

## **ACKNOWLEDGEMENT**

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## CHAPTER 1

### Introduction

The Central Vigilance Commission was conceptualized under the Government of India Resolution of 11.02.1964, on the lines recommended by the Committee on Prevention of Corruption popularly known as the Santhanam Committee. The main mandate of the Commission has been to function as an apex body for exercising general superintendence and control over vigilance matters in administration. Under the authority of the Resolution, the Commission has also been empowered to undertake inquiry into any transaction in which a public servant is suspected or alleged to have acted for an improper purpose or in a corrupt manner irrespective of his status.

### Current Status

The Central Vigilance Commission at present discharges its duties and exercises its powers under GOI Resolution dated April, 4, 1999, after the expiry of the CVC Ordinance, 1999. As a result of the directions given by the Supreme Court to confer statutory status to the CVC in the Writ Petition filed in public interest by Sh. Vineet Narain and others in the Hawala case, the Ordinance of 1998, inter-alia conferred powers upon the Central Vigilance Commission to exercise superintendence over the functioning of the Delhi Special Police Establishment, and review the progress of investigations conducted by them pertaining to alleged offences committed under Prevention of Corruption Act, 1988. The Government introduced the Central Vigilance Commission Bill, 1998 in the Lok Sabha to replace the Ordinance. The Government once again introduced the CVC Bill, 1999 (Bill 137 of 1999) in the Lok Sabha on 20<sup>th</sup> December, 1999, which was referred to the Joint Committee of both the Houses of Parliament. The Joint Committee submitted its report on 22.11.2000.

Pending the passage of the CVC Bill by both the Houses of Parliament, the Commission continues to discharge its functions under the GOI Resolution dated April 4, 1999, and directions of the Supreme Court under Article 32, read with Article 142, in the Vineet Narain case.

#### **Main Powers and Functions of CVC**

- a) to undertake an inquiry or cause an inquiry or investigation to be made into any transaction in which a public servant working in any organisation, to which the executive control of the Govt. of India extends, is suspected or alleged to have acted for an improper purpose or in a corrupt manner;
- b) to tender independent and impartial advice to the disciplinary and other authorities in disciplinary cases, having vigilance angle at different stages of investigation, inquiry, appeal, review etc.;
- c) to conduct oral inquiries through its officers (Commissioners for Departmental Inquiries) in important disciplinary proceedings against the said public servants;

- d) to exercise a general check and supervision over vigilance and anti-corruption work in Ministries or Departments of the Govt. of India and other organisations to which the executive control of the Union extends;
- e) to initiate at such intervals, as it considers suitable, review of procedures and practices of administration insofar as they relate to maintenance of integrity in administration;
- f) to scrutinize and approve proposals for appointment of Chief Vigilance Officers in various organisations and assess their work;
- g) to conduct, through its organisation of Chief Technical Examiners, independent technical examinations mainly from vigilance angle, of construction and other related works undertaken by various Central Government Organisations; and
- h) to organise training courses for the Chief Vigilance Officers and other vigilance functionaries in Central Government Organisations.

#### **Additional Powers under CVC Ordinance**

- a) to exercise superintendence over the functions of the Delhi Special Police Establishment (DSPE) insofar as it relates to investigation of offences alleged to have been committed under the Prevention of Corruption Act, 1988;
- b) to review the progress of investigation conducted by the DSPE into offences alleged to have been committed under the PC Act;
- c) to head the Committees to make recommendations for the appointments to post of Director, CBI and Director of Enforcement.

#### **Jurisdiction**

Though the advisory jurisdiction of the Commission extends to all organisations to which the executive control of the Union extends, yet, for practical reasons, the Commission presently advises only on vigilance cases pertaining to certain categories of employees.

#### **Commission's Jurisdiction**

- a) Gazetted Central Government Officials;
- b) Board level appointees and other senior officers in two grades below the board level, in the Public Sector Undertakings of the Central Government;
- c) Officers in the rank of Scale III and above in the Public Sector Banks;
- d) Officers of the rank of Assistant Manager and above in the Insurance Sector (covered by LIC and GIC and four non-life insurance companies in the Public sector); and
- e) Officers in autonomous bodies/local authorities or societies

comparable in status to that of a Gazetted Central Government Officer.

Nonetheless, the Commission retains its residuary powers to call for any individual case in respect of employees other than those who are within its normal advisory jurisdiction. In addition, cases of difference of opinion between the CBI and the concerned administrative authorities, in respect of employees who are not within the normal jurisdiction of the Commission, are also resolved by the Commission.

The Commission was set up as a single member body, in February, 1964. In terms of the GOI Resolution dated 13.08.2002, the Commission has been made a multi-member body, consisting of the Central Vigilance Commissioner (CVC) and two Vigilance Commissioners (VCs) as its members. The appointment of the CVC as well as that of the VCs has been made by the President 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. Shri P. Shankar, IAS (Retd.) has been appointed as the Central Vigilance Commissioner by the President for a period of four years. Shri H.J. Dora, IPS (Retd.) and Sh. Janki Ballabh (Retd. Chairman, State Bank of India) have been appointed as Vigilance Commissioners for a period of three years.

### **Staff Composition**

The Central Vigilance Commission is assisted by a Secretary (of the rank of Additional Secretary to the Government of India), two Additional Secretaries (of the rank of Joint Secretary to the Government of India) and other staff which include nine officers (of the rank of Director/Deputy Secretaries), an OSD and four Under Secretaries. In addition, there are fourteen Commissioners for Departmental Inquiries (CDIs) who are nominated to conduct oral inquiries relating to major penalty proceedings on behalf of the disciplinary authorities in serious and important disciplinary cases. The group-wise staff strength of the Commission as on 31.12.2002 and related information is at **Annexure 1**.

### **Technical Wing**

There is also a Technical Wing attached to the Commission with two Chief Technical Examiners (of the rank of Chief Engineer) who are assisted by eight Technical Examiners (of the rank of Executive Engineer), six Assistant Technical Examiners (of the rank of Assistant Engineer) and other subordinate staff.

The Technical Wing carries out inspection of civil, electrical, stores, purchases and horticultural works executed by the Central Government Departments/Organisations/Banks etc. and helps in detecting deficiencies and malpractices in the execution of works/ contracts, as well as suggesting remedial measures to prevent recurrence of such instances.

## **Chief Vigilance Officers**

An important field functionary in the Vigilance Scheme of the Commission is the Chief Vigilance Officer (CVO). The Vigilance units in the Departments/ Organisations, to which the advisory jurisdiction of the Commission extends, are headed by the CVOs who are of Joint Secretary/Director level in the Government of India. The CVO is required to provide expert assistance in advising the Head of the concerned organisation and handle all vigilance matters concerning it.

The function of the CVO is to minimize factors which provide opportunities for malpractices by review of systems, procedures and implement suitable measures of preventive vigilance in a sustained and effective manner. On the punitive side, the CVO ensures speedy processing of vigilance and disciplinary cases. The Commission exercises supervision over the vigilance work through Monthly and Quarterly Statistical Returns (QSRs) which is an integral part of reporting by CVOs about the vigilance activities of the organisation.

The Commission ensures that the CVO is objective and impartial in his dealings. It obtains from each CVO a detailed note highlighting his performance during the year, and an action plan for implementation during the following year. It also attaches considerable importance to training of CVOs and other vigilance personnel, and has come to an understanding with the CBI Training Academy, Ghaziabad, for imparting training to CVOs.

Seven departments of the Government of India as well as the larger Public Sector Enterprises, Banks and Insurance Companies have full-time CVOs while others have part-time CVOs. The total number of posts of full time CVOs is 186.

The Commission, during the year, considered the suitability of 321 officers recommended by the administrative authorities for appointment to the post of CVOs in different organisations.

## **CHAPTER 2**

### **Observations and Initiatives**

#### **General Observations**

Recent pronouncements by judiciary on probity in Government and apprehensions of public on declining values in governance have brought the focus on Central Vigilance Commission, being the apex anti-corruption body in the country.

The Commission is fully alive to the tremendous responsibility cast on it to ensure a clean, transparent and efficient public administration. It has observed over the last year that there are widely varying perceptions of the role and effectiveness of its own performance both among the public servants themselves and the public at large. During the interactions with different groups, the Commission has come to realize that rightly or wrongly there is fear and misgiving about the role of vigilance and of CVC, leading to apprehensions and uncertainty which hinder efficient performance of functions. On the other hand, the perception among the public and in civil society is that the levels of corruption in Government and the public sector are unacceptably high, and to this extent the CVC has not been able to have any significant or meaningful impact on the problem. Surveys of public perception of corruption in India by bodies like Transparency International have strengthened this public perception. The Commission is thus in an unenviable position where it has to instill confidence among the public servants that vigilance administration will not in any way come in the way of efficient discharge of public functions in a bonafide manner, while at the same time apprehending and effectively dealing with a group of public servants, who are prone to corrupt practices, to improve the image of public servants in the society at large. The Commission is striving to achieve this delicate balance and has kept it as the main focus of its activities.

It is by and large recognised that vigilance has two sides – punitive vigilance and preventive vigilance. It is the latter which in the Commission's view will have a greater and sustainable impact on corruption in public service. The Commission has been striving through the CVOs of the individual organisations to make improvements in the systems so that there is total transparency, openness and accountability in their dealings with the public which would in itself act as a great buffer against corruption. The Commission's much publicised initiative to prohibit negotiations with bidders excepting L-1 at the post-tender stage is one such move. The other significant step pertains to the total computerisation of banking activities of public sector banks. Recent initiatives taken by the Department of Revenue to simplify rules and procedures in the administration of tax, both direct and indirect, are again examples of preventive vigilance. The Commission hopes that it will be able to catalyse more and more such attempts of transparency and openness in the functioning of departments through the CVOs.

#### **Initiatives during the year**

Keeping in view the importance of the role of CVOs, the Commission has once again suggested measures to Government to make the selection of the CVO's transparent, and their functioning independent and free of influence from the management. It has revised the list of organisations where the Central Vigilance Commission will

specifically recommend the names of CVOs to be appointed in these organisations. The Commission has also suggested revision of the guidelines for selection with a view to ensuring selection of proper personnel.

The Commission has also suggested re-examination of the vigilance set up in Government Departments and Ministries. In place of part time CVOs currently handling vigilance in Ministries/Departments, it has suggested full time CVOs even if they be at the level of Director rather than Joint Secretary, as at present. **The Commission's experience has been that the functioning of the vigilance sections in Government Departments and Ministries is far less satisfactory than in independent organisations.** It has therefore underscored the importance of proper supervision of vigilance activities by the Heads of the Departments and Secretaries to Government.

**The Commission has also observed that there is a totally wrong perception of vigilance as a stumbling block in the way of expeditious and efficient performance by the executives.** It has taken pains to hold frequent meetings with Chief Executives and Senior Executives in a wide cross-section of public organisations especially banks and the public enterprises. The Commission has driven home the point that vigilance is basically an internal management function and the CVC is only a supervisory body to ensure that such vigilance administration is independent. The Commission has more than once reiterated that almost all the advice tendered by it are based on references received from such organisations and their recommendations. It would also like public servants at all levels to take proper note of the general public perception that vigilance action in public organisations including government departments and Ministries is inadequate in the context of the overwhelming dissatisfaction of those coming into contact with such organisations and the perceived levels of corruption. The Commission will continue this effort in order that vigilance strengthens efficient performance of public servants, rather than to the contrary, and with the required degree of objectivity and accountability.

In recognition of the pivotal role played by the CVOs in vigilance administration in Government and other organisations, **the CVC during the year has concentrated on streamlining the reporting system on vigilance from individual CVOs. A revised monthly format has been prescribed and a close monitoring of the functioning of the CVOs has been introduced.** The Commission has also increased the interaction with the CVOs and senior executives of the organisations to increase the clarity on vigilance-related procedures and to discuss and highlight deficiencies and delays noticed by it in the vigilance administration. This exercise has started yielding results and the Commission would intensify this exercise to make the vigilance administration in Government departments and the public sector more focused, credible and effective.

**The Commission has also observed that the delay in implementing its advice in Government and the public sector organisations has been mostly due to the inadequate attention paid to vigilance matters by the disciplinary authorities and their controlling authorities.** The Commission has reiterated that as important as the final outcome of vigilance investigation and inquiry is the timely processing of matters by the concerned authorities. It has therefore strongly advised Ministries/Departments and public sector organisations that disciplinary authorities will be accountable for timely action in vigilance matters and will be held responsible



for any undue delay in such matters. In fact, the Commission has made it clear that such delays would themselves constitute vigilance issues warranting action as per the Vigilance Manual. This is in line with the Commission's emphasis that the vigilance function in any organisation is an essential part of the management. The proper administration of the vigilance department is the ultimate responsibility of the Chief Executive and the CVO only assists him. Unless this is properly recognized, vigilance will be perceived as an external imposition rather than as an internal mechanism for efficient functioning of the organisation.

The Commission has also initiated an exercise to revise the Vigilance Manual and make it clear and unambiguous. It is expected that the revised manual will be made available shortly. The Commission will also revise the Special Chapters in the manual relating to banks and public sector organisations taking into account the views and perceptions of the executives in these institutions.

Towards facilitating speedy and timely completion of all vigilance related matters, the Commission has undertaken to make full use of IT in its own functioning. **It has already undertaken steps to convey its advice within six weeks both at the first and the second stage.** Similarly, it is introducing an effective monitoring system to keep track of implementation of its advice in the Government Departments and public sector organisations. The Commission feels that timely processing of such matters is a key and vital measure to remove fear and misgivings of public servants about vigilance administration.

