

Central Vigilance Commission

Minutes of the Annual Zonal Review Meeting with the CVOs held on 23-3-09 at New Delhi.

The list of participants is at Annexure-A.

2. CVC in the Chair. The meeting started with introductory remarks by the CVC and the Vigilance Commissioners. This was followed by presentations by CTEs on the inadequacies observed in the CTE examination of the works and procurement contract of the organizations present in the meeting. Copy of the CTE presentation was circulated during the meeting. The Commission made some observations during discussion with CVOs. These observations needing follow up action are indicated in the minutes later.

3.0 Introductory Remarks:

CVC:

3.01 Large pendencies in Ministries (especially MHA and Heavy Industries) and the long time taken to respond were matters of serious concern. In cases involving abnormal delays it had been noticed that when the Commission invoked the process of Direct Inquiry, the reports had invariably been submitted immediately by the CVO to the Commission which was suggestive of deliberate intention to delay.

3.02 Leveraging of technology in most Ministries had been tardy and even the first phase was not fully implemented.

3.03 The need to have regular structured meetings with CEOs of the organizations with agenda note and issue of minutes to facilitate follow up on important vigilance matters.

3.04 It is important to send monthly reports regularly and to carefully report on the last part of the report.

3.05 Though the CVOs in the ministry were part time but the Commission expected them to be not be so overburdened as to make them unable to pay adequate attention to the vigilance duties.

3.06 Internal audit was an important instrument of good governance and should be strengthened in all Government Departments. CAG audit reports needed to be examined on a regular basis from the point of view of vigilance angle involved. Guidelines were already available on this issue.

3.07 CVC observed that complaint handling mechanism was important and CVO should ensure that all the complaints reached the vigilance.

4.0

VC (S)

4.01 Huge pendencies amongst some participants, especially MHA and Puducherry, Chandigarh Administrations.

4.02 The need to improve the quality of the inquiries by focusing on the main allegations. CVO should examine the evidence to prove or disprove the allegations.

4.03 In case of ministries, the common observation was that 1st and 2nd stage advice was often very routine with very little application of mind. The reason could be paucity of staff and a tendency to take a soft approach. Steps must be taken to strengthen the vigilance wing.

5.0

VC (R)

5.01 Need to have a specific complaint handling policy. It should be ensured that all the complaints with vigilance angle reached the CVO. While sending cases to the Commission, the DA's recommendation should not be forwarded by the CVO without offering his/her comments.

5.02. Need to review systems/procedures and its justification should be clearly brought out by the CVOs.

5.03 Generally, it was observed that the first stage advice was sought for initiating major penalty proceedings but at the time of second stage advice, charges remained not proved. The reasons for such dilution needed to be critically examined by the CVOs by looking at the role of the IOs and the evidence and the documents while seeking 1st stage advice.

5.04 In case of inordinate delays, while sending the case to the Commission, valid reasons for such delays should be stated by the CVO.

5.05 CVC had already issued instructions in 2004 for the CVOs to examine CAG paras on a regular basis with a view to identifying the possibilities of vigilance angle.

6. PRESENTATION ON AGENDA POINTS:

6.01 Leveraging of technology

It has been noted that apart from NPCIL, none of the organizations had implemented either phases of the circular completely.

6.02 Access of CVOs to complaints:

In most of the organizations, the complaints handling mechanism required improvement. CVOs did not have access to all the complaints. It was advised that the CVOs should go through all the complaints to ensure that complaints with vigilance angle were attended to properly.

6.03 Structured meetings with CVOs and the CMDs:

During last year's annual zonal meetings, the Commission had directed the CVOs to have monthly or quarterly structured meetings with their CMDs as per their requirement with a proper agenda and minutes of the meetings. It was observed that this was not being followed in many of the organizations. The Commission directed the CVOs to immediately commence the practice and report compliance in the

monthly reports immediately, with the recorded minutes of the meetings so held.

6.04 Agreed List:

Most of the organizations have prepared an "Agreed List" except CSIR.

7.0 ACTION POINTS

7.01 The Commission directed that a detailed report on status of implementation of Commission's guidelines on leveraging of technology should be sent in the next monthly report.

(Action: CVO-BHEL, HMT, MHA, M/o Tourism,)

7.02. The Commission directed that CVOs should hold structured meeting with the agenda items and the recorded minutes on a regular basis.

(Action: CVO-BHEL, HMT, MHA, ECIL, D/o Renewable Energy, Chandigarh Administration, ITDC, NPCIL, D/o Atomic Energy. CSIR)

7.03. CVO, BHEL pointed out that the structured meetings were taking place but the minutes were not approved by the CMD, especially review of purchase policy. The Commission directed the CVO, HVI to take note and resolve the issue.

(Action: CVO-HVI)

7.04. The Commission desired that CVO, HMT should expeditiously implement amendment to CDA Rules. The Commission also directed JS & CVO Heavy Industries to resolve the issue at the ministerial level.

(Action: CVO- HVI, HMT)

7.05. The Commission desired that in the case of HMT, physical verification of monthly production and sales should be carried out by the CVO.

(Action: CVO- HMT)

7.06. JS & CVO Heavy Industries informed the Commission that the ministry had made an internal plan to develop a complaints tracking system with the help of NIC and the software would be ready in three months time. The Commission directed that a report may be sent to the Commission.

