon the seriousness of the irregularities noticed, for detailed investigation from vigilance angle. During the year 2007, 102 such cases were referred to the CVOs for investigation out of which, 62 reports pertained to Civil Works, 27 related to electrical works and 13 were of stores/purchases.

As a result of the inspections conducted by the CTE Unit during the year, recoveries were effected to the extent of Rs. 28.90 crores on account of overpayments/ deficiencies in the quality of material used, or as penalty to the contractors for non-fulfillment of contract conditions etc. Table-12 indicates recoveries effected during the last three years.

Table-12

Recoveries Effected During the Last Three Years

Year	Amount (Rs. In cores)
2005	25.27
2006	19.83
2007	28.90

The Commission's emphasis has always been on the preventive aspects of vigilance as these help in plugging the systemic loopholes which could possibly allow for such irregularities to take place. In pursuance of this objective, the CTE Unit, held workshops and participated in training programmes of various organizations.

CTE Investigation in some organizations

The following list is illustrative of the kind of irregularities and deficiencies noticed during the CTE inspections:

Irregularities in award of contract and undue favour to contractor

- (i) A project of value of Rs. 250 crores involved sophisticated technology and therefore, needed special pre-qualification of vendors. Instead, vendors who had been pre-qualified for general type of buildings/structures were issued the tenders. A firm, not eligible as per the pre-qualification criteria adopted was also considered without inviting tenders through open advertisement, thus denying opportunity to other agencies having similar experience to participate in the tender.

After the opening of the technical bid, the organization **relaxed a number of conditions and changed few items, asking the bidders to modify the bids**. The L-1 firm, besides offering rates for changed items, enhanced the bid by 4% (i.e. approximately Rs.10 crores). In the board note, prepared by

the Project Director, misleading reasons for enhancement of bid by Rs.10 crores were given. Rs.4 crores was allowed to the contractor as interest free advance without any provision in the contract. The advance was recovered three and a half months after the due period.

The contractor, did not pass on the concessions to the organization as stipulated in the tender conditions. The organization on the other hand, processed a proposal for payment of 16% of concessions to the contractor as a fee for the consultant to be appointed by the contractor for availing these concessions, a demand rejected earlier by the organization. Thus, allowing undue financial benefit to the tune of appx. Rs.3 crores.

- (ii) In a case of construction of houses with cost effective technology, it was observed that market rate justification of the estimated cost was revised thrice. Due to the stringent, unjustifiable and restrictive conditions, only one eligible bidder was left in the fray and work was awarded to him at higher rates after holding negotiations with him, which was against the Commission's guidelines. For a simple work like construction of houses, the organization did not bother to enquire the prevailing market trend and never tried to ascertain the reasons for poor response from the contractors.
- (iii) In a case of construction of building for an educational institute, the process for awarding the tender was carried out in a non transparent manner and work was finally awarded to L-2 contractor. The contractor firm was also awarded mobilization advance @ 10% interest, although the tender documents stipulated a rate of 15%. Also, the total amount of mobilization advance granted was Rs. 269.94 lacs in excess of the amount stipulated in the contract provisions.

Acceptance of sub-standard work and undue financial gain to the contractor

- (i) In a construction work, the organization neither deducted work contract tax from the contractor's bill nor obtained exemption certificate from him. Even security deposit was not deducted from the bills.

The contractor was allowed to carry out work through ordinary concrete mixer, although he was required to deploy a weigh batching plant at the site. The average thickness of white marble lying at site was found 15.9mm against the 20mm required as per agreement.

- (ii) In the works awarded by an organization, it was noticed that although the projects were funded by the organization but provisions of the World Bank Guidelines were being followed i.e. 80% weightage was being given to technical proposal and 20% weightage was being given to financial proposal etc. which led to award of work at higher rates than that of L-1. Moreover, various insurance policies obtained by the consultant/contractor were of lesser duration but no recovery was made.

In one of BOT project of the same organization, the concessionaire was supposed to conduct the load test of all flyover's structure before opening for

traffic but no load testing of the structures were conducted and no recovery was made from the contractor.

In another work, the scope of work was reduced substantially as compared to the awarded tender but no cost adjustment/recovery was made from the contractor.

- (iii) In a project of construction of houses, the work was extremely delayed but no recovery or compensation was charged from the contractor. The contractor was also not having his own laboratory for the testing of materials at site. It was also observed that in the Notice Inviting Tender (NIT) for such a big project, no criteria for financial turnover and financial bid capacity was incorporated.

Work awarded at higher rates

- (i) An organization, while floating the tender, had made a provision for providing storage facility which was later amended after award of contract. The firm which was awarded the contract did not agree to the changed condition. The contract, therefore, had to be cancelled and re-tendered. In the re-tender, the provision for providing storage facility was again incorporated. The contract was finally awarded at a higher rate resulting in extra expenditure.

Lapses involving vigilance angle

- (i) In a case of construction of diversion tunnels, it was observed that in the analysis of rates, cost of cement was considered at a very high rate of Rs.3000/- per MT, and the overall estimates were prepared in violation of the guidelines prescribed. The Qualifying Requirements were stringent. The Qualifying Requirements were not relaxed, which could have allowed better competition.
- (ii) In a case of construction of houses on turnkey basis, the work was not completed within the stipulated time but no recovery or levy of liquidated damages was effected. Moreover, it was noted that no water-harvesting arrangement was made by the contractor and no recovery/cost adjustment was made by the organization.
- (iii) In a work of construction of hospital building, the bid capacity of the contractor was not checked before pre-qualification of contractors and experience certificates issued by private consultant were accepted without verification besides accepting self-experience certificate.

Less marks were allotted to a bidder having completed three big value projects besides rejecting the bids of some PSUs on account of poor quality without attaching any supporting document or certificate. An overpayment of Rs.221633.70 was made for steel shuttering pattern.

- (iv) In a case of repair/renovation of two floors of a building, the estimated expenditure was increased from Rs.6.0 Crores to Rs.9.5 Crores arbitrarily without giving any justification.
- (v) In a project for construction of a plant and other related works, the work was awarded to a PSU at 19.77% above the estimated cost, which was on the higher side, on the basis of single quotation. No independent verification of the market rates was carried out.
- (vi) In a case of construction of township, no sample dwelling was prepared by contractor within 6 months' period as stipulated under the tender conditions. The concrete blocks had compressive strength less than the strength stipulated in the tender documents. No joint measurement of work done by the contractor firm was carried out. No proper record/statement of test of material was being maintained.
- (vii) In a work of piling and pile cap for crude tanks, the detailed estimates were revised again and again within a span of four months and the rates of one major item were enhanced by 8 times, which shows that there was no basis of preparation of estimate. The tender was invited on limited tender basis due to urgency but was awarded after almost one year and the organization had no proper data available about the contractors' capabilities.
- (viii) In a project for construction of office premises, the eligibility criteria of ten years experience/office at Delhi, Rajasthan was not mentioned in the NIT but prequalification was done on this basis due to which many architects otherwise eligible, did not qualify. Moreover, no record of the quantity used and balance available was maintained. The material used in flooring was not as per specifications and substandard material was appeared to have been used.
- (ix) In a work of construction of high level platform and other miscellaneous works, the tender was finalized in more than three months whereas the special limited tender was invited on the basis of urgency. There was no uniform criteria applied for shortlisting of contractors, which was done on a pick and choose basis. It was found that labour license and insurance policy had not been taken by the contractor.
- (x) In a project of onshore and offshore production installations and drilling rigs, the price quoted by the single firm was found to be too high compared to the original estimate and after negotiations, the firm brought down the rates by 42% which was a very large reduction in rates. At the stage of consideration of offers while no clarification was called from one firm, the other was given the opportunity. It was also observed that no Work Contract Tax (WCT) was being deducted from the contractor's bills.
- (xi) In a work of providing mobile train radio communication system, the consultant for the project was awarded the contract against the Commission's guidelines. The contractor did not fulfill the qualification criteria of completed similar work. It was further noticed that only 4% Work Contract Tax (WCT)

was deducted from the contractor's bill whereas 15% WCT was deposited with the authority concerned.

- (xii) In a project for erection of new electrical lines, the work was split into two packages in such a way that the accepting authority after splitting of work would be sub-committee of the directors. The firm which was awarded the work did not even fulfill the prequalification criteria. The original estimates were revised twice, first after approval of the NIT and secondly after the receipt of the price bids. The work was awarded to the firm at 37.62% & 45.02% of the first revised estimate for package 'A' & 'B' respectively which was of the higher side.
- (xiii) In a project for pneumatic fly ash handling system, the estimate of the work was prepared by the organization for Rs. 55.70 crores whereas the quoted rates was Rs. 36.30 Crores, approximately 35% below the estimated cost. The estimate was inflated and was not prepared by the organization in a realistic manner. Moreover, even at the time of award of work, no exercise to ascertain the workability and reasonability of rates was carried out and tender was simply accepted on lowest quote basis. It is seen that tender for first call was cancelled and fresh NIT was issued giving the firms only 23 days from the date of publication of tenders for submission of tender, which was inadequate and in violation of the provisions of purchase manual.