**In analysing the delays involved in processing vigilance matters by organisations, especially Government Departments, the Commission has observed that there is far too much leeway given to the public servants facing disciplinary action.** While under Article 311 of the Constitution it is essential to protect public servants from arbitrary and whimsical action against them, effective vigilance administration would demand that the small section of public servants who indulge in corrupt practices and tarnish the image of public servants as a class should not be allowed to use this protection to delay action in vigilance related cases. The Commission has already submitted to the Government for review of the existing procedures relating to consultation in vigilance matters with the UPSC, especially in the matter of punishment in addition to the advice of the Vigilance Commission. It has already been laid down by the courts in several important cases that such consultation is not mandatory, and the Commission feels that the procedure initially laid down by the Government before the constitution of the Vigilance Commission could be reviewed to ensure prompt disposal of vigilance cases. It would again underline the fact that the number of cases culminating in any kind of action against public servants for misconduct is yet very very small and even in these cases we cannot afford to show laxity in taking things to a logical end. It is to be pointed out that delays may help the dishonest public servants and also cause unwarranted harassment of honest public servants. The intervention of administrative tribunals in disciplinary matters again needs examination. Instances of public servants managing to get inquiries stalled, charge sheets quashed etc. are on the increase. This again undermines vigilance administration and requires urgent consideration by Government with a view to bringing about changes in the Conduct, Discipline & Appeal Rules.

## **CHAPTER 3**

### **Commission's Activities During the Year**

The Central Vigilance Commission acts as an independent apex body for rendering impartial and objective advice to the disciplinary and other authorities. The Commission's advisory role extends to vigilance matters and related cases, where a public servant is alleged to have acted for an improper purpose or in a corrupt manner in the discharge of his official duties.

During the year under report, the Commission received 6465 cases for advice as against 6774 received in the previous year. Similarly, the number of cases in which advice was tendered during the year was 6626 as against 6612 cases in the previous year.

#### **Vigilance Cases**

The investigation reports furnished by the CVO or by the CBI are examined in the Commission and, depending upon the circumstances and facts of each case, the Commission advises (a) initiation of criminal and/ or departmental proceedings against the concerned public servant (s); or issuance of administrative warning to him; (c) or the closure of the case. The Commission's advice at this stage is termed as first stage advice.

The departmental proceedings could be for imposition of a major or a minor penalty. The inquiry report in major penalty cases, is furnished to the Commission for its second stage advice before taking a final decision. It also tenders second stage advice in those cases in which the departmental proceedings for minor penalty were initiated on its advice, and the administrative authorities propose exoneration.

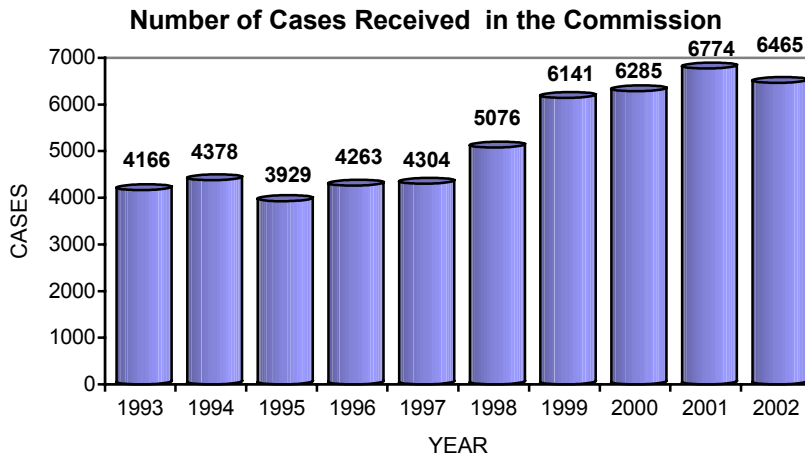
In view of its policy of transparency, the Commission now provides (w.e.f. September 28, 2000) that the first stage advice be made available to the concerned employee alongwith the copy of the charge sheet served upon him for information; and a copy of the second stage advice be made available to the concerned employee alongwith the IO's report for making representations against the findings, if desired.

Since the effectiveness of vigilance depends on expeditious disposal of cases, the Commission provides a model time schedule of six months for conducting investigation and departmental enquiries and reviews the pendency of vigilance cases with it every month.

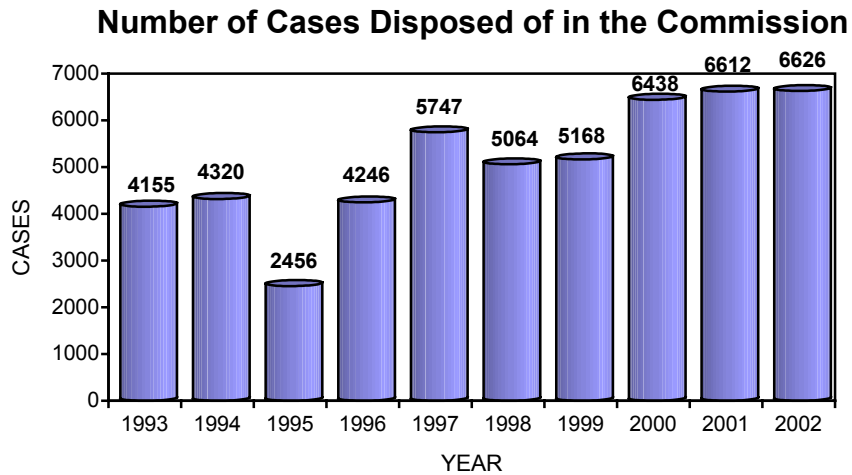
#### **Receipt and Disposal of Cases**

Over the last ten years there has been a general increase in the number of cases referred to the Commission for advice (Chart- 1). Consequently, there has also been a steady increase in the volume of work handled by it (Chart -2).

**Chart- 1**



**Chart-2**

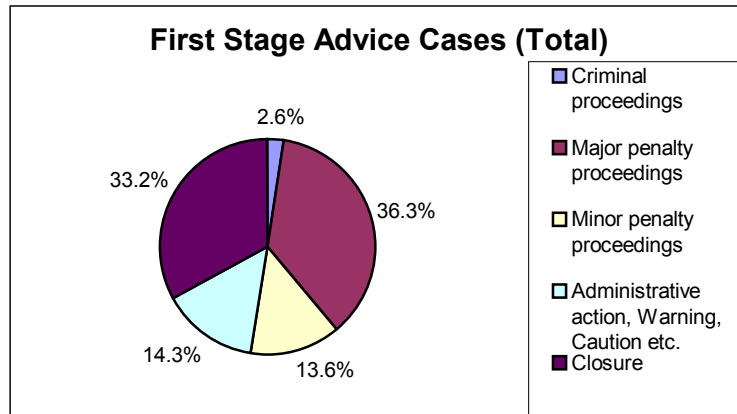


**First stage advice cases**

The Commission tendered its first stage advice on 3326 cases during the year, of which 459 were on the investigation reports of the CBI and 2867 were on that of the CVOs (Table 1). Among the CBI investigated cases, it advised prosecution in 16.8 per cent of the cases, major penalty proceedings in 32.5 per cent cases and minor penalty proceedings in 8.1 per cent cases (Chart-4). Among the CVO investigated cases prosecution was advised by the Commission in a mere 0.3 per cent cases; major penalty proceedings in 37 per cent cases and minor penalty proceedings in 14.5 per cent cases, the rest being charges not proved conclusively (Chart -5). In the combined CBI and CVO investigated reports prosecution was advised in 2.6 per cent of the cases, 36.3 per

cent and 13.6 per cent were advised major and minor penalty proceedings respectively, and charges could not be conclusively proved against the rest (Chart-3).

**Chart- 3**

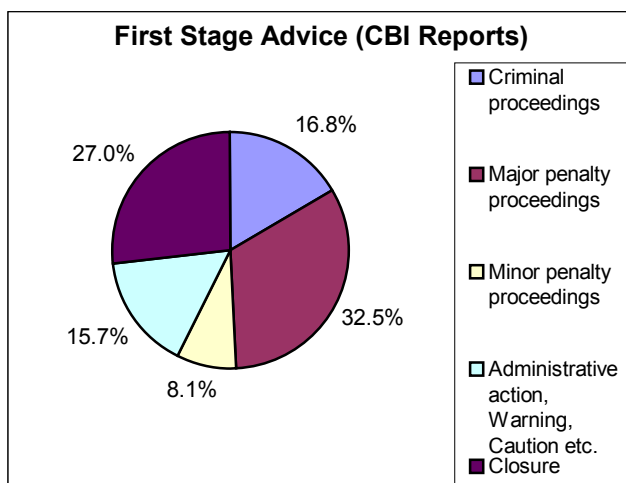


**Table – 1**

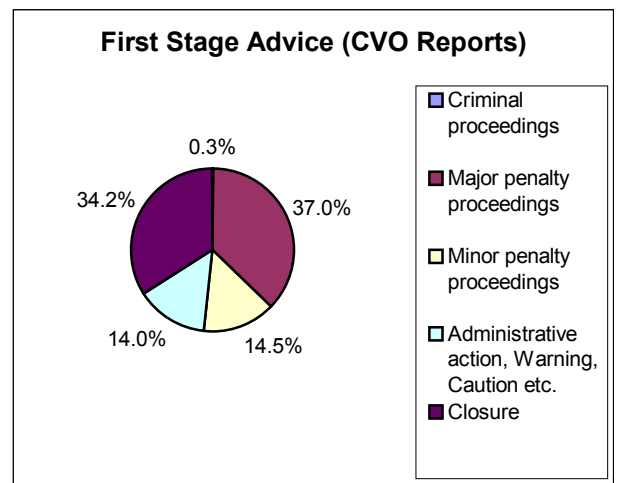
**First Stage Advice cases During 2002**

Nature of advice	On the investigation reports of		Total
	CBI	CVO	
Criminal Proceedings	77	9	86
Major penalty proceedings	149	1060	1209
Minor penalty proceedings	37	416	453
Administrative action, Warning, Caution etc.	72	402	474
Closure	124	980	1104
<b>Total</b>	<b>459</b>	<b>2867</b>	<b>3326</b>

**Chart - 4**



**Chart- 5**



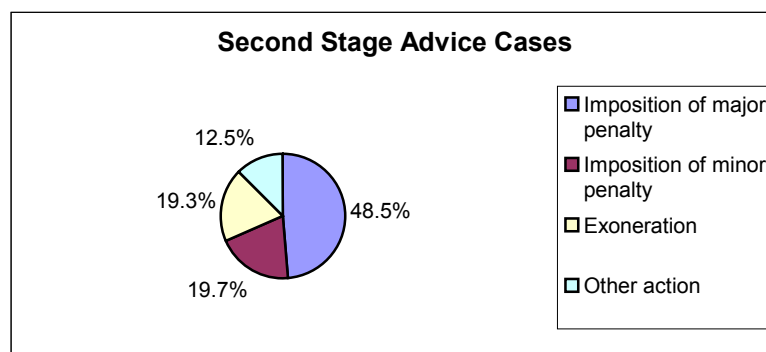
As shown in the charts, by far the largest number of cases are from the departmental vigilance units and investigated by the CVOs (86.2 per cent approximately). It may also be observed that the CBI's investigation could result in prosecution or initiation of major penalty proceedings in about 49.3 per cent cases as against 37.3 per cent cases investigated by the CVOs. Likewise, the percentage of cases not warranting any formal penalty proceedings was 42.7 per cent in CBI investigated cases as against 48.2 per cent of the CVO investigated cases. This indicates the need for imparting training for improving investigative skills of the investigating officers, in general.

### Second stage advice cases

In total, the Commission tendered its second stage advice on 2221 cases during the year, of which 373 were inquired by CDI and 1848 were inquired by officers from within departments /undertakings (Table-2). Based on inquiry reports of CDI, the Commission advised major penalty in 45.6 per cent (170) cases and minor penalty in 21.4 per cent (80) cases, and in 33 per cent cases the charges could not be conclusively proved (Chart-7). On inquiry reports received from the CVOs, the Commission advised major penalty in 49.1 per cent (907) cases, minor penalty in 19.3 per cent (357) cases and in 31.6 per cent cases the charges could not be conclusively proved (Chart-8).

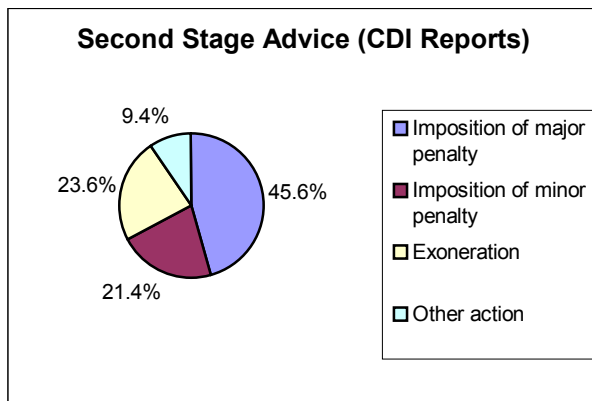
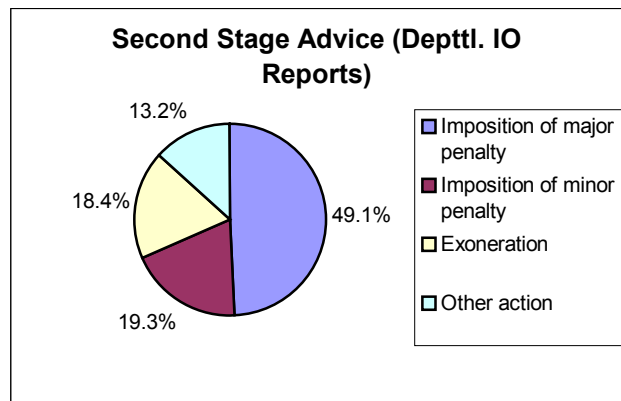
Most of the cases in which the Commission had advised initiation of major penalty proceedings at the first stage ended in the Commission's second stage advice for imposition of a formal penalty. On the whole, it recommended major and minor penalty in 48.5 (1077) and 19.7 (437) per cent cases respectively. It was in 31.8 per cent of the cases that the charges could not be conclusively proved.(Chart 6).

