

Minutes of the Annual Zonal Review Meeting with the CVOs held on 10-06-09 at New Delhi.

The list of participants is at *Annexure-A*.

2.0 CVC in the Chair. The meeting started with introductory remarks by CVC. This was followed by presentations by CTEs on the inadequacies observed in the CTE examination of certain works and procurement contracts of some of the organizations present in the meeting. The Commission made some observations during discussion with the attendee CVOs. The observations needing follow up action are indicated below.

Introductory Remarks:

3.0 CVC:

3.01 Long delays observed in various investigation and cases despite frequent instructions from the Commission. Time frame had been laid down for sending investigation reports in normal complaints as well as PIDPI, but, response was below expectation. In such cases where delay was abnormal, when the Commission invoked the process of Direct Inquiry, the reports had invariably been submitted immediately by the CVO to the Commission suggesting deliberate intention at delay.

3.02 The CVO of the ministry to take note that in case delays were observed it had to be supported with cogent reasons; otherwise, it could suggest motives at sheltering officers. The trend had been noted that most of the cases were sent close to the retirement of the officers. This trend needed to be avoided.

3.03 It had been observed that any complaint having serious allegations and involving senior officials took a long time which was quite inexplicable, given the fact that a well organized vigilance set up was available in the attendee organizations. CVOs did not take specific positions and did not send investigation reports with specific recommendations. CVOs were not to act as post office and simply endorse the reports of the junior functionaries. The analysis of facts and allegations needed to be made by the CVOs themselves.

3.04 The inquiries ordered by the Commission lingered for years defeating the very purpose of the enquiry. The reason behind this trend could be either harassment or tendency to provide an escape route to the charged officials. It was amply clear that the departmental inquiries were different from criminal proceedings and had to be finished within a specified time frame.

3.05 The Commission's guidelines on leveraging of technology were not being taken seriously enough especially by the Ministry.

3.06 Immediate action was required to be taken. A large number of complaints were received against the organizations present on tender and commercial issues. While sending the investigation reports, there was a need to link the procedures and rules relating to major lapses and flaws. Simultaneously, if required, system improvements were required to be suggested.

4.0 VC (S)

4.01 M/o Civil Aviation had to immediately address the issue of vigilance set up available in the organization. Where the vigilance set up was available there was a need to strengthen, while at other places, it was required to be created. The concern in this respect arose on account of the organization of DGCA where no effective mechanism to address vigilance issues existed and there was a need to streamline the system and put in place interface with other ministries.

4.02 There were major contract related issues and there was need to evolve preventive vigilance structure. A partition approach by vigilance functionaries was required to be effectively dealt with by the CVOs while conducting investigations.

4.03 There was a particular need for the CVOs to be proactive in the matter of addressing the issue of delays.

5.0 VC (R)

5.01 VC (R) emphasized the need to have a specific complaint handling policy. It should be ensured that all the complaints with vigilance angle reached the CVO. VC(R) observed that while sending cases to the Commission, the DA's recommendation were simply forwarded by the CVO without application of mind.

5.02 VC(R) stated that CVOs should place emphasis on the quality of investigation of cases. They had to ensure that charge sheets were framed properly and if disciplinary action was initiated there was valid reason for action. When at the second stage advice, the whole process was diluted; it did not speak well about the quality of investigation by the CVOs. CVOs should not only endorse the views of the DA, but, should apply their mind and give specific recommendations.

5.03 If the 2nd stage advice was sought after long delays, there has to be properly recorded reasons for such delays.

5.04 While investigating cases, comments should be offered about clarity in delegation of powers. It needed to be ensured that there was no conflict of responsibility.

5.05 In all the cases specific stand was to be taken by the CVOs

5.06 VC (R) also advised that CVC had already issued instructions in 2004 for the CVOs to examine CAG reports on regular basis with a view to identify the possibilities of vigilance angle.

6.0 Presentation by the participants:

6.01 Leveraging of Technology:

The guidelines about leveraging of technology in most of the organizations was not fully implemented. The second phase had not been implemented in many of the organizations completely and test checks were required to be conducted by the CVOs concerned.

6.02 Access of CVOs to complaints:

In most 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 between CVOs and the CMD:

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 is 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, with a copy of the minutes of the meetings so held.

6.04 Agreed List

Some Organizations had not prepared an "Agreed List". It was viewed seriously by the Commission. Immediate action was called for.

7.0 Action Points:

7.01 The Commission (VC-S) was of the view that the complaints being received against DGCA were serious in nature and no system existed to deal with these complaints in DGCA. There was a need for serious and immediate action by the organizations. JS & CVO, Civil Aviation also acting as CVO for DGCA assured, that exercise would be done in three months time and a report would be sent to the Commission.

(Action: JS & CVO, Civil Aviation)

7.02 The Commission directed that a detailed self contained note should be sent by the CVO for strengthening vigilance set up in DGCA.

(Action: JS & CVO, Civil Aviation)

7.03 The Commission directed that structured meetings with the agenda points and recorded minutes should take place on periodical basis between the CVO and the CEO of the organization. This should be reported in the monthly report sent by the CVO.

(Action: JS & CVO, Civil Aviation, NACIL, Advisor-Vigilance, Railway Board, IRCTC, Konkan Railway)

7.04 The Commission's guidelines on leveraging of technology should be fully implemented. This includes interactive and dynamic website. CVO should conduct a review and send a special report.

(Action: CVO, NACIL, CONCOR, Konkan Railway, IRCON)

7.05 A copy of the CTE type inspection report may be sent to the Commission.

(Action: CVO, NACIL, Advisor-Vigilance, Railway Board, RITES)

7.06 The Agreed List had not been finalised in a few organizations. It should be ready by the end of July.

(Action: CVO, NACIL, AAI, IRCON, RITES)

7.07 The Commission observed that in the case of the Railway Board, there was large number of recruitment complaints. There was a need to deal with these complaints in time bound manner.

(Advisor-Vigilance, Railway Board)

7.08 The Commission observed that implementation of leveraging of technology was very slack in M/o Railways. E-payments had not been implemented fully. There appeared to be lack of commitment. A time frame needs to be immediately fixed in this regard.

(Action: Advisor-Vigilance, Railway Board)

7.09 PIDPI complaints were taking unreasonably long period of time in M/o Railways. These needed to be cleared in a time bound manner.

(Action: Advisor-Vigilance, Railway Board)

Annexure-A

List of the participants for the meeting dated 10/06/09:

- 1 Sh Rakesh Aron, ED(Vig), Railway Board
- 2 Sh N.K.Singh, CVO, IRCON
- 3 Sh K.B.Aggarwal, CVO, CONCOR
- 4 ShV.K.Saxena, CVO, RITES
- 5 Sh Sundari S. Pujari, CVO, IRCTC
- 6 ShA.K.Bharadwaj, CVO, Konkan Railway Corpn.Ltd.
- 7 Sh Arun Mishra, JS & CVO, M/o Civil Aviation
- 8 Sh D.S.Mishra, CVO, AAI
- 9 Smt Urmila Subbarao, CVO, NACIL

Commission's officers

1. Shri K.S. Ramasubban, Secretary
2. Shri Vineet Kumar Gupta, Addl. Secretary
3. Shri Alok Bhatnagar, Addl. Secretary
4. Shri V. Ramachandran, CTE
5. Shri V.K.Gupta, CTE
6. Smt Shalini Darbari, Director
7. Shri Ranvir Singh, Director
8. Smt Parwinder Kaur, Advisor
9. Shri Surendra Mohan, Director
10. Shri K.Subramaniam, OSD
11. Shri J.Vinod Kumar, Under Secretary