The price bid opening process was not transparent and the amount quoted by the vendors was not being entered by the tender opening committee in the register. Nor on the spot summary was prepared by the tender opening committee. Further, it was noticed that the tender opening committee had left the column of correction of the price bid document blank and number of corrections were also not mentioned thereby giving a chance for manipulation in the price bid after its opening.

In the price bid of L1, the corrected quoted amount was Rs. 40.79 crores which was just Rs. 5 lacs less than the L2 quote of Rs. 40.84 crores. A discount of 11% on total price was mentioned below the stamp and signature of tender opening committee, which was not attested by the tender opening committee. It is possible that this discount was got inserted by the agency after opening of tender which made the firm L1 bidder. Certain major deviations were accepted after opening of price bid which benefited the L1 bidder.

- (xiv) In a case of laying of pipelines and associated facilities, the organization could not take a decision to award the work within the validity period of four months. As one of the bidders was unwilling to extend the validity of bid, the organization was compelled to ask for revised price bid from the remaining eligible bidders, which put the organization to a financial loss of Rs 11.02 Crores.
- (xv) In a contract for transportation of bagged fertilizer, the L-1 bidder backed out for transportation to certain destinations and the organization, instead of re-tendering, as per Commission's guidelines, awarded the contract for these

destinations to L-2 bidder. The L-1 firm was allowed to work for 15 days without submitting requisite security deposit/bank guarantee although it was required to furnish a security deposit of Rs.1 lakh in cash plus bank guarantee of Rs.7 lakhs. Subsequently, when the L-1 firm backed out, only earnest money deposit of Rs.50,000/- was forfeited and the payment for handling the material for 15 days was released without deducting the amount of security deposit.

Huge penalties leviable from another contractor towards delay in moving the quantity as per the movement programme were waived without any valid reasons and the organization also paid service tax directly to the tax authorities despite there being no mention of any service tax in the tender/ agreement or in the firm's offer.

- (xvi) In a case of procurement of 20.45 lakh exchange lines, the organization received the lowest rate of Rs. 2797/- per line which was considerably high as compared to per line cost of Rs. 1978.84 as awarded to other firms only two months ago. The earlier order also had a provision for placement of 25% additional quantity, i.e. 4.06 lakh lines at a lower rate of Rs.1978.84. The organization did not place the order for 4.06 lakh additional lines at the lower rate of Rs.1978.84 and finally placed the order @ Rs.2695/- per line. By not placing orders for 4.06 lakh lines at lower rates, the organization incurred an in fructuous expenditure of Rs.29.07 crores.

IMPORTANT INITIATIVES TAKEN BY CTE UNIT DURING 2007

Following initiatives have been taken by the CTEs' Unit during the year 2007 in order to increase the effectiveness of the organization and the intensive examination reports:

- The number of CTE examination files with pending paras arising out of the intensive examination of various organizations at the beginning of the year stood at 462 nos. Close monitoring of these files, so as to reduce the life span to 2 years from the date of report, has helped bring to a logical conclusion, at 353 files during the year.
- A number of workshops/training programmes have been held for the benefit of field officers of various organizations to sensitize them about vigilance in public procurement. A special two day workshop was organized for the benefit of all the Bank officials dealing in IT procurement (involved in Core Banking Solution and other activities) at the level of GM & DGM and the Chief Vigilance Officers.
- A circular on measures to curb the menace of counterfeit and refurbished IT products (which also received acclaim from the press) was issued to educate the users in the public sector in the process of either upgrading or procurement of new computer hardware & software to leverage IT Technology.
- Another circular was issued to monitor and ensure proper utilisation of mobilisation advance.
- A booklet titled "Preventive Vigilance in Public Procurement: Study based on the Power Sector" was released as an outcome of the deficiencies noticed during the intensive examinations of the Power Sector PSUs in the last year.

CHAPTER-7

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

According to para 8(1)(a), 8(1)(b) and 8(1)(e) of the CVC Act, 2003, the Commission has been given the responsibility to exercise superintendence over the functioning of the Delhi Special Police Establishment, popularly known as CBI, to issue directions and to review the progress of investigation under PC Act or any offence committed by public servant charged under CrPC. The Commission's superintendence over CBI is confined to investigation of cases under the PC Act only and the process of trial continues to be under the government's control.

The Hon'ble Supreme Court of India, in its judgement dated 18.12.1997 in a PIL filed by Shri Vineet Narain (popularly known as Hawala case) had envisaged greater autonomy and objectivity in the functioning of CBI. In order to achieve this, some more steps are required to be taken so that CBI's work is perceived as impartial, objective and politically neutral. Some of these steps are discussed below:

- (i) Apart from certain functions, as specified under the CVC Act, all other functions, including the process of trial continue to be under the supervision/control of the government. Duality of control and/or superintendence always affects the efficiency and smooth functioning of any organization. There is thus a need for insulating the day to day functioning of the CBI from unwarranted external influences. This is only possible when the superintending organization is one which is not affected by political developments and does not have to balance conflicting demands on it. The Central Vigilance Commission being the apex agency responsible for effective vigilance administration and having an independent statutory status is best suited to discharge this responsibility.
- (ii) In comparison to other similar agencies, the functional/financial/administrative autonomy enjoyed by the Director, CBI at present is much less and he needs to be given more administrative/financial powers to enjoy independence in functioning. This "empowerment" – as it were, would go a long way in increasing the level of involvement of the officials in the organizational efforts.
- (iii) In court cases arising out of the CBI's investigation, appeals against lower courts judgments are preferred only if approved by the government (through the Law Ministry), and CBI has little say in the matter. It is important that the CBI should be allowed to take an independent professional view in such matters which should be given due weightage. The appointment to the post of Director of prosecution (who assists CBI with his legal advice) needs to be made open and broad-based in order to ensure independence and autonomy, besides ensuring that only competent persons of impeccable integrity are appointed to this post.

Monthly Review Meetings with the Director, CBI

The Commission holds regular review meetings with the Director, CBI at monthly intervals where apart from a frank exchange of views and ideas, the focus is on the progress and quality of the cases investigated by the CBI. The Commission also follows up those cases where the CBI's recommendations for the sanction of prosecution against public servants was endorsed by the Commission but the authorities concerned had not yet given the sanction for prosecution. The Commission also holds meetings of the expert committee to review those cases, where, in agreement with the CBI's recommendations, the Commission had advised sanction for prosecution but the organizations concerned requested for a review of the case.

Prosecution against Central Government employees

In accordance with the powers conferred upon it under section 8(1)(f) of the CVC Act, the Commission reviews the progress of cases pending for sanction of prosecution with various organizations, under the PC Act, 1988. CBI brought to the Commission's notice that at the end of the year 2007, a total of 109 cases were pending for sanction for prosecution out of which 25 cases pertained to the State Governments/Union Territories.

The month-wise details of number of cases against public servants pending for sanction for prosecution with the organizations concerned and sanctions received by the CBI during the year 2007 are given in the table below (Table-13):

Table-13

Month	No. of cases pending for sanction for prosecution of public servants	Sanctions Received
Jan.2007	105	18
Feb.2007	105	28
Mar.2007	86	60
Apr.2007	79	30
May2007	86	28
Jun 2007	86	44
July 2007	81	56
Aug.2007	83	38
Sep.2007	96	43
Oct.2007	104	27
Nov.2007	126	43
Dec.2007	109	96
	Total Sanctions received during the Year	511

The number of cases pending with various organizations for granting sanction for prosecution as on 31.12.2007 are given in **Table-14**:

Table-14**Number of cases pending for sanction for prosecution as on 31.12.2007**

Ministry	Number of cases
Department of Posts	1
Ministry of Coal & Mines	2
Ministry of Commerce	1
Ministry of Communication	6
Ministry of Defence	1
Ministry of Energy	2
Ministry of External Affairs	2
Ministry of Fertilizers & Chemicals	1
Ministry of Finance (Banking)	14
Ministry of Finance (Customs & Central Excise)	19
Ministry of Finance (Income Tax)	2
Ministry of Finance (Insurance)	2
Ministry of Finance (Rev and others)	1
Ministry of Health & Family Welfare	1
Ministry of Home Affairs	7
Ministry of Human Resources & Development	1
Ministry of Industry	3
Ministry of Labour	1
Ministry of Personnel, Public Grievances & Pensions	7
Ministry of Petroleum & Natural Gas	1
Ministry of Railways	5
Ministry of Small Scale Industries	1
Ministry of Steel	1
Ministry of Tribal Affairs	1
Nationalised Banks	1
Govt. of Arunachal Pradesh	1
Govt. of Bihar	1
Govt. of NCT of Delhi	17
Govt. of Haryana	1
Govt. of Rajasthan	1
Govt. of Uttar Pradesh	1
Union Territories	3
Total	109

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

The Commission has noted with concern that Section 6A of the DSPE Act providing for prior permission of the Government before the CBI can even inquire into or register cases against the officers of the rank of Joint Secretary and above in Government and Presidential appointees in Banks/Public Sector Undertakings is being used in many cases in order to delay the registration of cases against senior public functionaries. It is learnt that the validity of this provision has been challenged in the Supreme Court and currently the matter is under consideration of a Constitutional Bench of the Court. **The Commission is of the view that the process of permission or refusal to register cases needs to be streamlined and a decision in this regard should be taken in a time-bound manner.**