**Chart- 6**



**Table – 2**  
**Second Stage Advice Cases During 2002**

Nature of advice	On the CDI's Reports	On the cases received from CVOs	Total
Major penalty	170	907	1077
Minor penalty	80	357	437
Exoneration	88	340	428
Other action	35	244	279
Total	373	1848	2221

**Chart- 7****Chart- 8**

## Prosecution and Punishments

In pursuance of the Commission's advice, the disciplinary authorities in various organisations, issued sanction for prosecution of 51 public servants, imposed major penalties on 1162 public servants and minor penalties on 957 public servants during 2002 (Table 3, Chart-9). This includes three (Retired) Indian Administrative Service officers and one (Retired) Indian Police Service Officer against whom penalty of pension cut was imposed; one Indian Foreign Service Officer who had been compulsorily retired from service; two Chief General Managers of Department of Telecom against whom 20 per cent and 5 per cent monthly pension respectively has been withheld for five years; four Dy. General Managers, of a Public Sector Bank, who were dismissed from service; and one General Manager of a Public Sector Bank who was removed from service. The organisation-wise break-up of such cases is given in **Annexure-II**.

An analysis of organisation-wise break up of penalties imposed by the Disciplinary Authority in cases where the Commission's advice was obtained shows **that the maximum number of prosecution sanctions have been issued by DOPT (15). This is followed up by the Ministry of Information and Broadcasting (9), Railways (8), CBEC (4) and LIC (3).** The Ministry of Defence, CBI, SBI, PNB each have issued prosecution in two cases and the CBDT, Ministry of Home Affairs, Ministry of Finance and Oriental Insurance Co. have issued sanction for prosecution in one case each.

The maximum number of punishments including Administrative Action during 2002 have been imposed by the Ministry of Railways (1084, of which 257 are major penalties). This is followed up by State Bank of India (694, of which 220 are major penalties), Department of Telecom (246, of which 48 are major penalties), Union Bank of India (162, of which 65 are major penalties), Delhi Development Authority (141, of which 15 are major penalties), Punjab National Bank (96, of which 28 are major penalties), Bank of India (88, of which 73 are major penalties), Syndicate Bank (73, of which 31 are major penalties), Central Board of Excise & Customs (69, of which 37 are major penalties) and, Canara Bank (48, of which 30 are major penalties) etc..

Chart-9

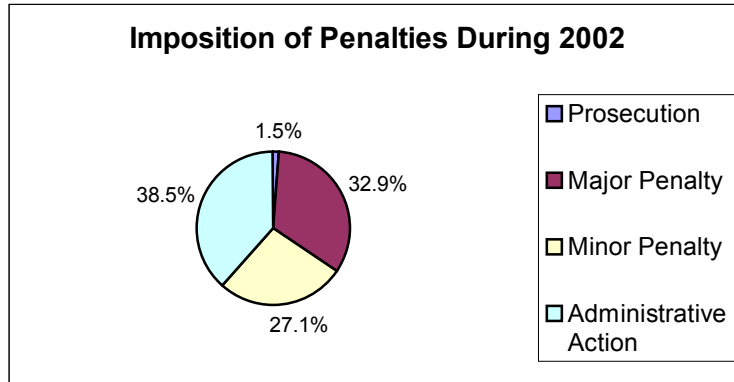


TABLE - 3

Imposition of Penalties

Year	Number of penalties imposed				
	Prosecution	Major penalty	Minor penalty	Administrative Action	Total
1998	27	860	917	582	2386
1999	60	897	627	378	1962
2000	51	1116	876	507	2550
2001	53	1067	861	661	2642
2002	51	1162	957	1360	3530

Amongst the penalties so imposed, major penalties of the higher order, namely, dismissal, removal and compulsory retirement from service were imposed on 176 officers of various organisations as per information made available to the Commission.

Complaints Received

The Commission continues to receive a large number of complaints. It has already decided that it will not entertain anonymous or pseudonymous complaints. This policy of the Commission has been given due publicity over the last couple of years. The Commission, while discouraging such anonymous or pseudonymous complaints, has also taken steps to inspire confidence in potential complainants by offering to maintain confidentiality as to the identity of the complainant if that could lead to any retributive action against the complainant. **While the Commission received 16629 complaints during the year, nearly half of them were anonymous or pseudonymous and were filed as per its policy.** The Commission in October, 2002 modified its instructions on anonymous/pseudonymous complaints to the effect that if any department/organisation propose to look into any verifiable facts alleged in such complaints received against any employee, the department/organization should refer the matter to the Commission for concurrence through the CVO or the Head of the Organisation. **A large number of complaints were also found to be vague, general and without specific allegations. There were also complaints which did not contain any allegation with vigilance angle but were more in the nature of grievances or on administrative issues.** Complaints

were also received in large numbers against public servants who were not within its advisory jurisdiction. Such as, public servants working in the State Governments. **Barely 399 (2.4 per cent) complaints received were such as to merit further action and these were duly forwarded to the CVOs of the concerned departments or were warranted to the CBI, for investigation and report (Charts 10 and 11).**

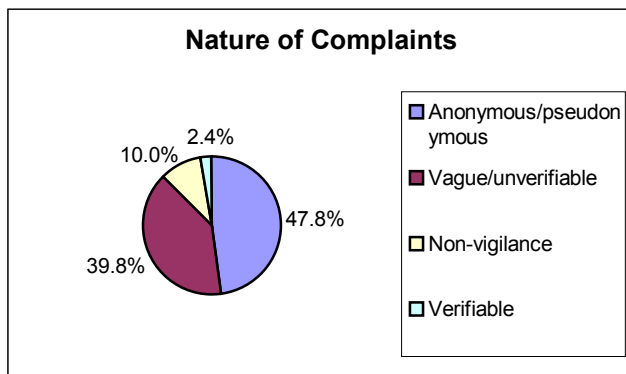
The Commission, out of a total of 17709 (including 1080 brought forward from previous year) complaints, disposed of 16744 during the year. 965 complaints were pending scrutiny in the Commission at the end of the year. The nature of complaints and action taken in respect of the disposed complaints during the year is given in Table-4.

**Table – 4**

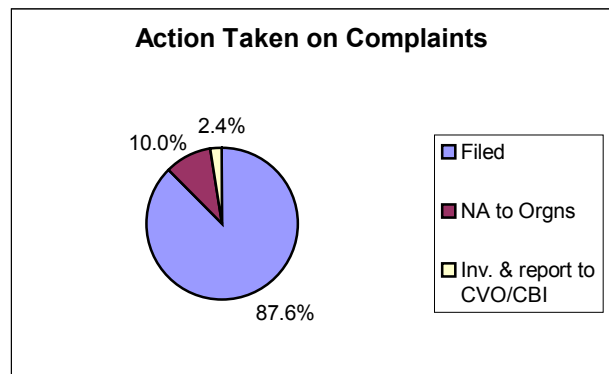
**Complaints received and Disposed of During 2002**

<b>Complaints</b>	<b>Action Taken</b>	<b>Nos.</b>
Anonymous/pseudonymous	Filed	8009
Vague/unverifiable	Filed	6657
Non-vigilance	For n.a.to Orgns./Deptts.	1679
Verifiable	For investigation to CVO/CBI	399
<b>Total Disposal</b>		<b>16744</b>

**Chart-10**



**Chart-11**



**Pendency**

Out of a total of 8068 cases, of which 1603 were pending with the Commission at the end of 2001, it disposed of 6626 cases – leaving a pendency of 1442 cases at the end of 2002. Of these, 609 cases were pending for want of clarifications/comments on the CBI reports from the concerned organisations (Table-5).



**Table – 5**

**Number of Complaints and Cases Received and Disposed of During the year**

	Complaints	Cases			
		Investigation Reports	Inquiry Reports and minor penalty cases	Other Reports/cases such as reconsideration etc.	Total
Brought forward	1080	1034	419	150	1603
Received	16629	3200	2194	1071	6465
Total	17709	4234	2613	1221	8068
Disposed of	16744	3326	2221	1079	6626
Pending	965	908	392	142	1442

**Technical Examinations**

The Chief Technical Examiners' Organization (CTEO) functions as a technical wing of the Commission, carrying out inspection of civil, electrical and horticulture works of the Central Government departments, public sector undertakings/enterprises of the Government of India and central financial institutions/banks etc. The jurisdiction of the organisation is coextensive with that of the Commission. The works or contracts for intensive examination are selected from the details furnished by the CVO in the quarterly progress reports sent to the CTEO. The intensive examination of works carried out by the organisations helps in detecting cases related to execution of substandard materials, avoidable and/or ostentatious expenditure, and undue favours or overpayment to contractors etc. At present, information in respect of civil works in progress having the tender value exceeding Rs.1 crore, electrical/mechanical /electronic works exceeding Rs.15 lacs, horticulture works more than Rs.2 lacs and store purchase contracts valuing more than Rs.2 crores are required to be sent by the CVOs of all organizations. However, the Chief Vigilance Officers are free to recommend other cases also, while submitting the returns for examination of a particular work, if they suspect any serious irregularities having being committed.

The preventive aspects of vigilance have always been emphasized by the Commission and in pursuance of this objective to create awareness for quality control, economy and adherence to rules and procedures, the CTE unit, during the year brought out two comprehensive booklets. The CTE also provided assistance to various organizations in preparation of codes/manuals, guidelines etc., as well as suggested improvement in specifications, construction practices and contract conditions.

### Important Publications and Circulars

- (i) Booklet on Preventive Vigilance regarding problem areas of corruption in construction.
- (ii) Booklet on Common Irregularities/Lapses observed in award and execution of electrical/mechanical and other contracts.
- (iii) Circular regarding Appointment of Consultants.
- (iv) Circular regarding Prequalification criteria for award of works.
- (v) Circular regarding Intensive Examination of Works by CVOs.

**As a result of the inspections conducted by the CTE during the year, recoveries were effected to the extent of Rs.16.46 crores for over payments made by different organisations.** Such recoveries were to the tune of Rs.11.35 crores during the previous year.

**Table – 6**

#### Recoveries Effected During Last Three Years

Year	Amount (Rs. in crores)
2000	8.57
2001	11.35
2002	16.46

Based on the Quarterly Progress Reports received from about 456 organisations, the CTEO inspected works of about 75 organisations and submitted 176 reports. The details of these examinations are as follows:

**Table – 7**

#### Inspection by CTEO During 2002

Details of Organisation	No. of Deptts/PSUs	No. of I.E. Reports
Government Departments	8	32
Banks/Insurance Companies and Financial Institutions	8	8
Public Sector Undertakings, Autonomous Bodies, etc.	59	136
Total:	75	176

Serious instances of lapses and irregularities noticed in course of inspections or during the subsequent processing of the inspection reports are referred to the CVOs or the CBI, depending upon the seriousness of the lapses, for detailed investigation from vigilance angle. During the year, 48 such cases were referred to the CVOs for investigation. Investigation reports received from the CVOs are examined by the Commission to tender

appropriate advice. A few illustrative examples of prima facie lapses/irregularities which resulted in vigilance cases is given in **Annexure III**.

### **Performance of CVOs**

The performance of CVOs are reported to the Commission through the prescribed Quarterly Statistical Returns (QSRs) and also by way of a detailed note highlighting their activities. The said note along with an Action Plan for implementation by them in the ensuing year, supplement the QSRs and highlight more specifically the qualitative improvement brought out in vigilance work of the organisations concerned. The performance of the CVOs as reported by them is given in **Annexure IV**. Apart from the cases of officials under the jurisdiction of the Commission, the CVOs also take care of vigilance cases in respect of all other officials in the organisation. **During the year 2002, formal punishments were awarded in a total of 13127 cases relating to officials outside the normal advisory jurisdiction of the Commission and dealt with by the CVOs at their end. Amongst these major penalty was awarded in 3864 cases and minor penalty was awarded in 9263 cases.** The number of such cases ending in formal punishments during the last five years is as follows (Table-8).

**Table – 8**

### **Penalties Imposed on Cases Outside normal Advisory Jurisdiction of Commission**

<b>Year</b>	<b>Major Penalty</b>	<b>Minor Penalty</b>	<b>Total</b>
1998	3747	6626	10373
1999	3945	7408	11355
2000	4703	10916	15619
2001	4492	10678	15170
2002	3864	9263	13127

Note: The data is based on QSRs and does not include information of those organizations whose QSRs were not received or contained discrepancies.

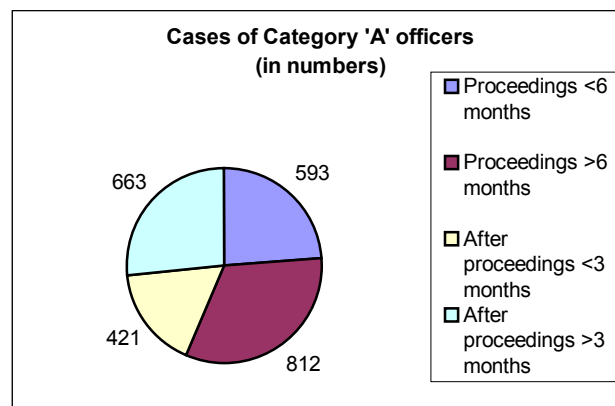
The Commission also reviews the performance of the CVOs through review meetings and two such meetings were held during the year in which about 100 CVOs of major organisations attended. The major areas covered during the individual review of the CVOs were preparation of Agreed list and list of officers of doubtful integrity, identification of sensitive areas prone to corruption and implementation of rotational transfers of officials working in sensitive areas etc. In addition, the status of complaints, first stage, second stage advices pending implementation in the organisations and reasons for delay were reviewed. The Commission also gave appropriate directions to the CVOs, wherever necessary.