(Action: CVO-HVI)

7.07. JS & CVO HVI also pointed out that there were 32 PSEs under the ministry and 10-11 CVOs posts were vacant. An early action to fill up these posts was desired.

(Action: OSD/PMP)

7.08 The Commission (VC-S) directed JS & CVO HVI to look into the issues raised by HMT in a case of sanction of prosecution by the CBI in the RC No.24A/2006-BLR.

(Action: JS & CVO, HVI)

7.09 CVO, NPCIL informed the Commission that integrated software to fully implement the second phase of leveraging of technology had been implemented. The Commission desired that a report in this respect should be sent to the Commission.

(Action: CVO-NPCIL)

7.10 The Commission noted that the leveraging of technology guidelines had not been implemented by ECIL. The Commission directed CVO ECIL and JS & CVO HVI to pay attention to this. The Commission emphasized that non implementation of these guidelines could be suggestive of intentional delay and could lead to disciplinary proceedings.

(Action: CVO-ECIL, JS& CVO /HVI)

7.11 The Commission pointed out that CVO, MHA should ensure that guidelines regarding leveraging of technology were implemented in police modernization branch and CTE should carry out an inspection of police modernization cell.

(Action: CVO, MHA and CTE (VR))

7.12 The Commission took serious note of long pending cases in MHA and desired that CVO, should go through these cases personally and review the same along with Additional Secretary, CVC.

(Action: CVO, MHA and AS (JB))

7.13 JS & CVO, Department of Renewable Energy informed the Commission that the guidelines regarding leveraging of technology had been implemented partly and there was some internal resistance in implementation of software. The department had set a target of 3 months to be fully compliant. The Commission desired that a detailed report may be sent in three months time.

(Action: JS & CVO, D/o Renewable Energy)

7.14 JS & CVO D/o Renewable Energy brought to the notice of the commission that there was a possibility of a potential vigilance case in UNDP funded project. The Commission desired that the matter should be examined thoroughly by the CVO and a report should be sent to the Commission.

(Action: JS & CVO, D/o Renewable Energy)

7.15 The Commission desired that Branch Officer-Vig.VI should do audit of the software related to implementation of guidelines on leveraging of technology in respect of IREDA and submit the report in a month's time.

(Action: Branch Officer, Vig. VI)

7.16 CVO, IREDA pointed out a case where there was an ambiguity in the interpretation of the term 'family'. The Commission directed that a reference could be made to the Commission by the CVO.

(Action: CVO-IREDA)

7.17 CVO, Chandigarh Administration informed that they were partly compliant with respect to guidelines on leveraging of technology. The commission directed the CVO that a detailed report may be sent in three months time.

(Action: CVO, Chandigarh Administration)

7.18 CVO, Chandigarh Administration was directed to resolve the issue of officers on deputation from the state government who had been involved in vigilance cases and if required the rules could be amended. The Commission directed that CVO, MHA also to take note of this position.

(Action: CVO, Chandigarh Administration, MHA)

7.19 The Commission expressed concern over large pendency of cases in Chandigarh Administration and directed that a detailed review of pendencies till 2005 should be carried out by CVO and reported to the Commission.

(Action: CVO, Chandigarh Administration)

7.20. CVO, ITDC informed the Commission that phase II of leveraging of technology had been implemented partly. The Commission desired that a review could be done after 4 months.

(Action: CVO, ITDC)

Annexure-A

List of the participants for the meeting dated 23/3/09:

- 1 Sh Rajiv Bansal, JS & CVO, D/o Heavy Industry
- 2 Sh A.P.Joshi, AS & CVO, D/o Atomic Energy
- 3 Shri R.P.Nath, JS & CVO, M/o Home Affairs
- 4 Ms Gauri Singh, JS& CVO, M/o New & Renewable Energy
- 5 Shri Ram Niwas, Home Secy/CVO, Chandigarh Administration
- 6 Ms Leela Nandan, JS & CVO, M/o Tourism
- 7 Ms Ambika Kahtua, CVO, BHEL
- 8 Sh Prem Singh, JS & CVO, HMT Ltd
- 9 Sh Murlidhar Rao, CVO, ECIL
- 10 Sh Sushil Chandra, CVO, NPCIL
- 11 Ms Anjali Tiwari, CVO, CSIR
- 12 Sh B.L.Meena, CVO, ITDC Ltd
- 13 Sh K.S. Popli, Dir(Tech)/CVO, IREDA

Commission's officers

1. Sh K.S. Ramasubban, Secretary
2. Sh Vineet Kumar Gupta, Addl. Secretary
3. Ms Jaya Balachandran, Addl. Secretary
4. Sh Alok Bhatnagar, Addl. Secretary
5. Sh V. Ramachandran, CTE
6. Sh V.K.Gupta, CTE
7. Ms Shalini Darbari, Director
8. Ms Jyoti Mehta, Director
9. MsS.Sarasvathy, Director
10. Sh P.S.Gupta, Advisor
11. Sh Ranvir Singh, Director
12. Sh K.Subramaniam, OSD
13. Sh J.Vinod Kumar, Under Secretary