Further, in those cases also where **the Commission seeks CBI's assistance to cause an investigation to be made into a complaint against any officer coming under the purview of the Commission, the CBI requires the permission of the competent authority under the above-mentioned Section 6A of the DSPE Act. The Commission finds this interpretation inconsistent with the objectives of the CVC Act and the functions and powers entrusted to it under Section 8 of the Act.**

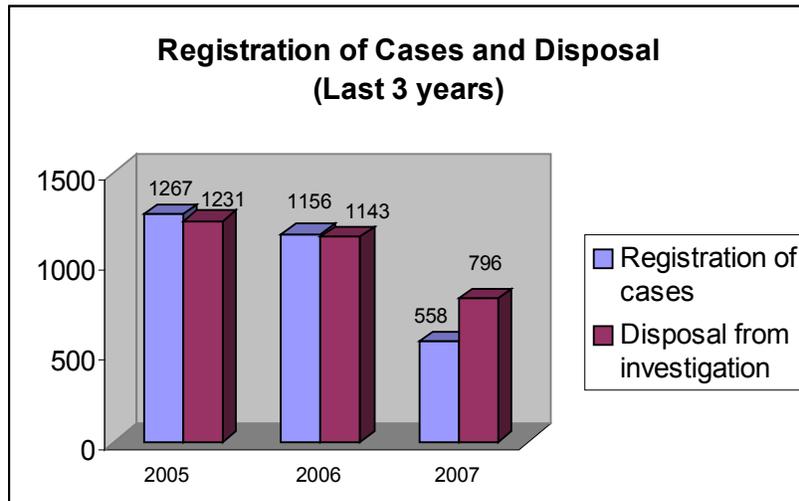
Activities of the Central Bureau of Investigation

Registration of cases:

CBI registered 558 cases under the PC Act during the year 2007. These cases involved a total of 936 public servants including 494 gazetted officers. The cases mainly pertained to criminal misconduct by showing undue favour, obtaining bribes, amassing assets disproportionate to known source of income, etc and included trap cases and cases of possession of disproportionate assets by public servants. At the end of the year, a total of 753 cases were under investigation under PC Act. During the year charge-sheets were filed in 1025 cases. The conviction rate for the year 2007 was 63.6%.

The following chart contains the comparative status over the last three years of the registration and disposal of cases (Chart-15) by CBI.

Chart 15



Action in cases after investigation:

During 2007, the CBI completed investigations of 796 cases. CBI recommended disciplinary action as well as prosecution in 229 cases, prosecution only in 420 cases, appropriate disciplinary action in 82 cases, appropriate administrative action in 10 cases and closure in 52 cases. Chargesheets were filed in 1025 cases after receipt of sanction for prosecution wherever necessary. At the end of the year 2007, 753 cases were pending investigation. The Commission has been impressing upon the CBI to complete investigation of cases within a year's time, if possible, and not more than 2 years in any case.

Cases of trial and conviction:

During the year 2007, various courts disposed of 498 cases under trial, as compared to 650 cases in 2006 and 594 in 2005. Out of these 498 cases, 317 cases resulted in conviction, 127 in acquittal, 38 discharged, 16 cases were disposed of for other reasons. The overall rate of conviction in CBI cases during 2007 was 63.6 percent as compared to 72.9 percent in 2006 and 65.6 percent in 2005. 6468 cases were pending trial as on 31.12.2007, as compared to 8293 cases as on 31.12.2006. However, the Commission feels that there is a need for more designated & exclusive CBI Courts in all the States for the expeditious disposal of the cases.

Other Issues

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

CBI has a permanent Training Academy at Ghaziabad, which organizes training courses of varying durations depending upon the nature of training to be imparted, both for in-service officers of CBI as well as for other Government officials. They are also conducting training in vigilance related matters to the newly appointed CVOs of the various organizations, which includes an interactive session with the Commission also.

ANNEXURES

Annexure-I

Group wise Staff Strength and related information, as on 31.12.2007

	Group 'A'	Group 'B'	Group 'C'	Group 'D'	Total
Sanctioned Strength	44*	92	73	73	282
Officials in position	36	78	45	68	227

*Excluding the post of CVC & VCs

Representation of Scheduled Castes, Scheduled Tribes and OBCs

As per the Government's policy and instructions, the Commission has been making every effort for implementing the same in respect of the posts under its administrative control. The percentage of Scheduled Castes/Scheduled Tribes and OBCs in the various group of posts filled/held otherwise than by deputation as on 31.12.2007 is given below:

	Group "A"	Group "B"	Group "C"	Group "D"
Scheduled Castes	22.22%	14.66%	12.5%	42.40%
Scheduled Tribes	11.11%	2.66%	2.77%	4.10%
OBC	-	8%	9.72%	10.95%

Progressive Use of Hindi

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

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

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

Annexure-II

Organization-wise details of Punishments imposed during 2007 in respect of cases where Commission's advice was obtained

S. No.	Name of the Department/ Organization	Prose-cution	Major Penalty	Minor Penalty	Admn. Action
1.	Air India	-	-	-	4
2.	Airports Authority of India	1	5	15	4
3.	Allahabad Bank	-	9	2	-
4.	Andaman & Nicobar Admn.	-	-	1	-
5.	Andhra Bank	-	9	5	-
6.	Andrew Yule & Co. Ltd.	2	-	-	-
7.	Bank of Baroda	-	23	15	1
8.	Bank of India	-	13	9	2
9.	Bank of Maharashtra	-	6	7	3
10.	Bharat Coking Coal Ltd.	-	4	6	1
11.	Bharat Earth Movers Ltd.	-	1	1	-
12.	Bharat Heavy Electricals Ltd.	-	3	23	6
13.	Bharat Petroleum Corp. Ltd.	-	1	1	-
14.	Border Roads Development Board	-	-	1	1
15.	Brahmaputra Board	-	-	2	-
16.	BSNL	49	89	77	76
17.	Bureau of Indian Standards	-	4	1	-
18.	Canara Bank	-	15	19	3
19.	CBI	-	1	-	-
20.	Central Bank of India	-	23	4	1
21.	Central Board of Direct Taxes	10	12	5	4
22.	Central Board of Excise & Customs	15	26	24	20
23.	Central Coalfields Ltd.	-	3	23	11
24.	Central Council for Research in Ayurveda and Sidha	-	-	1	-
25.	Central Industrial Security Force	-	1	-	-
26.	Central Mine Planning & Design Institute	-	-	6	-
27.	Central Warehousing Corp. Ltd.	-	6	7	3
28.	Chandigarh Admn.	-	1	7	-
29.	Chennai Port Trust	-	-	-	3
30.	Coal India Ltd.	-	-	3	-
31.	Controller General of Defence Accounts	-	15	5	-
32.	Corporation Bank	-	5	21	5
33.	Council of Scientific & Industrial Research	1	3	1	1
34.	CPWD	1	23	9	4
35.	D/o Animal Husbandry, Dairying and Fisheries	-	1	-	-
36.	D/o Atomic Energy	-	3	-	-
37.	D/o Coal	1	9	-	-

S. No.	Name of the Department/ Organization	Prose- cution	Major Penalty	Minor Penalty	Admn. Action
38.	D/o Company Affairs	1	2	1	-
39.	D/o Defence Production & Supplies	-	6	1	-
40.	D/o Economic Affairs	-	2	1	2
41.	D/o Food & Public Distribution	-	-	1	-
42.	D/o Health	1	2	7	1
43.	D/o Industrial Policy & Promotion	3	-	1	1
44.	D/o Posts	1	7	-	4
45.	D/o Revenue	-	1	1	3
46.	D/o Steel	-	2	2	3
47.	D/o Telecom	7	16	16	10
48.	D/o Youth Affairs & Sports	-	-	-	1
49.	Damodar Valley Corp.	-	1	-	-
50.	DDA	-	82	55	6
51.	Delhi Jal Board	-	7	26	-
52.	Delhi State Industrial Development Corp.	-	-	6	1
53.	Delhi Transport Corp.	-	2	2	7
54.	Dena Bank	-	10	2	-
55.	Dredging Corp. of India Ltd.	-	1	2	-
56.	DTL/IPGCL	-	7	1	7
57.	Eastern Coalfields Ltd.	-	8	12	-
58.	Employees Provident Fund Organization	-	2	-	1
59.	Employees State Insurance Corp.	-	8	7	2
60.	Export Inspection Council of India	-	3	-	-
61.	Govt. of National Capital Territory of Delhi	3	9	5	-
62.	Govt. of Puducherry	1	-	2	-
63.	Hindustan Organic Chemicals Ltd.	1	-	-	-
64.	Hindustan Paper Corp. Ltd.	-	-	-	1
65.	Hindustan Petroleum Corp. Ltd.	-	-	-	1
66.	Hindustan Steelworks Construction Ltd.	-	-	-	2
67.	Hotel Corp. of India Ltd.	-	-	2	-
68.	HUDCO	-	1	1	1
69.	IBP Balmer Lawrie Group of Companies	-	4	11	-
70.	India Tourism Development Corp.	-	1	2	-
71.	Indian Bank	3	24	21	9
72.	Indian Council of Agricultural Research	-	5	11	1
73.	Indian Oil Corp. Ltd.	-	-	6	13
74.	Indian Overseas Bank	1	49	96	11
75.	Indian Telephone Industries Ltd.	-	-	-	3
76.	Indira Gandhi National Open University	-	1	-	-