### **Pendency with CVOs**

The pendency with the CVOs as on 31.12.2002 is indicated in **Annexure V**. Although the Commission has been pursuing with the CVOs to bring down the level of pendency, it does not give a satisfactory picture while comparing with the pendency at the close of the previous year. **The total number of complaints pending consideration with the CVOs at the close of the year was 5258 as against 5375 at the close of the previous year.**

The complaints under investigation involving Category 'A' officials (i.e. officials under the Commission's jurisdiction), has come down (it was 2342 at the close of the year 2001) to 2057 at the close of the year 2002. However, investigation reports pending with the administrative authorities in respect of category 'A' officials has gone up from 1341 in the year 2001 to 1675 in the year 2002. A total of 2489 disciplinary cases in respect of category 'A' officers were pending with various organisations (**Chart-12**). The number of departmental inquiries pending with the inquiry authorities was 1405 at the close of the year 2002, of which 812 cases were pending over six months, and the cases with the disciplinary authorities for finalisation (i.e. issue of final orders) after conduct of proceedings was 1084.

**Chart- 12**



Insofar as cases involving Category 'B' officials (i.e. officials outside the advisory jurisdiction), the cases at pre-proceeding stage increased from 9151 at the close of year 2001 to 9233, the number of cases pending after initiating proceedings do not reflect much improvement (it was 13414 at the end of the year 2001 and 12283 at the end of year 2002).

The overall picture points to the fact that there is an imperative need to quicken the process of conducting the proceedings and finalisation of cases which is beyond the control of the CVO as these matters are essentially the function of administration/personnel department. The Commission has been emphasizing the need for quick finalisation of disciplinary cases and therefore all organisations/departments need to focus and monitor the progress on this front.

### **Systems Improvements**

The Commission observes that many a time procedures/ systems are deficient or not adhered to in letter and spirit. In some organisations codified manuals for functional areas like purchase, contracts, finance, personnel etc., even if available, are not updated regularly. A majority of the irregularities can be avoided if such systems and procedures are updated and followed scrupulously in a transparent manner. While examining cases referred to it for advice, the Commission makes suggestions to the administrative authorities to modify/amend the procedures/ roles which had provided a scope for corruption. In order to reduce the level of corruption through system/procedural improvements, the Commission, during the year 2002 issued instructions as follows:

### **General Instructions issued by the Commission**

- (i) Exchange of information between PSBs and PSUs  
[CVC's instruction No. 001/VGL/67 dated 10.01.2002]
- (ii) Proper utilization of specialized vigilance cadre officials  
[CVC's instruction No. 001/VGL/67 dated 10.01.2002]
- (iii) System changes in organizations to check corruption  
[CVC's instruction No.3(v)/99/15 dated.17.1.2002]
- (iv) Improving vigilance administration – no action to be taken on anonymous/pseudonymous complaints  
[CVC's instruction no 98/DSP/9 dated 31.1.2002]
- (v) Video taping of evidence  
[CVC's instruction No. 001/VGL/82 dated 11.2.2002]
- (vi) Missing files in Vigilance Cases  
[CVC's instruction No. 001/VGL/21 dated 28.03.2002]
- (vii) Use of Computers in Government Procurement or Tender process  
[CVC's instruction 98/ORD/1 dated.28.3.2002]
- (viii) Delay in implementation of CVC's advice  
[CVC's instruction No. 002/VGL/49 dated 18.9.2002]
- (ix) Improving vigilance administration- action on anonymous/pseudonymous complaints  
[CVC's instruction No. 98/DSP/9 dated 11.10.2002]
- (x) Utilizing the services of Retired Officers for conducting departmental inquiries  
[CVC's instructions No. 98/MSD/23 dated 29.11.2002]
- (xi) Attachment of CVOs with the Commission for a week  
[CVC's instructions No. 002/TRG/1 dated 2.12.2002]

## CHAPTER 4

### Non-compliance, Delays and Other Matters of Concern

#### Non-compliance

In general, organisations consult the Commission on matters of investigation or inquiry reports if any of the officials involved in the case is of the status where the Commission's advice is necessary. The advice are almost always accepted and implemented by the concerned administrative authorities. The compliance rate is indeed very high when compared to the large number of advice tendered by the Commission. However, there are instances of administrative authorities either not consulting the Commission or not accepting and implementing its advice.

While in all the cases, the Commission conveys its concern to the Departments, only significant instances of deviation from procedure or non-acceptance of advice are considered fit for specific mention in the Report. The Commission tenders advice after due and careful consideration of all the facts of the case and indeed all aspects of the matter. When the administrative authorities fail to consult the Commission or do not abide by the advice tendered by it, it weakens the vigilance environment and sets a wrong precedent in the organisation. During the year under report, there have been ten such cases which are listed as follows:

Table – 9

#### Cases of Non-compliance

Department/ Organisation	Commission's advice	Action taken by the Department	Remarks
M/o Commerce	RDA	No action	Non-compliance
C.P.W.D.	Major penalty	Minor penalty	Non-compliance
M/o H &FW	No action	Major penalty proceedings	Violation of procedure/non- compliance
M/o Railways	Major pp	Displeasure	Non-consultation
IOB	Dismissal	Suitable major penalty	Non-compliance
SBI	Prosecution	Sanction refused	Non-compliance
AIIMS	Major penalty	Exoneration	Non-consultation
IGNOU	Major penalty	Minor penalty	Non- consultation/ Non-compliance
NCCF	Major penalty	Censure	Non- consultation/ non-compliance
MCD	Cut in pension	Exoneration	Non-compliance

## Ministries/Departments

### Ministry of Commerce

**MMTC, a PSE under the Ministry of Commerce mooted a proposal in late 1992 to enter into a turnkey agreement with grain milling companies for procurement, processing and export of Basmati rice. The proposal was considered by the Committee of Directors initially in September, 1992 and was approved subsequently in November, 1992, resulting in a contract agreement between MMTC and a private firm. The terms of agreement envisaged the firm to procure and process 10,000 MT of superior Basmati paddy into rice. The agreement stipulated that the processing will be done during early 1993 and will be monitored by an MMTC official at site and the quality will be tested through a reputed agency.**

**The firm completely failed in execution of the contract. It could not procure even a fraction of the originally contracted quantity and MMTC did not involve itself in the supervision in procurement, and the end product – milled rice - was of sub-standard quality.**

**MMTC by its lackadaisical attitude bordering on callousness contributed to the failure of the contract; Rs.4.15 crores was also paid without receipt and scrutiny of documents. Directives on the contract were orally given and security in the form of bank guarantee was not obtained from the firm. To add to the problems, MMTC made the contract effective from 14.12.92 even though it was entered into on 1.1.93. The officials of MMTC did not take any action when the cheques issued by the firm were dishonoured. There was no supervision of the contract at all.**

**These blatant violations of supervisory conditions and slack monitoring of the agreement resulted in a huge loss to MMTC, which has filed a claim before the arbitrator. From the very beginning there were lapses in the procedure like absence of export order for sale of rice by MMTC and non-transparent selection of the firm. The Commission came into the picture in June 2000 and on examination it was found that one of the then Directors of the company had a major role in the conceptualization and execution of the contract. Accordingly the M/o Commerce was advised in July, 2000 to examine the role of the official and consider entrusting the matter to CBI for detailed investigation. After considerable follow up by the Commission the M/o Commerce chose to underplay the role of the Director and advised that no adverse inference could be drawn against him. The Commission, keeping in view the facts of the case, advised immediate departmental action against the official and handing over the case to CBI. The Ministry approached the Commission again for reconsideration but it was turned down. In July, 2002 the Ministry of Commerce against the advice of the Commission decided to close the case against the officer and not to refer the matter to the CBI.**

**The facts of the case as analysed by the Commission reveal blatant and criminal collusion between the management of MMTC at the highest level and the private firm concerned. The Ministry of Commerce in the view of the**

Commission, has been guilty of laxity, excessive tolerance and unwillingness to show firmness in dealing with misconduct at the highest level of the company's management, in- spite of the massive loss of public money.

### **Central Public Works Department**

In a case against an Assistant Accounts Officer of CPWD there were allegations of connivance with others and tampering of tender documents. In the ensuing inquiry the charges were proved and therefore the Commission in agreement with the department advised imposition of a severe punishment of major penalty. However, the DA (Additional Comptroller General of Accounts), on a facile reasoning that the AAO was a newcomer to the division, and without consulting the Commission considerably diluted the impact of punishment by imposing a minor penalty with no adverse effect at all.

### **Ministry of Health & Family Welfare**

The Commission, while tendering its advice, considers all aspects of the case and in particular the argument of the department and defence if any. In so arriving at its decision there are instances wherein it differs from the perception of the organisation regarding the course of action to be followed. While generally there is congruence of perception about the culpability of individuals, in a few cases the Commission advises closure of the case despite arguments to the contrary from the concerned organisation. In one such instance of the M/o Health and Family Welfare, on examination of the facts of the case it came to the conclusion that the concerned official was not blameworthy and hence advised closure of the case. However, in total defiance of the Commission's advice the Ministry initiated major penalty proceedings against the official without further consultation with it, as per prescribed procedure. The Commission being an impartial and independent organisation is in a unique position to properly weigh the pros and cons of evidence and advise suitable course for the organisations to follow. Non-compliance of its advice in a defiant manner defeats the very purpose of the advisory role of the Commission in vigilance matters.

### **Ministry of Railways**

The Commission is consulted at the second stage after completion of the major penalty proceedings in individual cases. In this case against a Senior Electrical Foreman of the Eastern Railway, the Commission in May, 1994 advised initiation of major penalty proceedings for alleged irregularities in the procurement of submersible pump sets. The officer was charge sheeted in June, 1994 and had retired from service in February, 1996. Due to the delay in finalizing the proceedings, the officer filed a petition in the Central Administrative Tribunal (CAT) which directed the Department to finalise the case within three months. As the proceedings were not finalized the officer again approached for non-compliance of its order and for contempt. On this, the CAT specifically directed that the case be finalized by 21.02.2002. The DA considering the inquiry report



holding the charge as proved noted, that no grave misconduct was involved, and taking into account the fact that the officer had retired long back and had suffered due to non release of retirement benefits finalized the case by issuing Government's displeasure to the officer in July, 2002.

The M/o Railways did not consult the Commission for advice before finalizing the case and thus violated the consultation procedure with the Commission as well as dragged the proceedings for over eight years and acted only when the officer took recourse through legal channels. This is a typical case of non-consultation coupled with inordinate delay in processing a disciplinary case.

## **Public Sector Banks**

### **Indian Overseas Bank (IOB)**

A Senior Manager of the bank was found guilty of making fictitious transfer entries in a savings bank account without supporting vouchers. As the proven charge bordered on cheating and fraud, the Commission advised dismissal of the official from service. However, the appellate authority termed the allegations as procedural lapses and diluted the punishment to a regular major penalty. The reason for advice of dismissal of the official by the Commission was to weed out fraudsters and cheaters from the bank but the appellate authority by dilution of the punishment contributed to the defrauding employee's stay in service with the consequent detriment to the organisation.

### **State Bank of India (SBI)**

In a case involving an Assistant General Manager of the Bank, the Commission concurred with the CBI for prosecution as there was prima facie evidence of gross irregularities in financing a private firm by the official. The Bank, however, chose to disregard the advice of the Commission and refused sanction for prosecution.

## **Autonomous/Local Bodies**

### **All India Institute of Medical Sciences (AIIMS)**

In this case against an Assistant Engineer of AIIMS, the Commission on a reference from the organisation advised initiation of major penalty proceedings for certain irregularities in awarding engineering works. On conclusion of the proceedings imposition of a major penalty was advised by the Commission, which was imposed by the disciplinary authority. However, the AIIMS considered a review petition preferred by the officer and set aside the penalty without consulting the Commission. The Commission further observed that while the President, AIIMS is the disciplinary authority and the Governing Board is the appellate authority, in this case both the penalty and the orders on review were passed by the President AIIMS, which raises doubts about the procedural correctness of the decision as well.

### **Indira Gandhi National Open University (IGNOU)**

In a case of alleged irregularities in the recruitment of Stenographers by the University, the Commission advised imposition of a severe punishment of major penalty on the official. However, the Board of Management of the University – appellate authority chose to dilute the penalty considerably which resulted in the official getting away with minimal punishment not commensurate with the guilt established in the inquiry. The University did not consult the Commission for reconsideration and thereby violated the consultative mechanism.

### **National Co-operative Consumers' Federation of India (NCCF)**

In a case involving unintended benefits being conferred on suppliers, the concerned officials were advised imposition of a severe punishment of major penalty having permanent pecuniary effect. However, at the appellate stage the authority diluted the punishment to minor penalty of Censure which had no financial punitive effect. The Commission was not consulted at the appropriate stage.

### **Municipal Corporation of Delhi (MCD)**

In a case against a Deputy Commissioner (Health) and Superintending Engineer of MCD allegations of purchase of inferior quality mini dumpers at high rates, and that too without proper technical financial evaluation, were established. The mini dumpers had to be condemned within a period of two years, thereby causing considerable financial loss to the organisation. Since the proven charges were serious, the Commission advised suitable cut-in-pension of the official. However, the disciplinary authority decided to exonerate them, thereby disagreeing with the Commission. The point at issue in this case is that as per Government regulations a cut-in-pension is a drastic action and is resorted to only when the proven charges are grave. By disagreeing with the Commission in this case the disciplinary authority diluted the very purpose of inquiry and subsequent punitive action despite loss to the organisation.