S. No.	Name of the Department/ Organization	Prose- cution	Major Penalty	Minor Penalty	Admn. Action
77.	Industrial Development Bank of India	-	1	-	-
78.	Industrial Investment Bank of India	-	-	7	5
79.	IRCON	-	-	-	2
80.	Kendriya Vidyalaya Sangathan	-	4	1	-
81.	Kolkata Port Trust	1	-	-	-
82.	Lakshdweep Admn.	2	-	-	-
83.	Life Insurance Corp. of India	7	3	2	-
84.	M/o Commerce	1	-	8	2
85.	M/o Defence	5	4	7	-
86.	M/o Development of North East Region	-	-	1	-
87.	M/o Environment & Forests	-	1	-	1
88.	M/o External Affairs	8	-	4	-
89.	M/o Home Affairs	18	1	-	-
90.	M/o Human Resources Development	-	-	1	-
91.	M/o Information & Broadcasting	1	4	10	-
92.	M/o Information Technology	1	-	-	-
93.	M/o Labour	4	4	-	-
94.	M/o Personnel, P.G. & Pensions	8	2	1	-
95.	M/o Railways	7	88	214	44
96.	M/o Social Justice & Empowerment	-	1	-	-
97.	M/o Urban Development & Poverty Alleviation	1	8	16	4
98.	M/o Water Resources	-	3	5	2
99.	Mahanadi Coalfields Ltd.	-	2	4	-
100.	Mazagon Dock Ltd.	-	-	14	-
101.	MCD	1	20	33	2
102.	MMTC	-	1	1	-
103.	MTNL	1	14	11	7
104.	Mumbai Port Trust	-	3	-	-
105.	Nathpa Jhakri Power Corp.	-	-	2	-
106.	National Bank for Agricultural and Rural Development	-	1	-	-
107.	National Buildings Construction Corp.	-	18	38	7
108.	National Highways Authority of India	-	-	-	1
109.	National Hydroelectric Power Corp.	-	1	-	-
110.	National Insurance Co. Ltd.	6	6	8	-
111.	National Projects Construction Corp.	-	-	2	-
112.	National Thermal Power Corp.	-	3	14	-
113.	National Water Development Agency	-	-	1	-
114.	NDMC	-	-	3	7
115.	New India Assurance Co. Ltd.	5	28	32	18
116.	North Eastern Electric Power Corp.	-	-	2	-

S. No.	Name of the Department/ Organization	Prose- cution	Major Penalty	Minor Penalty	Admn. Action
117.	Northern Coalfields Ltd.	-	-	3	1
118.	Nuclear Power Corp. Ltd.	-	-	-	1
119.	O/o Development Commissioner, SSI	-	-	1	-
120.	ONGC	-	13	6	2
121.	Ordnance Factory Board	-	3	-	-
122.	Oriental Bank of Commerce	-	3	2	-
123.	Oriental Insurance Co. Ltd.	4	26	26	-
124.	Post Graduate Institute of Medical Education & Research	-	2	1	-
125.	Power Grid Corp. of India Ltd.	-	-	1	-
126.	Projects & Equipments Corp. of India	-	1	-	-
127.	Punjab & Sind Bank	-	14	5	1
128.	Punjab National Bank	1	15	7	-
129.	RITES	-	-	1	1
130.	SAIL	-	2	-	-
131.	Small Industries Development Bank of India	-	-	2	-
132.	South Eastern Coalfields Ltd.	-	1	4	1
133.	State Bank of Bikaner & Jaipur	-	1	3	-
134.	State Bank of Hyderabad	-	3	2	-
135.	State Bank of India	3	22	12	1
136.	State Bank of Indore	-	6	-	-
137.	State Bank of Patiala	-	1	-	-
138.	State Bank of Saurashtra	-	4	2	-
139.	State Bank of Travancore	-	11	1	-
140.	Syndicate Bank	-	11	3	-
141.	UCO Bank	3	22	5	-
142.	Union Bank of India	-	31	21	4
143.	United Bank of India	-	9	-	2
144.	United India Insurance Co. Ltd.	1	1	-	-
145.	UT of Daman & Diu and Dadra & Nagar Haveli	1	-	1	-
146.	Western Coalfields Ltd.	-	2	11	-
	Total	192	1002	1164	360

Work done by CVOs in 2007

Details of Complaints sent by CVC including Whistle Blower

S. No.	Department/Sector	Total Received	Disposal	Pending	Pending for more than six months
1.	Agriculture	4	1	3	3
2.	Atomic Energy	22	14	8	2
3.	Chemicals & Petrochemicals	0	0	0	0
4.	Civil Aviation	32	27	5	3
5.	Coal	244	75	169	7
6.	Commerce	7	4	3	3
7.	D/o Space	2	0	2	2
8.	Defence	37	12	25	3
9.	Fertilizers	8	7	1	0
10.	Finance	12	12	0	0
11.	Govt. of NCT Delhi	304	252	52	15
12.	Health & Family Welfare	0	0	0	0
13.	Heavy Industry	25	21	4	3
14.	Human Resource Development	9	2	7	7
15.	Insurance	24	17	7	2
16.	Labour	185	19	166	19
17.	M/o Home Affairs	4	2	2	2
18.	Mines	14	13	1	0
19.	Non-Conventional Energy Sources	0	0	0	0
20.	Petroleum	86	61	25	12
21.	Power	59	26	33	11
22.	Public Sector Banks	203	115	88	5
23.	Railways	93	68	25	9
24.	Science & Technology	20	17	3	2
25.	Steel	75	66	9	17
26.	Surface Transport	33	24	9	0
27.	Telecommunication	84	39	45	12
28.	Tourism	10	8	2	1
29.	Union Territories	56	47	9	9
30.	Urban Affairs	59	50	9	8
31.	Water Resources	1	0	1	1
	Total	1712	999	713	158

Note : The data is based on the Annual reports submitted by the CVO's.

Annexure III-A(ii)

Work done by CVOs in 2007

Details of Complaints regarding other employees

S. No.	Department/Sector	Total Received	Disposal	Pending	Pending for more than six months
1.	Agriculture	12	3	9	7
2.	Atomic Energy	59	20	39	20
3.	Chemicals & Petrochemicals	22	10	12	6
4.	Civil Aviation	89	76	13	5
5.	Coal	1407	1248	159	72
6.	Commerce	10	3	7	6
7.	D/o Space	10	6	4	0
8.	Defence	175	122	53	21
9.	Fertilizers	74	60	14	6
10.	Finance	33	26	7	2
11.	Govt. of NCT Delhi	13225	10285	2940	231
12.	Health & Family Welfare	217	18	199	155
13.	Heavy Industry	197	129	68	54
14.	Human Resource Development	124	82	42	37
15.	Insurance	505	311	194	131
16.	Labour	370	148	222	117
17.	M/o Home Affairs	287	172	115	54
18.	Mines	103	68	35	2
19.	Non-Conventional Energy Sources	5	2	3	0
20.	Petroleum	1292	1089	203	82
21.	Power	173	118	55	20
22.	Public Sector Banks	3205	2732	473	110
23.	Railways	7912	5855	2057	1018
24.	Science & Technology	74	42	32	30
25.	Steel	1063	942	121	38
26.	Surface Transport	461	408	53	15
27.	Telecommunication	888	440	448	152
28.	Tourism	15	13	2	0
29.	Union Territories	485	239	246	246
30.	Urban Affairs	548	277	271	188
31.	Water Resources	7	1	6	6
	Total	33047	24945	8102	2831

Note : The data is based on the Annual reports submitted by the CVO's.

Work done by CVOs in 2007

Details of Complaints regarding all category of employees

S. No.	Department/Sector	Total Received	Disposal	Pending	Pending for more than six months
1.	Agriculture	16	4	12	10
2.	Atomic Energy	81	34	47	22
3.	Chemicals & Petrochemicals	22	10	12	6
4.	Civil Aviation	121	103	18	8
5.	Coal	1651	1323	328	79
6.	Commerce	17	7	10	9
7.	D/o Space	12	6	6	2
8.	Defence	212	134	78	24
9.	Fertilizers	82	67	15	6
10.	Finance	45	38	7	2
11.	Govt. of NCT Delhi	13529	10537	2992	246
12.	Health & Family Welfare	217	18	199	155
13.	Heavy Industry	222	150	72	57
14.	Human Resource Development	133	84	49	44
15.	Insurance	529	328	201	133
16.	Labour	555	167	388	136
17.	M/o Home Affairs	291	174	117	56
18.	Mines	117	81	36	2
19.	Non-Conventional Energy Sources	5	2	3	0
20.	Petroleum	1378	1150	228	94
21.	Power	232	144	88	31
22.	Public Sector Banks	3408	2847	561	115
23.	Railways	8005	5923	2082	1027
24.	Science & Technology	94	59	35	32
25.	Steel	1138	1008	130	55
26.	Surface Transport	494	432	62	15
27.	Telecommunication	972	479	493	164
28.	Tourism	25	21	4	1
29.	Union Territories	541	286	255	255
30.	Urban Affairs	607	327	280	196
31.	Water Resources	8	1	7	7
	Total	34759	25944	8815	2989

Note : The data is based on the Annual reports submitted by the CVO's.

Work done by CVOs in 2007

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

S. No.	Department/Sector	Total Received	Disposal	Pending	Pending for more than six months
1.	Agriculture	0	0	0	0
2.	Atomic Energy	0	0	0	0
3.	Chemical & Petrochemicals	5	0	5	5
4.	Civil Aviation	19	2	17	9
5.	Coal	72	29	43	47
6.	Commerce	21	2	19	19
7.	D/o Space	0	0	0	0
8.	Defence	19	10	9	5
9.	Fertilizers	7	0	7	5
10.	Finance	1	1	0	0
11.	Govt. of NCT Delhi	20	6	14	14
12.	Health & Family Welfare	0	0	0	0
13.	Heavy Industry	7	5	2	0
14.	Human Resource Development	30	5	25	25
15.	Insurance	79	30	49	28
16.	Labour	38	15	23	16
17.	M/o Home Affairs	31	3	28	27
18.	Mines	0	0	0	0
19.	Petroleum	189	58	131	113
20.	Power	26	15	11	4
21.	Public Sector Banks	235	130	105	24
22.	Railways	190	81	109	73
23.	Science & Technology	55	11	44	42
24.	Steel	31	8	23	8
25.	Surface Transport	28	4	24	17
26.	Telecommunication	101	48	53	50
27.	Tourism	4	3	1	1
28.	Union Territories	51	29	22	22
29.	Urban Affairs	53	29	24	24
30.	Water Resources	2	1	1	2
	Total	1314	525	789	580

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

Work done by CVOs in 2007

Details of Departmental Inquires against other employees

S. No.	Department/Sector	Total Received	Disposal	Pending	Pending for more than six months
1.	Agriculture	5	1	4	0
2.	Atomic Energy	63	43	20	10
3.	Chemicals & Petrochemicals	19	13	6	4
4.	Civil Aviation	72	34	38	27
5.	Coal	186	100	86	64
6.	Commerce	8	5	3	3
7.	D/o Space	57	33	24	15
8.	Defence	249	90	159	42
9.	Fertilizers	30	12	18	10
10.	Finance	12	9	3	2
11.	Govt. of NCT Delhi	2050	907	1143	439
12.	Health & Family Welfare	148	35	113	99
13.	Heavy Industry	30	9	21	3
14.	Human Resource Development	34	10	24	24
15.	Insurance	248	101	147	76
16.	Labour	725	292	433	288
17.	M/o Home Affairs	376	193	183	111
18.	Mines	14	5	9	8
19.	Petroleum	248	133	115	83
20.	Power	68	31	37	14
21.	Public Sector Banks	3833	2494	1339	423
22.	Railways	2426	1217	1209	696
23.	Science & Technology	77	24	53	45
24.	Steel	109	79	30	12
25.	Surface Transport	107	62	45	19
26.	Telecommunication	627	117	510	467
27.	Tourism	84	31	53	31
28.	Union Territories	2	1	1	1
29.	Urban Affairs	15	8	7	4
30.	Water Resources	2	2	0	0
	Total	11924	6091	5833	3020

Note : The data is based on the Annual reports submitted by the CVO's.

Work done by CVOs in 2006

Details of Prosecution Sanctions for all categories

S. No.	Department/Sector	Total cases for sanction	Disposal		Pending	Pending for more than six months
			Sanctioned	Refused		
1.	Civil Aviation	2	1	1	0	0
2.	Coal	26	24	0	2	1
3.	D/o Space	4	1	0	3	3
4.	Defence	7	7	0	0	0
5.	Fertilizers	1	1	0	0	0
6.	Govt. of NCT Delhi	317	286	2	29	0
7.	Health & Family Welfare	1	0	0	1	0
8.	Human Resource Development	1	1	0	0	0
9.	Insurance	21	19	2	0	0
10.	Labour	21	16	4	1	0
11.	M/o Home Affairs	10	3	0	7	0
12.	Petroleum	4	1	3	0	0
13.	Power	1	0	0	1	1
14.	Public Sector Banks	140	85	32	23	1
15.	Railways	31	31	0	0	0
16.	Science & Technology	6	6	0	0	0
17.	Steel	4	4	0	0	0
18.	Surface Transport	1	0	0	1	0
19.	Telecommunication	60	47	6	7	0
20.	Union Territories	1	1	0	0	0
21.	Urban Affairs	1	1	0	0	0
	Total	660	535	50	75	6

Note : The data is based on the Annual reports submitted by the CVO's.

Annexure III-E

Work done by CVOs in 2007

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

S No	Department/Sector	Cut in Pension	Dismissal/ Removal/ Compulsory Retirement	Reduction to lower time scale/ rank	Other Major penalties	Minor penalties other than censure/ warning	Censure warning	No action	Total
1.	Agriculture	0	0	4	0	0	0	0	4
2.	Atomic Energy	0	1	0	0	32	1	7	41
3.	Chemicals & Petrochemicals	0	0	1	0	0	0	0	1
4.	Civil Aviation	3	1	12	0	14	7	6	43
5.	Coal	0	18	44	23	19	47	28	179
6.	Commerce	0	0	5	0	1	1	0	7
7.	D/o Space	0	2	4	7	1	2	7	23
8.	Defence	2	8	19	14	22	5	25	95
9.	Fertilizers	0	1	2	1	4	0	2	10
10.	Finance	1	3	1	1	1	0	1	8
11.	Govt. of NCT Delhi	7	56	295	110	1	57	376	902
12.	Health & Family Welfare	0	10	0	0	8	4	17	39
13.	Heavy Industry	0	3	1	8	0	0	0	12
14.	Human Resource Development	6	1	0	0	3	0	2	12
15.	Insurance	5	23	90	0	6	4	6	134
16.	Labour	19	22	11	76	67	10	36	241
17.	M/o Home Affairs	4	80	29	19	2	5	8	147
18.	Mines	0	0	1	3	0	0	1	5
19.	Petroleum	0	7	70	3	10	40	50	180
20.	Power	2	9	4	0	5	5	13	38
21.	Public Sector Banks	8	485	1118	345	151	120	87	2314
22.	Railways	15	3	8	24	13	6	12	81
23.	Science & Technology	0	9	1	6	2	2	2	22
24.	Steel	0	5	5	42	3	11	12	78
25.	Surface Transport	11	21	28	7	9	14	13	103
26.	Telecommunication	8	58	95	9	16	16	46	248
27.	Tourism	0	1	2	3	4	4	1	15
28.	Union Territories	4	0	13	5	0	2	4	28
29.	Urban Affairs	4	0	13	17	0	11	4	49
30.	Water Resources	0	0	0	1	1	1	1	4
	Total	99	827	1876	724	395	375	767	5063

Note : The data is based on the Annual reports submitted by the CVO's.

Annexure III-F

Work done by CVOs in 2007

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

S. No.	Department/Sector	Reduction to lower stage	Postponement /withholding of increment	Recovery from pay	Withholding of promotion	Censure/ Warning	No Action	Total
1.	Agriculture	0	0	0	0	1	0	1
2.	Atomic Energy	0	1	0	0	0	1	2
3.	Chemicals & Petrochemicals	0	0	0	0	22	0	22
4.	Civil Aviation	0	5	5	0	13	1	24
5.	Coal	2	38	1	0	101	7	149
6.	D/o Space	5	0	4	0	1	0	10
7.	Defence	17	27	0	2	42	5	93
8.	Fertilizers	0	0	0	0	9	0	9
9.	Finance	1	0	0	1	1	1	4
10.	Govt. of NCT Delhi	16	5	0	0	1618	1243	2882
11.	Heavy Industry	0	4	0	0	32	2	38
12.	Human Resource Development	0	1	0	0	2	0	3
13.	Insurance	9	3	7	0	16	0	35
14.	Labour	16	50	1	3	67	9	146
15.	M/o Home Affairs	20	18	4	0	24	13	79
16.	Mines	0	2	0	0	12	0	14
17.	Petroleum	11	1	1	3	98	35	149
18.	Power	9	5	0	6	42	8	70
19.	Public Sector Banks	336	47	36	12	585	39	1055
20.	Railways	18	79	0	6	86	15	204
21.	Science & Technology	1	1	0	0	5	2	9
22.	Steel	0	29	0	0	31	9	69
23.	Surface Transport	0	25	0	0	29	16	70
24.	Telecommunication	16	64	16	0	108	21	225
25.	Tourism	0	3	3	0	6	4	16
26.	Union Territories	3	2	1	0	2	3	11
27.	Urban Affairs	3	3	1	4	34	3	48
	Total	483	413	80	37	2987	1437	5437

Note : The data is based on the Annual reports submitted by the CVO's.