### **Cases in which Departments Accepted UPSC's Advice**

In addition to the above ten cases, in three cases, the Commission had advised imposition of major penalties and the officers were exonerated on the advice of the UPSC by the Departments. Consultation with UPSC is provided for in the rules. The Commission, as already mentioned in Chapter –2, is of the view that consultation with the UPSC may not be necessary in cases of vigilance, though the UPSC may continue to give its advice in other cases of an administrative nature. The brief details of these cases are given as follows:

**Table- 10**

**Cases of Moderation by UPSC**

<b>Department/Organisation</b>	<b>Commission's advice</b>	<b>UPSC's advice</b>	<b>Final Orders of the Department</b>
M/o Urban Development & Poverty Alleviation	Major penalty	Dropping of charges	Exoneration
M/o Home Affairs	Cut in Pension	Exoneration	Exoneration
M/o Home Affairs	Major penalty	Exoneration	Exoneration

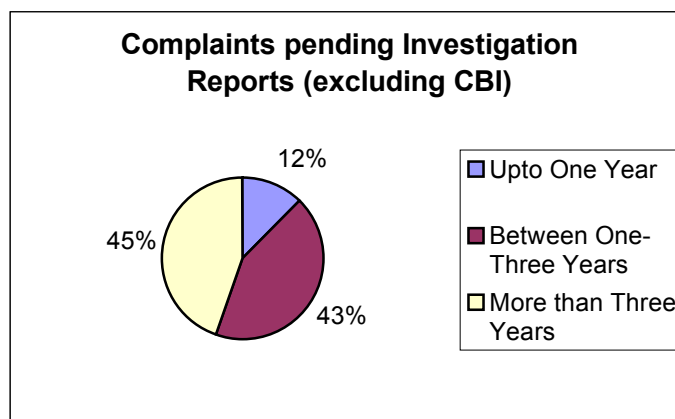
**Delays and Deficiencies**

The Commission considers it imperative that instances of suspect malpractices are followed up vigorously by the administrative authorities so that all the delinquent employees can be identified and proceeded against without delay, and action taken within the time frame laid down by the Commission. During the year under report, however, delays in processing vigilance cases at various stages of investigation and inquiry were noticed in many cases in a large number of organisations. The prominent areas of delays were in the investigation of complaints/cases, issue of chargesheet for initiating proceedings, appointment of inquiry officers and issue of final orders after completion of disciplinary proceedings.

**Delay in Investigation of Complaints**

The administrative authorities are required to complete investigation into a complaint normally within a period of three months. In case of the Central Bureau of Investigation (CBI), the expected period for completion of an investigation is six months. However, **at the end of the year 2002, investigation reports were awaited on 2022 complaints forwarded by the Commission to departmental vigilance units for investigation and report. Of these, 906 complaints (nearly 45 per cent) were pending investigation for more than three years and 864 complaints (nearly 43 per cent) for periods ranging between one to three years** (Chart –13). The organisation-wise break-up of this pendency is given in **Annexure-VI**. Similarly, out of ten complaints pending with the CBI for investigation and report, seven were pending for more than three years and three complaints were pending for the periods ranging between one to three years.

Chart – 13



### Delay in Holding Oral Inquiry

In cases where the Commission advises initiation of departmental proceedings against an erring official on the basis of a preliminary investigation report, the disciplinary authority is required to issue a charge sheet to the delinquent employee within one month of receipt of the Commission's advice. Keeping in view the time frame prescribed for issuing a charge sheet and obtaining written statement of defence from the CO, it should be possible for the disciplinary authority to appoint inquiry officers (IO) within two months of the receipt of the Commission's advice for initiation of major penalty proceedings.

There were, however, 126 cases in which the disciplinary authorities had not issued orders appointing the Commissioner for Departmental Inquiries (CDI), nominated by the Commission as Inquiry Officers, for more than three months. Of these, 26 cases were more than one year old and 100 cases were more than three months old. The organisation-wise break-up of these cases of delay in appointment of CDIs is given in **Annexure -VII**.

The maximum number of such appointments being delayed by the M/o Information & Broadcasting with 25 cases, followed by Oriental Bank of Commerce with 9 cases, D/o Telecom 11 cases, Indian Bank 6 cases, Border Road Development Board 4 cases, Vijaya Bank 5 cases, State Bank of India 4 cases, Government of National Capital Territory of Delhi 4 cases, Central Board of Excise & Customs 5 cases, Central Board of Direct Taxes 3 cases, and Syndicate Bank 4 cases.

The IO appointed by the disciplinary authority to conduct departmental inquiry in a particular case is required to be furnished with the related documents, viz., a copy of the charge sheet, reply of the charged officer, order of appointment of the Presenting Officer and the listed documents/witnesses, to enable him to hold the inquiry. These documents are required to be made available to the IO immediately on his appointment as IO. However, at the end of the year under report, nine cases were pending for more than three months, in which the disciplinary authorities had not furnished the relevant documents to the CDIs appointed as Inquiry Officers, UCO Bank and Indian Council of Agricultural Research with three cases each, and

one case each of Central Board of Excise and Customs, Department of Telecom and Ministry of Steel.

### **Delay in Implementation of Commission's Advice**

Disciplinary authorities, in many cases, have not been prompt in implementing the advice tendered by the Commission. Delays in processing disciplinary cases by the organisations/departments have a two pronged effect both on the guilty as well as innocent officers by which quick punitive action is delayed against the guilty and morale and career progress of the innocent is effected. The Commission has all along been emphasizing the need for quick finalisation of disciplinary matters but there are many organisations/departments which fail to adhere to the prescribed time limits. **There were, at the end of the year under report, as many as 3860 cases pending for over six months for implementation of first stage advice of the Commission and 1288 cases pending for over six months for implementation of second stage advice of the Commission.** The organisation-wise break-up of these cases is given in **Annexure-VIII**.

The delays in implementation of second stage advices wherein proceedings have been completed and are pending for issue of final orders is a matter of grave concern to the Commission. The departments/organisations having the maximum number of such cases pending for implementation is represented in the table below:

**Table –11**

#### **Delay in Implementation of Second stage Advice**

<b>Organisations/Departments</b>	<b>Second stage advice</b>
Central Board of Excise & Customs	212
D/o Telecommunications	84
Delhi Vidyut Board	78
Municipal Corporation of Delhi	65
Central Board of Direct Taxes	63
Delhi Development Authority	58

### **Illustrative Cases**

It is absolutely necessary to ensure that disciplinary proceedings/departamental action against chargesheeted employees are processed and finalised most expeditiously. The Commission has, therefore, been urging upon all organisations, from time to time, emphasizing the need to finalise disciplinary proceedings on time.

Despite the Commission's frequent urgings, cases/disciplinary proceedings continue to drag on for years together in many of the departments. Some of the illustrative examples of such cases, which the Commission had occasion to process during the year are highlighted.

## **Cement Corporation of India Limited**

### **Case-1**

In December 1999, the Commission sought a report from the Department of Heavy Industries on some information containing serious allegations against some top-level functionaries of Cement Corporation of India, including two Directors who were to retire shortly.

However, in May, 2002, the Commission was informed by the Department that the said two Directors had retired from service during the interregnum and that, therefore, there was no option left in the matter but to drop the allegations against them. Thus, due to laxity and the routine manner in which the case was handled by the Department, the case against the two officers died a natural death.

### **Case-2**

A case involving a Director of the Corporation, who was due for retirement on 31.12.2001, was received by the Commission on his penultimate working day from the Department of Heavy Industries. The Department had recommended major penalty proceedings against the officer, to be initiated latest by the date of his retirement.

Upon examining the case the Commission found that it had originated one and a half year earlier and the Department had simply neglected a proper investigation. The Commission as such informed the Department on 31.12.2001, that it was not possible on its part to tender any specific advice in the matter. In May, 2002, the Department communicated its decision to close the case.

The Department thus took nearly 17 months to get the complaint investigated and to refer the case to the Commission. Also, despite the unduly long time taken, the investigation was done in a slipshod manner by the Department, reversing their own initial proposal for launching disciplinary proceedings against the officer.

## **Central Board of Direct Taxes**

**Despite repeated instructions of the Commission stressing the need for expeditious completion of vigilance cases and disciplinary proceedings, inordinate delays are noted, even now, on the part of many departments in such matters. The following chronology of events relating to the case of an Income Tax officer is truly illustrative of the delay:**

<b>(i)</b>	<b>Period of occurrence</b>	<b>1985-88</b>
<b>(ii)</b>	<b>Date of initial reference to CVC</b>	<b>October-1993</b>
<b>(iii)</b>	<b>Date of 1<sup>st</sup> stage advice</b>	<b>1.11.1993</b>
<b>(iv)</b>	<b>Date of charge sheet</b>	<b>19.11.1993</b>
<b>(v)</b>	<b>Date of retirement of CO</b>	<b>30.11.1993</b>
<b>(vi)</b>	<b>Appointment of IO</b>	<b>April 1995</b>

(vii)	Submission of IO's report	Nov.1997
(viii)	Reference for 2 <sup>nd</sup> stage advice	May 1998
(ix)	Date of 2 <sup>nd</sup> stage advice	June 1998
(x)	Date of reference to UPSC	March 2001
(xi)	Date of UPSC advice	May 2001
(xii)	Date of DOPT's advice	January 2002
(xiii)	Date of issue of final orders	March 2002

It is also relevant to note here that even while tendering its second stage advice (in June-98), the Commission drew specific attention of CBDT to the delay and asked them to fix responsibility. It is notable that the delay was further compounded by taking almost three years to refer the case to the UPSC.

#### Department of Revenue

In February, 1994 the Commission advised major penalty proceedings against an official of the Department of Revenue who, as the Drawing and Disbursement Officer, was found to be involved in a case of misappropriation of huge amounts. In the departmental inquiry that followed, the charge was proved against the official and the Commission accordingly advised, in December, 1996 that he be awarded a severe major penalty.

The advice of the Commission remained unimplemented and the department approached the Commission in September, 2002, seeking advice on the question of granting ad-hoc promotion to the official. Regarding the non-implementation of Commission's advice (of December, 1996) the explanation of the department was that although the matter was taken up with the UPSC, the later returned the case insisting on original/authenticated records which, however, were held up with the Police Authorities in connection with prosecution of certain other officials involved in the case. In November, 2002, the department informed the Commission that authenticated documents have since been arranged for and that the case is accordingly being referred back to the UPSC, nothing further has been heard from the department in this regard, till the year end.

#### State Trading Corporation (STC)

A complaint was received by the Commission in April 1990, leveling allegations against certain officials of the State Trading Corporation. This was forwarded by the Commission in May, 1990, to the Ministry of Commerce for investigation and report. The Ministry reported, in June 1990, inter alia, that the case relating to one of the officials had been dropped for lack of evidence. The Commission wrote back to the Ministry, in July 1990, saying that such a cryptic reply would not suffice and sought relevant details of the case.

The Ministry got back in August, 1991 with the details and reiterating its view that the case was not worth re-opening. On examination of the matter,

however, the Commission found it not possible to agree with the Ministry. The Commission, therefore, advised the Ministry, in September, 1991, to direct the STC to review the case afresh.

Pursuant to the above, the official was issued a major penalty charge sheet in February, 1992. This was followed by an inquiry. In the inquiry report submitted in July, 1996, the IO held the charges as not proved for want of relevant documents/oral evidences etc. The report of the IO was rejected by the Disciplinary Authority on the ground that the inquiry had not been held in accordance with prescribed procedures; and he ordered, in December, 1996, a fresh inquiry in the matter. All this was reported to the Commission, by the STC, only as late as in October, 2001.

The Commission then called for the relevant records/files of the case which were furnished by the STC in April, 2002. On perusal of the same, the Commission noted, inter alia, that:

- the charge sheet was not framed properly
- the key documents had apparently been misplaced/destroyed deliberately
- there was inordinate delay in following up the matter
- although the case had been reviewed by the STC from time to time, it was done in a perfunctory manner
- the delinquent officials had been promoted in between, etc.

These observations were conveyed to STC in July, 2002, along with the advice to ensure that all evidence cited in the charge sheet be marshaled and the ongoing proceedings against the official be completed expeditiously.

In October, 2002, the Chief of the Personnel Department of the STC responded by saying that the missing evidence were not traceable, and proposed dropping of the ongoing proceedings. The Commission noted that this proposal did not have the approval of the Chief Vigilance Officer and/or the concerned Disciplinary Authority. The Commission therefore wrote back to STC, in November, 2002, seeking the views of these authorities which had not been furnished till the end of the year.

In short, thus, this was a case of inordinate delay, misplacement/destruction of evidence, and non-consultation with the Commission at the appropriate stage - a totally mishandled case at that.

### **Ministry of Home Affairs**

It has been observed that in a case pertaining to a DANICS officer (the disciplinary authority in whose case is the Ministry of Home Affairs) the Commission advised initiation of major penalty proceedings on 13.10.97. However, the Department approached the Commission for reconsideration of the Commission's advice only in June, 2000.



The Commission reiterated its advice on 18.8.2000, and the officer was issued chargesheet on 30.10.2001 i.e. after four years of the Commission's advice. On approaching the CAT, the Hon'ble Tribunal quashed the chargesheet on the ground of delay in its issuing. The delay in action on the Commission's advice for four years on the part of the Disciplinary Authority contributed to it.