Annexure III-G

Organizations from whom Annual Report for the year 2007 received

S. No.	Organization	S. No.	Organization	S. No.	Organization
1	Air India	53	Ennore Port Ltd.	105	National Aluminium Co. Ltd.
2	Airports Authority of India	54	Ferro Scrap Nigam Ltd.	106	National Buildings Construction Corp.
3	All India Institute of Medical Sciences	55	Fertilizers & Chemicals Travancore Ltd.	107	National Cooperative Consumers' Federation
4	Allahabad Bank	56	Gandhi Darshan Samiti	108	National Fertilizers Ltd.
5	Andaman & Nicobar Admn.	57	Garden Reach Shipbuilders & Engineers	109	National Hydro Electric Power Corp. Ltd.
6	Andhra Bank	58	Gas Authority of India Ltd.	110	National Mineral Development Corp.
7	Artificial Limb Manufacturing Co. Ltd.	59	General Insurance Corp. of India	111	National Thermal Power Corp. Ltd.
8	Bank of Baroda	60	Goa Shipyard Ltd.	112	National Water Development Agency
9	Bank of Maharashtra	61	Govt. of N.C.T. of Delhi	113	New Delhi Municipal Council
10	Bharat Bhari Udyog Nigam Ltd.	62	Heavy Engineering Corp. Ltd.	114	New Mangalore Port Trust
11	Bharat Coking Coal Ltd.	63	Hindustan Aeronautics Ltd.	115	Neyveli Lignite Corp. Ltd.
12	Bharat Dynamics Ltd.	64	Hindustan Insecticides Ltd.	116	North Eastern Electric Power Corp. Ltd.
13	Bharat Earth Movers Ltd.	65	Hindustan Organic Chemicals Ltd.	117	Northern Coalfields Ltd.
14	Bharat Electronics Ltd.	66	Hindustan Paper Corp.	118	Nuclear Power Corp. of India Ltd.
15	Bharat Heavy Electricals Ltd.	67	Hindustan Petroleum Corp. Ltd.	119	Numaligarh Refineries Ltd.
16	Bharat Petroleum Corp. Ltd.	68	Hindustan Shipyard Ltd.	120	O/o the Coal Mines Provident Fund
17	Bharat Sanchar Nigam Ltd.	69	Hindustan Steelworks Construction Ltd.	121	O/o the Controller General of Accounts
18	Bhartiya Reserve Bank Note Mudran	70	HUDCO	122	Oil & Natural Gas Corp. Ltd.
19	Bridge & Roof Co. Ltd.	71	IBP Balmer Lawrie Group of Companies	123	Oil India Ltd.
20	Burn Standard Co. Ltd.	72	India Tourism Development Corp. Ltd.	124	Ordnance Factory Board
21	Canara Bank	73	Indian Bank	125	Oriental Insurance Co. Ltd.
22	Cement Corp. of India Ltd.	74	Indian Institute for Population Sciences	126	Power Finance Corp. Ltd.
23	Central Bank of India	75	Indian Oil Corp. Ltd.	127	Power Grid Corp. of India Ltd.
24	Central Board of Workers Education	76	Indian Overseas Bank	128	Punjab & Sind Bank
25	Central Coalfields Ltd.	77	IRCTC Ltd.	129	Punjab National Bank
26	Central Electronics Ltd.	78	Indian Rare Earths Ltd.	130	RITES
27	Central Industrial Security Force	79	Indian Renewable Energy Development Agency Ltd.	131	Rashtriya Chemicals & Fertilizers Ltd.
28	Central Mine Planning & Design Institute	80	Indian Telephone Industries Ltd.	132	Rashtriya Ispat Nigam Ltd.
29	Central Public Works Department	81	Industrial Development Bank of India	133	Repatriates Cooperative Finance & Development Bank Ltd.
30	Central Reserve Police Force	82	Industrial Investment Bank of India	134	Reserve Bank of India
31	Chennai Petroleum Corp. Ltd.	83	Instrumentation Ltd.	135	Sasastra Seema Bal
32	Chennai Port Trust	84	Inter State Council Secretariat	136	SIDBI
33	Coal India Ltd.	85	IRCON International Ltd.	137	South Eastern Coalfields Ltd.
34	Cochin Port Trust	86	Kendriya Vidyalaya Sangathan	138	Sponge Iron India Ltd.
35	Cochin Shipyard Ltd.	87	Kolkata Port Trust	139	State Bank of Bikaner & Jaipur
36	Corporation Bank	88	Krishak Bharati Cooperatives Ltd.	140	State Bank of India
37	CSIR	89	Kudremukh Iron & Ore Co. Ltd.	141	State Bank of Indore
38	D/o Space	90	M.M.T.C. Ltd.	142	State Bank of Mysore
39	D/o Steel	91	M/o Petroleum & Natural Gas	143	State Bank of Patiala
40	Damodar Valley Corp.	92	M/o Railways	144	State Bank of Travancore
41	Delhi Metro Rail Corp. Ltd.	93	M/o Road Transport & Highways	145	State Trading Corp. of India
42	Delhi Police	94	Madras Fertilizers Ltd.	146	Steel Authority of India Ltd.
43	Delhi Transco Ltd./IPGCL	95	Mahanadi Coalfields Ltd.	147	Syndicate Bank
44	Dena Bank	96	Mahanagar Telephone Nigam Ltd.	148	Technical Teachers Training Institute, Calcutta
45	Directorate General of Assam Rifles	97	Mazagon Dock Ltd.	149	Telecommunication Consultants India Ltd.
46	DOEACC Society	98	Metal Scrap Trading Corp.	150	Tuticorin Port Trust
47	Dredging Corp. of India. Ltd.	99	Metallurgical Engg. Consultants India	151	UCO Bank
48	Eastern Coalfields Ltd.	100	Mineral Exploration Corp. Ltd.	152	Union Bank of India
49	EPFO	101	Mishra Dhatu Nigam Ltd.	153	United India Insurance Co. Ltd.
50	Employees State Insurance Corp.	102	Mormugao Port Trust	154	Vijaya Bank
51	Engineering Projects India Ltd.	103	Mumbai Port Trust	155	Visakhapatnam Port Trust
52	Engineers India Ltd.	104	Nathpa Jhakri Power Corp. Ltd.	156	Western Coalfields Ltd.

Annexure-IV

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

S. No.	Name of the organization	Complaints pending with CVOs for investigation		
		Upto one year	Between one-three years	More than three years
1.	Air India	1	-	-
2.	Airports Authority of India	5	-	-
3.	All India Council of Technical Education	1	2	2
4.	All India Institute of Medical Sciences	3	-	-
5.	Bank of Baroda	1	-	-
6.	Bank of Maharashtra	1	-	-
7.	Bharat Chemicals & Petrochemicals Ltd.	1	-	-
8.	Bharat Heavy Electricals Ltd.	2	-	-
9.	Bharat Petroleum Corp. Ltd.	2	-	-
10.	Bharat Wagons & Engineering Corp. Ltd.	-	1	-
11.	BIBCOL	1	-	-
12.	Border Roads Development Board	1	1	-
13.	Border Security Force	1	-	-
14.	BSNL	16	8	-
15.	Bureau of Indian Standards	1	-	1
16.	CBI	3	-	-
17.	CBSE	1	-	-
18.	Cement Corp. of India Ltd.	1	-	-
19.	Central Bank of India	3	1	-
20.	Central Board of Direct Taxes	27	31	8
21.	Central Board of Excise & Customs	22	11	-
22.	Central Electricity Authority	1	-	-
23.	Central Warehousing Corp.	1	-	-
24.	Chandigarh Admn.	3	-	-
25.	Coal India Ltd.	5	1	-
26.	Council of Scientific and Industrial Research	8	-	-
27.	CPWD	5	-	-
28.	D/o Agriculture & Cooperation	4	-	-
29.	D/o Atomic Energy	3	-	-
30.	D/o AYUSH	2	2	-
31.	D/o Chemicals & Petrochemicals	2	-	-
32.	D/o Commerce (Supply Division)	6	2	-
33.	D/o Company Affairs	3	-	-

S. No.	Name of the organization	Complaints pending with CVOs for investigation		
		Upto one year	Between one-three years	More than three years
34.	D/o Defence Production & Supplies	13	-	-
35.	D/o Fertilizers	1	-	-
36.	D/o Financial Services	2	1	-
37.	D/o Food & Public Distribution	1	2	-
38.	D/o Heavy Industry	2	-	-
39.	D/o Legal Affairs	-	-	1
40.	D/o Personnel & Training	2	-	-
41.	D/o Posts	5	4	-
42.	D/o Revenue	7	2	-
43.	D/o Road Transport & Highways	2	-	-
44.	D/o Science & Technology	-	1	-
45.	D/o Scientific & Industrial Research	1	-	-
46.	D/o Secondary & Higher Education	21	4	1
47.	D/o Shipping	3	3	-
48.	D/o Space	3	-	-
49.	D/o Telecom	3	4	-
50.	D/o Women & Child Development	1	-	-
51.	D/o Youth Affairs & Sports	-	-	1
52.	Damodar Valley Corp.	1	-	-
53.	DDA	13	4	-
54.	Delhi Jal Board	11	1	-
55.	Delhi Police	4	4	-
56.	DSIDC	3	1	-
57.	DTC	1	1	-
58.	Employees Provident Fund Organization	19	7	-
59.	Employees State Insurance Corp.	4	-	-
60.	Food Corp. of India	8	2	-
61.	Gas Authority of India Ltd.	-	1	-
62.	GNCTD	38	4	2
63.	Govt. of Puducherry	2	2	-
64.	Hindustan Copper Ltd.	3	-	-
65.	Hindustan Insecticides Ltd.	1	-	-
66.	Hindustan Petroleum Corp. Ltd.	1	-	-
67.	Hindustan Steelworks Construction Ltd.	1	-	-
68.	HMT Ltd.	3	-	-
69.	IGNOU	5	2	-
70.	IIM, Lucknow	-	-	1