## **Investigation into Defence Procurements**

### **Ministry of Defence**

**In February, 2000 the Ministry of Defence (MOD) entrusted to the Commission, investigation of defence deals consisting of major contracts entered into by it since the ban on involvement of agents, contracts mentioned in the allegation of Shri Jayant K. Malhotra, ex-MP and writ petition of Rear Admiral Purohit. Subsequently, the MOD requested the Commission to look into contracts of Rs.75 crores and above. The Commission, while examining these cases, decided that it will also look into cases in which advances of 10 per cent or more has been made and those which formed part of CAG audit paras.**

**In pursuance of MOD's decision, the Commission received the relevant files, several of which were incomplete or part files during the period August, 2000 to March, 2001.**

**With the constraint relating to incomplete files, the Commission nevertheless identified system deficiencies and individual lapses of officials in several cases. The major areas of concern identified by the Commission were that the procurement process lacked transparency, standard norms and stipulations in tender process were absent, uniform practices relating to terms and conditions of the contract were missing and preference was given to traders over OEM in many cases.**

**In the light of its study, the Commission drew attention to the urgent need for streamlining systems and procedures in defence procurement and advised MOD to fix responsibility in cases examined by it for taking suitable disciplinary action.**

**Protracted correspondence with MOD notwithstanding, not much progress has been made in pinpointing responsibility of officials in individual cases by the MOD. As a result of further discussions held by the Commission with the MOD, it was decided that expeditious action in various cases will be taken by the MOD and that the Commission will continue to look into the cases submitted by the MOD.**

## **Other Areas of Concern**

The functioning of vigilance units and the administrative authorities in some departments/organizations has been an area of serious concern for the Commission, mainly due to their indifferent and lax approach to vigilance matters. A few such examples of Departments/Organisations are given below:

### **Central Board of Direct Taxes(CBDT)**

**CBDT is responsible for collecting income tax, constituting the major proportion of the revenue collected by the Government. The collection of revenue is a very important ingredient in good governance since expenditure on development activities and running the country depends on the income so generated. Therefore, a shortfall of tax revenue collection has a bearing on overall economic activities of the country. Proper collection of income tax and its accounting depends entirely on the credibility of its officials for just and efficient functioning. In recent times there has been considerable public apprehension about proper income tax collection and management. There have been numerous complaints resulting in vigilance action.**

**The Commission has noted with concern that the efforts of the Department have not been commensurate with the rising number of public grievances and vigilance related complaints, despite introduction of systems and procedural improvements. The complaints relating to malpractices have not been tackled with the requisite speed and efficiency, with the result an impression has gathered ground that all is not well with the Department. The Commission would especially highlight the delays in implementation of its advice both at the first and the second stage as well as delays in investigation of complaints. The delays result in allowing the guilty to escape punishment, thereby sending wrong signals in the organisation. The Commission has time and again emphasized the need for preventive vigilance in investigations, searches and surveys as well as periodical audit and inspection to check corrupt practices. In this connection, it is disturbing to note that the Agreed lists which give an indication about corrupt officials have not been prepared for over two years by the CBDT. This shows a systemic slackness in preventive vigilance management and provides scopes for corrupt officials to thrive in the system. Further, the perception that transfers and postings of officials are not done on time tested rules but more on other considerations has gained ground.**

### **Central Board of Excise and Customs(CBEC)**

**The thrust on exports has resulted in the Government announcing various incentives like drawback and Duty Exemption Entitlement Certificate (DEEC) for the exporters, and correspondingly, there has been an increase in misuse of these provisions in connivance with dishonest officials of the Department. There have been a spurt in the number of cases with irregularities and alarming revenue losses and it has been observed that even when these cases are brought within the ambit of the vigilance department, the penalties are still not commensurate with the misconduct. Thus, there is need to enforce greater discipline through better vigilance administration. The Department also needs to evolve a better information system for expediting investigation, inquiries and fixing accountability.**

**It is disturbing to note that Agreed lists of suspect officials have not been prepared for over two years. Besides, CBEC has a very large number of complaints where investigation has been inordinately delayed. Delay in**

**investigation of complaints gives an impetus to dishonest employees acting with impunity and also demoralizes honest officials. The Commission is also concerned with the delays in implementation of its advice by the Department. In fact CBEC has the maximum number of first stage and second stage advice which are pending implementation. This is a serious issue and requires to be tackled by the Department on priority. Since delays in processing the Commission's advice at the different stages result in delayed punitive action on the guilty and affects the morale and career progress of honest and sincere officials.**

**The Vigilance Department requires to keep greater vigil over excise collection including service tax, narcotics trade production and movement and in the matter of transfers and postings to ensure that norms are strictly followed. It is essential for the Vigilance Department to screen officials based on their vigilance profile for posting in sensitive positions.**

### **Department of Telecommunications**

The Commission reviewed the functioning of the vigilance unit of the Department of Telecom and observed that there were inordinate delays in sending replies to the complaints referred by the Commission and in implementation of the advice. There were about 92 complaints, 53 first stage and 48 second stage, pending for more than ten years with the Department, which would suggest a lack of sincerity in vigilance administration. The delays resulted in a number of charged officials being let off either due to superannuation or because they were to superannuate in the near future.

The Commission also observed that the Department was not following the instructions of the Commission fully in respect of the vigilance cases and in a number of cases had not sought its first stage advice. In many cases the views of the administrative authorities were also not obtained. The Commission, therefore, conveyed its displeasure to the Vigilance administration of the Department of Telecom for its laxity and directed the Department to streamline the procedures and systems so as to minimize procedural delays and to ensure that delinquent officials do not escape penalty.

### **Delhi Development Authority (DDA)**

**The Commission observed that the response of the vigilance unit of DDA is quite slow while dealing with the complaints as also the first stage and the second stage advice tendered by the Commission. There were 35 complaints which were pending for more than 10 years. Similarly, there were 25 cases of first stage advice and 20 cases of second stage advice which were pending for implementation for more than 3 years. These figures clearly indicate the casual approach and lack of sincerity on the part of the DDA towards vigilance administration in the organisation. There had been a number of cases wherein the officers were issued charge sheets in the late nineties though the incidents pertained to the period 1982-85. This inordinate delay on the part of**

**DDA resulted in quashing of the charge sheets by the courts. The Commission had conveyed its displeasure to DDA for its laxity in the vigilance administration and had directed the DDA not only to streamline its vigilance set up but also to make changes in the systems and procedures so that corruption in the organisation could be minimized.**

#### **Government of NCT of Delhi(GNCTD)**

The Commission observed that the response of the vigilance unit of GNCTD is quite slow while dealing with the complaints as also the first stage and the second stage advice tendered by the Commission. There were 129 complaints which were pending for more than ten years. Similarly, there were 54 cases of first stage advice and 24 cases of second stage advice which were pending for implementation for more than three years. These figures clearly indicate the casual approach and lack of sincerity on the part of GNCTD towards vigilance administration in the organisation. There are cases wherein the officers were issued charge sheet after the lapse of a considerable period from the date of the Commission's advice, which either resulted in disciplinary proceedings becoming infructuous due to retirement of the officer or the disciplinary proceedings were quashed by the courts on the ground of inordinate delay. In many cases GNCTD have taken decisions contrary to the Commission's advice without consultation with it. The Commission had conveyed its displeasure to GNCTD for its laxity in vigilance administration.

#### **Municipal Corporation of Delhi (MCD)**

The Commission observed that the response of the vigilance unit of MCD is quite slow while dealing with the complaints, the first stage and the second stage advice tendered by the Commission. There were 74 complaints which were pending for more than ten years. Moreover, the reports on the complaints forwarded by the Commission are being received after considerable delay i.e. four to five years and in some cases even after five to ten years. Similarly, there were six cases of first stage advice and 13 cases of second stage advice which were pending for implementation for more than three years. These figures clearly indicate the casual approach and lack of sincerity on the part of MCD towards vigilance administration in the organisation. The Commission had, from time to time, conveyed its displeasure to MCD for its slack and indifferent approach to vigilance matters.

## CHAPTER 5

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

In terms of the Supreme Court Judgement in what is popularly known as the Vineet Narain case, the Commission has been given the responsibility of “superintendence’ in the functioning of the CBI. The Commission has adopted a mechanism of monthly review of the cases under investigation by the CBI under the Prevention of Corruption Act. The Commission, in the true spirit of the judgement, ascertains that investigations in all the cases registered by the CBI are proceeding as they should without any external factor coming in the way of such investigations. It wishes to place on record that such reviews over the last two years have evolved into open and meaningful exchange of information between the CBI and the Commission and are held in an environment of total confidence, mutual trust and respect.

Two areas where the Commission has been able to help expedite CBI’s working have been sanction of prosecution by the authorities concerned and personnel issues. Thanks to the Commission’s persistent efforts, the Ministries and Departments of the Government as well as the public sector organisations have begun to show the required expedition and urgency in taking a view on the requests for sanction for prosecution by the CBI. The Commission, of course, continues its efforts to bring about agreement in cases where the sanctioning authorities and the CBI have different points of view. Such efforts have been particularly successful in regard to the nationalised banks and the public sector undertakings.

The Commission held 11 review meetings with the Director, CBI during the year 2002 in which progress of investigations in the cases registered by the CBI and the request for sanction pending with the sanctioning authorities and other related issues were reviewed. The cases pending sanction of prosecution of public servants with the sanctioning authorities and the sanctions received by CBI during the year are given below (Table 12):

**Table-12**  
**Number of cases Relating to Prosecution of Public Servants**

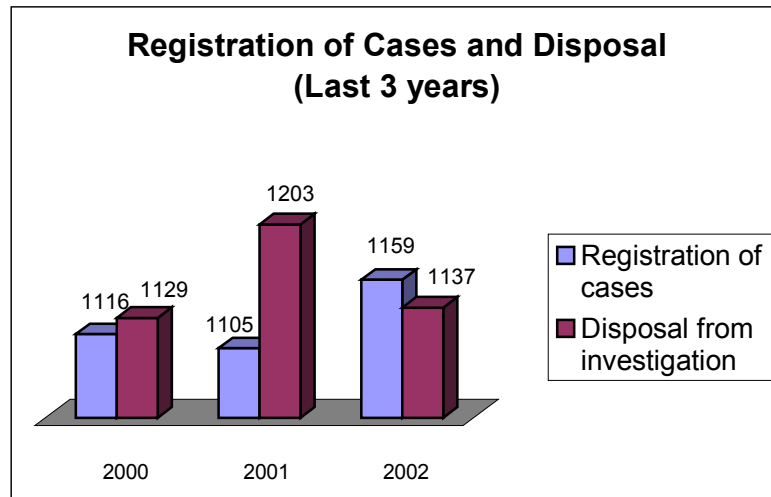
<b>Month</b>	<b>Sanction Pending</b>	<b>Sanction Received</b>
Jan.2002	76	12
Feb.2002	92	9
Mar.2002	103	6
Apr.2002	174	2
May2002	201	0
Jun 2002	200	39
July 2002	244	23
Aug.2002	242	22
Sep.2002	264	18
Oct.2002	298	12
Nov.2002	329	32
Dec.2002	234	66

## Activities of the Central Bureau of Investigation

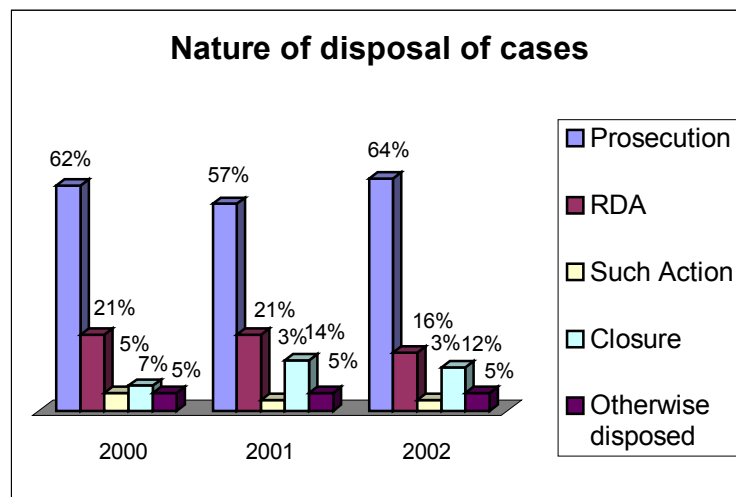
- \* **Registration of cases:** During the year 2002, the CBI registered 1159 cases, as against 1104 cases registered last year. The CBI also disposed of 1137 cases during the year.

The following charts contain the comparative status during the last three years of the registration and disposal of cases (Chart- 14) and the nature of disposal of cases (Chart- 15) by CBI.

**Chart - 14**



**Chart - 15**



- **Cases of trial and their conviction:** During the year 2002, 673 cases under trial were disposed of by various courts, as compared to 448 cases in 2001 and 509 in 2000. The overall rate of conviction in CBI cases during 2002 was 68.69 per cent as compared to 70 percent in 2001 and 71.9 percent in 2000. 6277 cases were pending under trial as on 31.12.2002, as compared to 6336 the previous year.

- **Departmental Punishments:** A total of 511 RDA cases were disposed of. Out of these, 399 (87.5 per cent) cases ended in punishment, 57 in exoneration and 55 were otherwise disposed of.

### **Prosecution against Central Government Employees Posted in States Territories**

The CBI had been facing problems in some of the States in getting sanction of prosecution against the Central Government Employees posted within the territory of these States. As per rules, if the CBI proposes to register a case against such employees the consent of the concerned State Government is required. While the other States have given blanket consent in this regard, the Government of Karnataka has given such sanction on case to case basis. Earlier however, the Government of Karnataka, as well as the Government of Mizoram were giving general consent, which was subsequently withdrawn by them. On the request of the Director, CBI, the Commission is now pursuing the issue of open consent from these two States with the Department of Personnel & Training (DOPT).

### **Setting up of Directorate of Prosecution**

The Supreme Court in the earlier mentioned case also directed the Government that steps be taken immediately for the constitution of an able and impartial agency, comprising persons of unimpeachable integrity to perform functions akin to those of the Director of Prosecution in the U.K. Accordingly, the Directorate of Prosecution has formally been set up in the CBI by the Department of Personnel & Training, Government of India during 2002.

### **Introduction of Departmental Presenting Officers in RDA Cases Recommended by CBI**

The Commission in its meeting with the Director, CBI in July, 2002 observed that the CBI recommends regular departmental action (RDA) for major penalty only in those cases in which sufficient evidence to establish commission of a criminal misconduct is not available. It had been nominating its officers to act as Presenting Officers (POs) in such cases and following up their progress till finalisation. However, the CBI, being a police agency, should concentrate more on investigating criminal offences rather than departmental misconducts. The Commission, therefore, suggested that the POs should be appointed from the same department in such cases in order to ensure expeditious finalisation of the disciplinary proceedings.

The Commission in its instructions regarding RDA against officials of Public Sector Enterprises (PSEs) had already provided a clause in para 10.4 of the Special Chapter for PSEs, wherein it was clarified that it would not be necessary for the CBI to follow the matter in such cases after the disciplinary authority initiated action for RDA against concerned officials in accordance with its recommendations. Similar provision had also been made in para 7.4 of the Special Chapter on Banks in the Vigilance Manual.

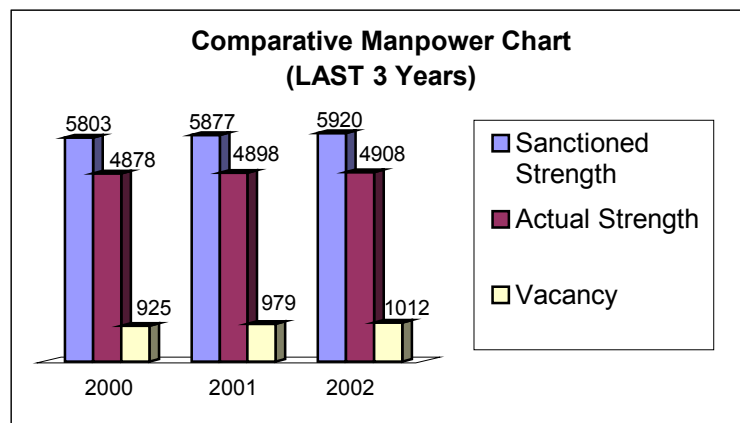
On consideration of the above suggestions of the CVC and the CBI, the DOPT issued the instructions that the Disciplinary authorities may appoint their own officers

as POs in disciplinary proceedings relating to Gazetted Officers, even though the investigation of such cases may have been conducted by the CBI. Further, where the CBI is purposing criminal action as well as RDA, they may depute one of their Inspectors as PO if the branch SP is satisfied that it is necessary to do so.

### Manpower

The total sanctioned strength of CBI as on 31.12.2002 was 5920. However, the actual manpower available was 4908. There were 1012 posts lying vacant at the end of the year. These vacancies were mainly in the ranks of Superintendent of Police (SP)–11; Additional SP–25; Deputy SP–106; Inspectors–95; Sub-Inspectors–87; Asstt. Sub-Inspectors–31; Head Constables–41 and Constables–220. Besides, there were vacancies of 73 Law Officers at various levels. 154 Technical posts were also lying vacant. The large number of vacancies in the rank of DSP has adversely affected the functioning of the CBI, and the matter regarding expeditious filling up of these vacancies is under consideration with the Commission. The comparative details indicating the sanctioned strength, actual strength and vacancies in CBI during the last three years is given in Chart-16.

**Chart - 16**





# ANNEXURES

## Annexure - I

### Group wise Staff Strength as on 31.12.2002

	Group `A`	Group `B`	Group `C`	Group `D`	Total
Sanctioned Strength	43*	91	72	72	278
Officials in Position	41	79	60	72	252

\* 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. During the year under report 7 (UR:2, SC:1, OBC:4) persons have been appointed to Group `C` and 6 (UR:5, SC:1) in Group `D` posts on direct recruitment basis. The percentage of Scheduled Castes/ Scheduled Tribes and OBCs in the various group of posts filled/held otherwise than by deputation, as on 31.12.2002 is given below:

	Group `A`	Group `B`	Group `C`	Group `D`
Scheduled Castes	16.66%	16.66%	16.66%	42.85%
Scheduled Tribes	16.66%	3.85%	3.33%	3%
OBC	-	3.85%	26.66%	10.30%

### 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 Office Language Act, 1963.

**Annexure – II**

**Organisation-wise details of Punishments imposed During 2002 in respect of cases where Commission's advice was obtained**

<b>S. No.</b>	<b>Name of the Department/ Organisation</b>	<b>Prose-cution</b>	<b>Major Penalty</b>	<b>Minor Penalty</b>	<b>Admn. Action</b>
1.	Airports Authority of India	-	-	7	-
2.	Allahabad Bank	-	11	15	1
3.	Andaman & Nicobar Administration	-	1	-	10
4.	Andhra Bank	-	12	8	-
5.	Bank of Baroda	-	19	16	6
6.	Bank of India	-	73	14	1
7.	Bank of Maharashtra	-	5	-	-
8.	Bharat Heavy Electricals Ltd.	-	-	2	-
9.	Bongaigaon Refineries Petro-chemicals Corporation	-	1	2	-
10.	Border Roads Development Board	-	-	1	2
11.	Bureau of Indian Standards	-	2	2	5
12.	Canara Bank	-	30	7	11
13.	Cement Corporation of India	-	-	2	-
14.	Central Bank of India	-	15	2	1
15.	Central Board of Direct Taxes	1	4	1	4
16.	Central Board of Excise & Customs	4	37	12	20
17.	Central Bureau of Investigation	2	-	-	-
18.	Central Public Works Department	-	2	6	24
19.	Central Tibetan School Administration	-	1	-	-
20.	Chandigarh Administration	-	-	1	3
21.	Chennai Port Trust	-	-	-	1
22.	Corporation Bank	-	16	-	1
23.	Council of Scientific & Industrial Research	-	3	7	-
24.	D/o Agriculture & Cooperation	-	1	1	-
25.	D/o Atomic Energy	-	3	1	-
26.	D/o Indian Systems of Medicine & Homeopathy	-	-	-	1
27.	D/o Industrial Policy & Promotion	-	1	-	-
28.	D/o Mines	-	-	1	-
29.	D/o Personnel & Training	15	2	1	-
30.	D/o Posts	-	11	3	3
31.	D/o Science & Technology	-	-	8	-
32.	D/o Telecom	-	48	80	118
33.	Delhi Development Authority	-	15	52	74
34.	Delhi Jal Board	-	-	2	-
35.	Delhi Milk Scheme	-	-	-	1

<b>S. No.</b>	<b>Name of the Department/ Organisation</b>	<b>Prosecution</b>	<b>Major Penalty</b>	<b>Minor Penalty</b>	<b>Admn. Action</b>
36.	Delhi Vidyut Board	-	11	14	-
37.	Dena Bank	-	2	1	-
38.	Electronics Trade & Technical Development Corporation	-	3	-	-
39.	Falta Export Processing Zone	-	-	1	-
40.	Food Corporation of India	-	1	1	-
41.	Gas Authority of India Ltd.	-	-	2	-
42.	Government of Pondicherry	-	1	1	-
43.	Govt. of NCT, Delhi	-	4	2	4
44.	Hindustan Fertilizer Corporation	-	1	-	-
45.	Hindustan Latex Ltd.	-	-	-	1
46.	Hotel Corporation of India Ltd.	-	-	3	-
47.	Housing & Urban Development Corporation	-	-	2	1
48.	India Tourism Development Corporation	-	-	-	1
49.	Indian Airlines	-	-	-	1
50.	Indian Bank	-	22	20	4
51.	Indian Council of Agricultural Research	-	2	-	-
52.	Indian Oil Corporation Ltd.	-	1	2	2
53.	Indian Overseas Bank	-	2	-	4
54.	Indian Road Construction Corporation Ltd.	-	-	-	1
55.	Indira Gandhi National Open University	-	4	4	1
56.	Kendriya Vidyalaya Sangathan	-	2	-	-
57.	Khadi & Village Industry Commission	-	-	1	-
58.	Kolkata Port Trust	-	1	-	-
59.	Life Insurance Corporation of India	3	1	2	-
60.	M.M.T.C. Ltd.	-	1	-	-
61.	M/o Civil Aviation	-	-	1	-
62.	M/o Defence	2	11	14	11
63.	M/o External Affairs	-	4	4	1
64.	M/o Finance	1	8	1	1
65.	M/o Health & Family Welfare	-	1	1	-
66.	M/o Home Affairs	1	8	-	5
67.	M/o Information & Broadcasting	9	4	3	5
68.	M/o Labour	-	1	-	1
69.	M/o Railways	8	257	443	376
70.	M/o Social Justice & Empowerment	-	-	-	1
71.	M/o Urban Development & Poverty Alleviation	-	7	14	12

S. No.	Name of the Department/ Organisation	Prosecution	Major Penalty	Minor Penalty	Admn. Action
72.	M/o Water Resources	-	1	1	-
73.	Madras Fertilizer Corporation	-	-	-	2
74.	Mumbai Port Trust	-	1	-	1
75.	Municipal Corporation of Delhi	-	5	1	-
76.	National Building Construction Corporation	-	2	-	-
77.	National Cooperative Consumer Federation	-	-	2	-
78.	National Hydro- Electric Power Corporation	-	-	4	-
79.	National Informatics Centre (NIC)	-	1	-	-
80.	National Insurance Co. Ltd.	-	2	8	1
81.	National Mineral Development Corporation	-	-	-	1
82.	New Delhi Municipal Council	-	2	-	1
83.	New India Assurance Co. Ltd.	-	6	-	-
84.	Nuclear Power Corporation India Ltd.	-	2	-	-
85.	O/o the Comptroller & Auditor General of India	-	1	-	-
86.	Oriental Bank of Commerce	-	17	10	-
87.	Oriental Insurance Co. Ltd.	1	-	2	1
88.	Paradip Port Trust	-	-	2	-
89.	Punjab & Sind Bank	-	18	4	-
90.	Punjab National Bank	2	28	40	26
91.	Shipping Corporation of India Ltd.	-	1	2	-
92.	SIDBI	-	-	2	-
93.	State Bank of Hyderabad	-	8	8	6
94.	State Bank of India	2	220	18	454
95.	State Bank of Indore	-	14	2	6
96.	State Bank of Mysore	-	9	4	23
97.	State Bank of Patiala	-	21	5	3
98.	State Bank of Saurashtra	-	6	-	2
99.	State Bank of Travancore	-	2	-	-
100.	Syndicate Bank	-	31	18	24
101.	TRIFED	-	-	-	1
102.	UCO Bank	-	8	2	2
103.	Union Bank of India	-	65	18	79
104.	United Bank of India	-	2	1	-
105.	United India Insurance Co. Ltd.	-	2	-	2
106.	UT of Daman & Diu and Dadra & Nagar Haveli	-	-	4	2
107.	Vijaya Bank	-	10	8	3
108.	Visakhapatnam Port Trust	-	4	-	-
	<b>Total</b>	<b>51</b>	<b>1162</b>	<b>957</b>	<b>1360</b>

**Illustrative Cases of prima-facie Lapses on CTEO's Inspection Reports Resulting in  
Vigilance Cases**

<b>S. No.</b>	<b>Organisation</b>	<b>Type of Case</b>	<b>Nature of 1<sup>st</sup> Stage Advice</b>	<b>Number of Officers</b>
1.	Central Public Works Department	<p>1. Construction of 100 bedded hospital Pooth Kurd, Delhi (SH: - Construction of Hospital block-balance work)</p> <p>2. Construction of 100 bedded hospital at Jahangir Puri, Delhi (SH: - Construction of kitchen, ward and laundry block i/c internal sewage, water supply and sanitary installations and drainage upto 1<sup>st</sup> mainhole)</p> <p>3. Construction of laboratory building for RMRC at Jabalpur (SH: - Variation in weight of local purchased steel).</p> <p>4. Construction of 106 numbers M.S. Apartment at Sector-X, R.K. Puram, New Delhi.</p> <p>5. Construction of Survey of India quarters at Jabalpur (SH: - 40 numbers type-III quarters including sanitary installation, water supply and drainage).</p>	<p>Major Penalty</p> <p>Minor Penalty</p> <p>Major Penalty</p> <p>Minor Penalty</p> <p>Major Penalty</p> <p>Minor Penalty</p>	<p>3 Officers</p> <p>1 Officer</p> <p>7 Officers</p> <p>1 Officer</p> <p>3 Officers</p> <p>5 Officers</p>
2.	All India Radio (CCW)	C/o 6 Nos. type 'A', 40 Nos. type 'B' 32 Nos. type 'C' 24 Nos. type 'D' 2 Nos. type 'E' at TV Centre, Bhopal	Major Penalty	3 Officers
3.	Southern Railway	Provision of signaling arrangements at Tiruparakundram, Tirumangalam, Kalligudi and Kadambur stations in connection with Madurai-Virudhunagar-Maniyachi section BG conversion.	Major Penalty	2 Officers

Sl. No.	Organisation	Type of Case	Nature of 1 <sup>st</sup> Stage Advice	Number of Officers
4.	Airports Authority of India	Reconstruction of Apron for boys 23 to 32 at Indira Gandhi International Airport Terminal-I, New Delhi.	Minor Penalty	2 Officers
5.	Damodar Valley Corporation	Construction of Ash Pond 'C' at CTPS.	Minor Penalty	
6.	Delhi Development Authority	1. Construction of 1008 dwelling units under SFS at Vasant Kunj Sector 'C' Pocket IX (SH: - Construction of 80 cat-III, 60 cat-II houses and 100 scooter garages i/c internal development.)	Minor Penalty	3 Officers
		2. Construction of MS Buildings on plot number 1, 2 & 5 at district centre, Janak Puri.(SH: - Construction of MS Building on plot number 5 and connected shopping centre (Zone B) to the west including internal water supply etc.)	Minor Penalty	5 Officers
7.	National Buildings Construction Corporation	Construction of parallel taxi track, connecting main track and 27 dumbles and parallel taxi track connecting main taxi track at 09 end and strengthening of existing rigid position of 09 end of main taxi track and extension of existing Apron-I at HAL Airport, Bangalore.	Major Penalty	5 Officers
8.	National Highways Authority of India	1. Construction of corporate office building for NHAI, Dwarka, New Delhi.	Major Penalty Minor Penalty	5 Officers 1 Officer
		2. Four laning including strengthening of NH-8 from Km 36.63 to Km 107.18 (Gurgaon Haryana/ Rajasthan border section) in Haryana and four lanning including strengthening of NH-8 from Km 107.18 to Km 162.50 (Haryana/Rajasthan Border to Kotputli) in Rajasthan.	Major Penalty	2 Officers