S. No.	Name of the organization	Complaints pending with CVOs for investigation		
		Upto one year	Between one-three years	More than three years
71.	IIT, Delhi	2	-	-
72.	IIT, Kharagpur	1	-	-
73.	IIT, Mumbai	-	-	1
74.	India Tourism Development Corp.	6	-	-
75.	India Trade Promotion Organization	1	-	-
76.	Indian Bureau of Mines	-	1	-
77.	Indian Council of Agricultural Research	7	-	-
78.	Indian Council of Cultural Research	2	-	-
79.	Indian Council of Medical Research	2	-	-
80.	Indian Oil Corp. Ltd.	2	-	-
81.	Indian Overseas Bank	1	-	-
82.	Indian Rare Earths Ltd.	2	-	-
83.	Intelligence Bureau	-	2	-
84.	Jawaharlal Nehru University	1	-	-
85.	Kendriya Vidyalaya Sangathan	4	-	-
86.	Khadi & Village Industries Commission	1	-	-
87.	Life Insurance Corp.	4	3	-
88.	M/o Chemicals & Fertilizers	-	1	-
89.	M/o Civil Aviation	1	-	-
90.	M/o Coal	4	3	-
91.	M/o Culture	3	1	-
92.	M/o Defence	24	5	1
93.	M/o Environment & Forests	3	-	2
94.	M/o External Affairs	14	7	-
95.	M/o Health & Family Welfare	7	4	3
96.	M/o Home Affairs	8	2	2
97.	M/o Information & Broadcasting	5	4	2
98.	M/o Information Technology	3	-	-
99.	M/o Labour & Employment	5	1	-
100.	M/o Mines	3	1	-
101.	M/o Minority Affairs	1	1	-
102.	M/o Overseas Indian Affairs	-	1	-
103.	M/o Petroleum & Natural Gas	3	1	-
104.	M/o Power	6	1	-
105.	M/o Railways	32	2	-
106.	M/o Rural Development	1	-	-
107.	M/o Social Justice & Empowerment	6	-	-

S. No.	Name of the organization	Complaints pending with CVOs for investigation		
		Upto one year	Between one-three years	More than three years
108.	M/o Statistics & Programme Implementation	1	-	-
109.	M/o Steel	3	-	-
110.	M/o Textiles	2	5	-
111.	M/o Tourism	2	1	-
112.	M/o Tribal Affairs	-	1	1
113.	M/o Urban Development & Poverty Alleviation	4	1	-
114.	M/o Water Resources	6	1	-
115.	Mazagon Dock Ltd.	1	-	-
116.	MCD	32	13	-
117.	Metal Scrap Trading Corp.	-	1	-
118.	Mettalurgical Engineering Consultants India Ltd.	1	-	-
119.	Mormugao Port Trust	1	-	-
120.	MTNL	3	-	-
121.	National Buildings Construction Corp.	1	-	-
122.	National Consumer Cooperation Federation	2	-	-
123.	National Highways Authority of India	4	-	-
124.	National Hydro Electric Power Corp. Ltd.	4	1	-
125.	National Insurance Co. Ltd.	1	1	1
126.	National Project Construction Corp.	1	4	-
127.	National Thermal Power Corp.	2	-	-
128.	Navodaya Vidyalaya Samiti	1	-	-
129.	NDMC	2	-	-
130.	New India Assurance Co. Ltd.	1	1	-
131.	Neyveli Lignite Corp.	1	1	-
132.	North East Electric Power Corp.	2	-	-
133.	Northern Coalfields Ltd.	1	-	-
134.	Nuclear Power Corp. of India Ltd.	1	-	-
135.	O/o the Comptroller & Auditor General	2	-	-
136.	Oil India Ltd.	1	-	-
137.	ONGC	2	1	-
138.	Oriental Insurance Co. Ltd.	2	-	-
139.	Post Graduate Institute of Medical Education & Research	4	1	-
140.	Power Grid Corp. of India Ltd.	3	-	-
141.	Punjab National Bank	2	-	-

S. No.	Name of the organization	Complaints pending with CVOs for investigation		
		Upto one year	Between one-three years	More than three years
142.	Rashtriya Ispat Nigam Ltd./ Visakhapatnam Steel Plant	-	1	-
143.	SAIL	6	2	-
144.	Shipping Corp. of India	2	-	-
145.	South Eastern Coalfields Ltd.	2	2	-
146.	State Bank of Bikaner & Jaipur	3	-	-
147.	State Bank of India	6	-	-
148.	State Bank of Patiala	2	-	-
149.	State Bank of Travancore	1	-	-
150.	Syndicate Bank	-	1	-
151.	Tehri Hydro Development Corp.	1	-	-
152.	UCO Bank	1	5	-
153.	Union Bank of India	1	1	-
154.	United India Insurance Co. Ltd.	3	2	-
155.	University of Delhi	2	3	-
156.	Uranium Corp. of India	1	-	-
157.	UT of Daman & Diu and Dadra & Nagar Haveli	1	1	-
158.	Vijaya Bank	2	1	-
159.	Visakhapatnam Port Trust	1	-	-
	Total	618	203	30

Annexure - V

List of Organizations yet to appoint CDIs nominated by the Commission

S. No.	Name of the Organization	No. of nominations pending	
		>3 months but <1 year	>1 year
1.	Central Bank of India	1	-
2.	Central Board of Direct Taxes	9	5
3.	Central Board of Excise & Customs	4	-
4.	Central Bureau of Investigation	1	-
5.	D/o Personnel & Training	2	-
6.	D/o Revenue	2	-
7.	DTC	4	-
8.	Food Corp. of India	3	-
9.	Govt. of NCT of Delhi	4	-
10.	HUDCO	1	-
11.	Indian Oil Corp. Ltd.	1	-
12.	M/o Defence	1	-
13.	M/o Labour	-	6
14.	MCD	1	-
15.	NDMC	1	-
16.	Oriental Insurance Co. Ltd.	3	-
17.	Salar Jung Museum	-	1
18.	Satluj Jal Vidyut Nigam Ltd.	1	-
19.	State Bank of Bikaner & Jaipur	1	-
20.	Vijaya Bank	3	-
	Total	43	12

Annexure-VI

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

S. No.	Name of the organization	No. of cases pending implementation of CVC's advice for more than six months	
		First Stage Advice	Second Stage advice
1.	AIIMS	4	-
2.	Airports Authority of India	6	-
3.	Allahabad Bank	2	-
4.	Andaman & Nicobar Admn.	18	1
5.	Andhra Bank	9	1
6.	Andrew Yule & Co. Ltd.	1	-
7.	Archaeological Survey of India	1	-
8.	Atomic Energy Education Society	1	-
9.	Bank of Baroda	4	1
10.	Bank of Maharashtra	2	-
11.	Bharat Bhari Udyog Nigam Ltd.	1	-
12.	Bharat Coking Coal Ltd.	6	-
13.	Bharat Heavy Electricals Ltd.	-	1
14.	Bharat Petroleum Corp. Ltd.	7	-
15.	BIBCOL	-	3
16.	Border Roads Development Board	-	1
17.	BSNL	352	63
18.	Bureau of Indian Standards	22	7
19.	Cabinet Secretariat	1	-
20.	Canara Bank	1	-
21.	CBI	8	8
22.	Cement Corp. of India Ltd.	1	1
23.	Central Bank of India	20	4
24.	Central Board of Direct Taxes	107	60
25.	Central Board of Excise & Customs	175	111
26.	Central Coalfields Ltd.	7	-
27.	Central Council for Research in Ayurveda & Sidha	1	4
28.	Central Council for Research in Homeopathy	1	-
29.	Central Industrial Security Force	3	3
30.	Central Reserve Police Force	11	4
31.	Central Warehousing Corp.	2	1
32.	Chandigarh Admn.	12	15
33.	Chennai Petroleum Corp. Ltd.	-	4
34.	Chennai Port Trust	3	-
35.	Coffee Board	-	1
36.	Container Corp. of India	8	3

S. No.	Name of the organization	No. of cases pending implementation of CVC's advice for more than six months	
		First Stage Advice	Second Stage advice
37.	Controller General of Defence Accounts	4	5
38.	Corporation Bank	2	-
39.	Council for Advancement of Peoples Action and Rural Technology	4	1
40.	Council of Scientific & Industrial Research	11	8
41.	CPWD	22	13
42.	D/o Agriculture & Cooperation	4	-
43.	D/o Atomic Energy	3	-
44.	D/o AYUSH	4	3
45.	D/o Chemicals & Petrochemicals	3	-
46.	D/o Coal	9	-
47.	D/o Commerce	5	1
48.	D/o Company Affairs	2	8
49.	D/o Consumer Affairs	4	2
50.	D/o Defence Production & Supplies	12	4
51.	D/o Economic Affairs	-	1
52.	D/o Fertilizers	5	-
53.	D/o Food & Public Distribution	4	1
54.	D/o Heavy Industry	1	1
55.	D/o Industrial Policy & Promotion	5	1
56.	D/o Legal Affairs	3	-
57.	D/o Mines	1	-
58.	D/o Posts	5	5
59.	D/o Revenue	15	-
60.	D/o Science & Technology	5	3
61.	D/o Shipping	5	4
62.	D/o Space	1	1
63.	D/o Steel	4	7
64.	D/o Telecom	10	9
65.	D/o Youth Affairs & Sports	2	-
66.	DDA	35	4
67.	Delhi Jal Board	6	4
68.	Delhi Metro Rail Corp.	1	-
69.	Delhi State Industrial Development Corp.	5	2
70.	Delhi Transport Corp.	15	6
71.	Dena Bank	1	1
72.	DTL/IPGCL	11	5
73.	Eastern Coalfields Ltd.	4	6
74.	Employees Provident Fund Organization	15	1
75.	Employees State Insurance Corp.	5	-
76.	Engineering Projects India Ltd.	1	-

S. No.	Name of the organization	No. of cases pending implementation of CVC's advice for more than six months	
		First Stage Advice	Second Stage advice
77.	Export Inspection Council of India	3	-
78.	Food Corp. of India	5	-
79.	Gas Authority of India Ltd.	2	-
80.	General Insurance Corp.	1	4
81.	Govt. of NCT of Delhi	18	32
82.	Govt. of Pondicherry	24	4
83.	Hindustan Antibiotics Ltd.	1	-
84.	Hindustan Copper Ltd.	1	-
85.	Hindustan Fertilizers Corp. Ltd.	-	4
86.	Hindustan Latex Ltd.	2	-
87.	Hindustan Organic Chemicals Ltd.	1	-
88.	Hindustan Paper Corp.	2	1
89.	Hindustan Petroleum Corp. Ltd.	6	33
90.	Hindustan Steelworks Construction Ltd.	1	-
91.	Hindustan Vegetable Oils Corp. Ltd.	2	-
92.	HMT Ltd.	3	3
93.	HUDCO	15	1
94.	IBP Balmer Lawrie Group of Companies	12	43
95.	IIT, Kanpur	1	-
96.	India Tourism Development Corp.	8	5
97.	India Trade Promotion Organization	3	-
98.	Indian Airlines Ltd.	1	-
99.	Indian Bank	1	-
100.	Indian Council of Agricultural Research	5	1
101.	Indian Council of Medical Research	1	-
102.	Indian Drugs & Pharmaceuticals Ltd.	-	1
103.	Indian Oil Corp. Ltd.	10	10
104.	Indian Overseas Bank	2	-
105.	Indian Telephone Industries Ltd.	1	-
106.	Indira Gandhi National Open University	2	-
107.	Industrial Development Bank of India	1	-
108.	Kendriya Vidyalaya Sangathan	18	3
109.	Khadi & Village Industries Commission	14	9
110.	Kolkata Port Trust	3	1
111.	Lakshdweep Admn.	8	2
112.	Life Insurance Corp.	10	30
113.	M/o Commerce	12	2
114.	M/o Culture	4	2
115.	M/o Defence	40	5
116.	M/o Development of North East Region	1	-
117.	M/o Environment & Forests	12	4

S. No.	Name of the organization	No. of cases pending implementation of CVC's advice for more than six months	
		First Stage Advice	Second Stage advice
118.	M/o External Affairs	9	1
119.	M/o Health & Family Welfare	16	2
120.	M/o Home Affairs	26	12
121.	M/o Human Resources Development	11	1
122.	M/o Information & Broadcasting	67	35
123.	M/o Information Technology	2	0
124.	M/o Labour	15	3
125.	M/o Minority Affairs	1	-
126.	M/o Overseas Indian Affairs	2	-
127.	M/o Personnel, PG & Pensions	22	13
128.	M/o Petroleum & Natural Gas	2	3
129.	M/o Power	1	2
130.	M/o Railways	109	74
131.	M/o Rural Development	-	1
132.	M/o Small Scale Industries	3	-
133.	M/o Social Justice & Empowerment	5	2
134.	M/o Statistics & Programme Implementation	1	-
135.	M/o Textiles	10	7
136.	M/o Urban Development & Poverty Alleviation	33	23
137.	M/o Water Resources	13	2
138.	Mahanadi Coalfields Ltd.	1	-
139.	Marine Product Export Development Authority	1	-
140.	MCD	27	5
141.	Metal Scrap Trading Corp.	1	-
142.	MMTC	6	-
143.	MTNL	21	12
144.	National Agriculture Coop. Marketing Federation Ltd.	2	-
145.	National Buildings Construction Corp.	3	2
146.	National Consumers Federation of India	1	2
147.	National Cooperation Development Corp.	1	-
148.	National Highways Authority of India	7	-
149.	National Housing Bank	1	1
150.	National Hydro Electric Power Corp.	2	-
151.	National Insurance Co. Ltd.	39	20
152.	National Projects Construction Corp. Ltd.	3	-
153.	National SC&ST Finance & Development Corp.	1	-
154.	National Seed Corp. Ltd.	1	-
155.	National Small Industries Corp.	1	-
156.	National Textiles Corp. Ltd.	1	1

S. No.	Name of the organization	No. of cases pending implementation of CVC's advice for more than six months	
		First Stage Advice	Second Stage advice
157.	National Thermal Power Corp. Ltd.	1	-
158.	Navodaya Vidyalaya Samiti	5	1
159.	NEPA Ltd.	1	-
160.	New India Assurance Co. Ltd.	4	1
161.	North East Electric Power Corp.	1	-
162.	Northern Coalfields Ltd.	1	-
163.	NPCIL	2	-
164.	O/o Comptroller & Auditor General	10	1
165.	O/o Development Commissioner, SSI	2	-
166.	Oil India Ltd.	2	5
167.	ONGC	2	1
168.	Oriental Bank of Commerce	2	-
169.	Oriental Insurance Co. Ltd.	15	3
170.	Pawan Hans Helicopters Ltd.	2	-
171.	Post Graduate Institute of Medical Education & Research	1	-
172.	Power Finance Corp. Ltd.	1	-
173.	Prasar Bharati	1	-
174.	Punjab & Sind Bank	8	-
175.	Punjab National Bank	5	1
176.	Rashtriya Ispat Nigam Ltd.	-	1
177.	Reserve Bank of India	-	1
178.	rites	2	-
179.	SAIL	2	-
180.	Sasastra Seema Bal	1	1
181.	Satluj Jal Vidyut Nigam Ltd.	2	1
182.	Scooters India Ltd.	1	-
183.	SEBI	-	1
184.	South Eastern Coalfields Ltd.	1	-
185.	Sports Authority of India	4	2
186.	Staff Selection Commission	1	-
187.	State Bank of Bikaner & Jaipur	22	3
188.	State Bank of Hyderabad	19	1
189.	State Bank of India	27	3
190.	State Bank of Indore	1	2
191.	State Bank of Mysore	8	-
192.	State Bank of Patiala	-	4
193.	State Bank of Saurashtra	2	2
194.	State Bank of Travancore	2	-
195.	State Trading Corp. of India Ltd.	2	-
196.	Super Bazar	-	1

S. No.	Name of the organization	No. of cases pending implementation of CVC's advice for more than six months	
		First Stage Advice	Second Stage advice
197.	Syndicate Bank	5	-
198.	Tata Memorial Centre	-	1
199.	Tea Trading Corp. Ltd.	-	1
200.	Tribal Coop. Mktg. Development Federation of India	3	1
201.	Triveni Structurals Ltd.	2	-
202.	Tuticorin Port Trust	1	-
203.	UCO Bank	7	6
204.	Union Bank of India	1	-
205.	United Bank of India	2	-
206.	United India Insurance Co. Ltd.	29	5
207.	University of Delhi	1	1
208.	UT of Daman & Diu and Dadra & Nagar Haveli Admn	29	10
209.	Vijaya Bank	5	1
210.	Visakhapatnam Port Trust	2	1
211.	Western Coalfields Ltd.	2	1
	Total	2030	892

Annexure-VII

Cases inspected by CTE Unit resulting in advice of penalty proceedings by the Commission

S. No.	Name of the Organization	Type of cases	Nature of 1st stage advice	Number of officers
1.	ICAR	Purchase of atomic absorption spectrophotometer (AAS) by the NDRI, Karnal	Minor PP	5 officers
2.	NHPC	C/o 30 Nos. temporary 'B' type residential quarters at Saini including internal water supply, sanitary works and internal electrical installation	Minor PP	2 officers
3.	NHAI	Four laning and strengthening of existing 2 lane carriageway of NH-5 from Visakhapatnam to Ichapuram	Minor PP	1 officer
4.	CWC	I/E of construction of 30000 MTC godowns in Jaunpur	Major PP	5 officers
5.	BCCL	Repair/strengthening/widening of roads in different area/projects of BCCL	Minor PP	3 officers
6.	IRCON	I/E of works by CTE's organization for C/o office building on Plot No.16, Echelon Institutional, Sector-32, Gurgaon	Minor PP	2 officers
7.	NTPC	Site leveling works package for BARH STPP	Major PP	3 officers
8.	HPL	I/E of civil work for C/o corporate office building at Vastrapur, Ahmedabad for GMDC	Minor PP	2 officers
9.	RITES	Detailed investigation construction management of railway siding for Kalinga CPP	Minor PP	1 officer
10.	ONGC	Investigation report on D-1 well-cum-injection platform project	Minor PP	3 officers