<b>Sl. No.</b>	<b>Organisation</b>	<b>Type of Case</b>	<b>Nature of 1<sup>st</sup> Stage Advice</b>	<b>Number of Officers</b>
9.	IRCON International Ltd.	Construction of obligatory span with box girder for JVLR flyover at Mumbai. Item rate tenders were invited by the Department. Rate of one item was increased during negotiations with the contractor.	Minor Penalty	



## Annexure-IV

## Work done by Chief Vigilance Officers During the period 1.1.2002 to 31.12.2002

S. No.	Department	No. of Comp. against all categories		Cases involving Gaz. & Equivalent Officers								Other Officers			
				Under Inv.		Inv. Rpt.		Under Oral Inquiry		Action after Proceedings		Under Inv. & for Action on Inv. Rpt.		Under Oral Inq. & for Action on Proceedings	
				F.D.	D.	F.D.	D.	F.D.	D.	F.D.	D.	F.D.	D.	F.D.	D.
1	Agriculture	47	35	33	14	27	20	8	2	15	10	10	8	34	17
2	Atomic Energy	89	75	13	9	13	10	0	0	1	1	117	99	137	78
3	Banks	3439	3292	880	729	1156	798	1128	534	1527	1211	4444	3508	5061	3267
4	C&AG of India	0	0	0	0	0	0	0	0	2	2	0	0	0	0
5	Chemical & Petrochem	43	43	8	4	4	3	3	1	1	1	135	92	39	20
6	Civil Aviation	274	274	10	2	6	5	18	16	30	19	641	450	239	122
7	Coal	1525	1373	37	20	32	26	38	15	43	30	1151	964	596	428
8	Commerce	267	217	31	17	31	20	24	7	13	11	397	324	183	117
9	Customs and Excise	864	493	240	110	136	115	137	22	125	57	803	377	541	314
10	Defence	1008	757	153	59	118	61	58	8	21	17	722	620	238	151
11	GNCT, Delhi	3310	2508	254	190	202	193	61	31	164	61	3876	2908	1651	1323
12	External Affairs	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13	Fertilizers	133	133	9	9	12	11	4	3	9	8	390	335	138	111
14	Finance	2	0	3	0	4	2	0	0	2	1	3	2	52	33
15	Food & Consumer Affairs	43	43	3	2	2	2	0	0	0	0	108	88	84	58
16	Food Corporation of India	918	749	5	5	9	9	3	0	0	0	967	657	1728	880
17	Health & Family Welfare	57	28	13	5	8	7	4	0	1	1	55	42	63	40
18	Home Affairs	393	329	126	59	249	132	51	10	67	29	389	205	167	74
19	Human Resource Development	29	24	31	9	22	6	15	2	10	9	55	30	54	9
20	I & B	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21	Income Tax	2704	1791	310	97	160	102	79	16	83	36	467	141	192	80
22	Industrial Development	142	131	31	24	25	25	17	3	10	3	76	63	12	10
23	Insurance	845	845	101	95	130	98	80	32	116	81	1944	1242	1133	686
24	Labour	173	173	42	16	61	10	29	1	25	21	778	576	970	371
25	Mines	49	48	4	2	3	3	9	3	10	9	77	68	65	58
26	Petroleum	504	492	36	20	40	33	12	8	20	12	1980	1358	489	296
27	Posts	0	0	0	0	0	0	0	0	0	0	0	0	0	0
28	Power	302	291	6	6	12	12	2	2	8	4	714	468	160	112
29	Heavy Industry	437	421	13	7	9	6	9	7	19	17	742	555	258	162
30	Railways	19592	18986	664	276	321	280	180	81	516	354	26320	24957	16262	10387
31	Rural Development	0	0	0	0	0	0	0	0	0	0	0	0	16	9
32	SAIL	391	390	20	10	28	22	5	4	9	8	524	444	188	138
33	Science & Technology	81	74	52	26	46	34	92	14	60	45	116	82	146	86
34	Steel	95	94	6	4	7	7	6	4	9	9	141	134	82	47
35	Supply	39	39	75	35	50	35	3	0	2	2	0	0	1	0
36	Surface Transport	681	527	78	43	44	44	27	6	24	22	581	521	305	246
37	Telecommunications	4641	4151	126	963	1349	572	134	116	269	248	3069	2112	1251	862
38	Tourism	131	131	0	0	0	0	0	0	0	0	216	189	69	21
39	Urban Development	1652	833	392	129	136	125	154	66	341	140	908	205	418	184

S. No.	Department	No. of Comp. against all categories		Cases involving Gaz. & Equivalent Officers								Other Officers			
				Under Inv.		Inv. Rpt.		Under Oral Inquiry		Action after Proceedings		Under Inv. & for Action on Inv. Rpt.		Under Oral Inq. & for Action on Proceedings	
		F.D.	D.	F.D.	D	F.D.	D	F.D.	D	F.D.	D	F.D.	D	F.D.	D
40	Water Resources	50	48	38	16	19	17	13	8	14	10	114	62	72	46
41	Miscellaneous	311	165	153	69	126	77	30	6	28	21	192	103	62	30
	<b>TOTAL</b>	<b>45261</b>	<b>40003</b>	<b>5138</b>	<b>3081</b>	<b>4597</b>	<b>2922</b>	<b>2433</b>	<b>1028</b>	<b>3594</b>	<b>2510</b>	<b>53222</b>	<b>43989</b>	<b>33156</b>	<b>20873</b>

Note:

1. Col.2 indicates the ministry including departments & public sector undertakings attached to it, except when such departments/ public undertakings are indicated separately.
2. F.D.= For Disposal; (3) D= Disposed off; (4) Inv.= Investigation; (5) Inq.= Inquiry; (6) Rpt. = Report.

## Annexure - V

## Pendency with Chief Vigilance Officers

S. No.	Department	No. of Comp. against all categories		Cases involving Gaz. & Equivalent Officers								Cases involving other Officers			
				Under Inv.		Inv. Rpt.		Under Oral Inquiry		Action after Proceedings		Under Inv. & for Action on Inv. Rpt.		Under Oral Inq. & for Action on Proceedings	
		<1m	>1m	<3m	>3m	<3m	>3m	<6m	>6m	<3m	>3m	<3m	>3m	<6m	>6m
1	Agriculture	8	4	2	17	3	4	0	6	1	4	1	1	10	7
2	Atomic Energy	0	14	0	4	0	3	0	0	0	0	6	12	32	27
3	Banks	54	93	64	87	133	225	311	283	187	129	366	570	951	843
4	C. & A.G. of India	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Chemical and Petrochemical	0	0	1	3	1	0	0	2	0	0	9	34	12	7
6	Civil Aviation	0	0	5	3	0	1	0	2	4	7	57	134	48	69
7	Coal	24	128	2	15	2	4	12	11	6	7	82	105	41	127
8	Commerce	5	45	2	12	0	11	1	16	1	1	37	36	28	38
9	Customs & Excise	22	349	19	111	11	10	31	84	11	57	63	363	90	137
10	Defence	31	220	16	78	16	41	4	46	3	1	57	45	36	51
11	GNCT, Delhi	104	698	24	40	2	7	18	12	35	68	149	819	206	122
12	External Affairs	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13	Fertilizers	0	0	0	0	1	0	1	0	1	0	20	35	18	9
14	Finance	0	2	0	3	0	2	0	0	0	1	0	1	8	11
15	Food and Consumer Affairs	0	0	0	1	0	0	0	0	0	0	11	9	16	10
16	Food Corporation of India	19	150	0	0	0	0	0	3	0	0	92	218	553	295
17	Health & Family Welfare	0	29	1	7	0	1	0	4	0	0	11	2	7	16
18	Home Affairs	11	53	26	41	16	101	5	36	11	27	43	141	29	64
19	Human Resource Development	0	5	19	3	1	15	1	12	1	0	18	7	0	45
20	I & B	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21	Income Tax	102	811	25	188	14	44	19	44	15	32	25	301	49	63
22	Industrial Development	1	10	0	7	0	0	6	8	4	3	3	10	2	0
23	Insurance	0	0	2	4	5	27	30	18	13	22	134	568	193	254
24	Labour	0	0	7	19	6	45	6	22	0	4	122	80	104	495
25	Mines	1	0	1	1	0	0	0	6	1	0	5	4	3	4
26	Petroleum	3	9	2	14	1	6	2	2	4	4	126	496	67	126
27	Posts	0	0	0	0	0	0	0	0	0	0	0	0	0	0
28	Power	2	9	0	0	0	0	0	0	2	2	64	182	24	24
29	Heavy Industry	5	11	2	4	2	1	2	0	2	0	55	132	49	47
30	Railways	142	464	67	321	20	21	42	57	42	120	621	742	3195	2680
31	Rural Development	0	0	0	0	0	0	0	0	0	0	0	0	2	5
32	SAIL	1	0	4	6	3	3	1	0	1	0	45	35	31	19
33	Science & Technology	2	5	4	22	2	10	62	16	7	8	6	28	22	38
34	Steel	0	1	2	0	0	0	0	2	0	0	2	5	29	6
35	Supply	0	0	4	36	6	9	0	3	0	0	0	0	0	1
36	Surface Transport	18	136	18	17	0	0	0	21	0	2	30	30	29	30
37	Telecommunications	280	210	122	183	322	455	14	4	10	11	407	550	275	114
38	Tourism	0	0	0	0	0	0	0	0	0	0	11	16	21	27
39	Urban Development	54	765	31	232	7	4	18	70	55	146	82	621	73	161

S. No.	Department	No. of Comp. against all categories		Cases involving Gaz. & Equivalent Officers								Cases involving other Officers			
				Under Inv.		Inv. Rpt.		Under Oral Inquiry		Action after Proceedings		Under Inv. & for Action on Inv. Rpt.		Under Oral Inq. & for Action on Proceedings	
		<1m	>1m	<3m	>3m	<3m	>3m	<6m	>6m	<3m	>3m	<3m	>3m	<6m	>6m
40	Water Resources	0	2	9	13	2	0	3	2	3	1	9	43	11	15
41	Miscellaneous	20	126	17	67	21	28	4	20	1	6	15	74	5	27
	<b>TOTAL</b>	<b>909</b>	<b>4349</b>	<b>498</b>	<b>1559</b>	<b>597</b>	<b>1078</b>	<b>593</b>	<b>812</b>	<b>421</b>	<b>663</b>	<b>2784</b>	<b>6449</b>	<b>6269</b>	<b>6014</b>

Note:

- (1) Column 2 indicates the Ministry including departments under it and public undertakings attached to it except when such Departments/Public undertakings are indicted separately.
- (2) Inv.= Investigation; (3) Rpt.= Report; (4) Inq.= Inquiry; (5) <=means less than; (6) >= means more than; (7) m = months.

**Annexure – VI**

**List of Organisations yet to submit reports on Complaints Forwarded by the Commission**

S. No.	Name of the Organisation	Complaints pending with CVOs for Investigation		
		Upto One Year	Between One-Three Years	More than Three Years
1.	Airports Authority of India	4	2	1
2.	All India Institute of Medical Sciences	1	-	1
3.	Allahabad Bank	1	-	-
4.	Andaman & Nicobar Administration	1	6	4
5.	Andhra Bank	-	1	-
6.	Bank of Baroda	1	-	-
7.	Bank of India	-	2	-
8.	Bank of Maharashtra	-	2	-
9.	Bharat Coking Coal Ltd.	-	1	-
10.	Bharat Petroleum Corporation Ltd.	-	2	-
11.	Border Roads Development Board	2	1	2
12.	Bureau of Indian Standards	-	3	-
13.	C.S.I.R.	1	1	-
14.	Cabinet Secretariat	-	1	-
15.	Canara Bank	-	2	-
16.	CAPART	-	3	1
17.	Central Bank of India	7	2	-
18.	Central Board of Direct Taxes	8	91	23
19.	Central Board of Excise & Customs	10	101	47
20.	Central Bureau of Investigation	-	3	7
21.	Central Public Works Department	-	2	7
22.	Central Warehousing Corporation	3	-	3
23.	Chandigarh Administration	1	2	-
24.	Chennai Port Trust	-	2	-
25.	Coal India Ltd.	-	2	1
26.	D/o Agriculture & Cooperation	1	3	4
27.	D/o Animal Husbandry & Dairying	4	5	2
28.	D/o Atomic Energy	-	1	-
29.	D/o Coal	3	3	-
30.	D/o Commerce	1	-	-
31.	D/o Company Affairs	2	4	3
32.	D/o Consumer Affairs	2	3	3
33.	D/o Defence Production & Supplies	-	1	3
34.	D/o Fertilizer	-	1	-
35.	D/o Heavy Industry	1	3	1
36.	D/o Indian Systems of Medicine & Homoeopathy	3	5	1

S. No.	Name of the Organisation	Complaints pending with CVOs for Investigation		
		Upto One Year	Between One-Three Years	More than Three Years
37.	D/o Mines	-	2	2
38.	D/o Personnel & Training	4	14	6
39.	D/o Posts	11	2	31
40.	D/o Public Distribution	-	2	6
41.	D/o Small Scale Industries & Agro Rural Industries	-	1	-
42.	D/o Supply	3	-	7
43.	D/o Telecom	7	15	125
44.	D/o Tourism	-	-	1
45.	D/o Women & Child Development	1	-	-
46.	D/o Youth Affairs & Sports	1	5	7
47.	Delhi Development Authority	3	16	29
48.	Delhi Jal Board	-	2	2
49.	Delhi State Industrial Development Corporation	1	1	4
50.	Delhi Transport Corporation	-	2	7
51.	Delhi Vidyut Board	-	11	23
52.	Dena Bank	-	3	-
53.	Eastern Coalfields Ltd.	-	-	1
54.	Employees Provident Fund Organisation	10	16	3
55.	Employees State Insurance Corporation	3	2	6
56.	Food Corporation of India	9	7	6
57.	Govt. of N.C.T. Delhi	13	50	84
58.	Govt. of Pondicherry	4	2	-
59.	Hindustan Latex Limited	1	-	-
60.	Hospital Services Consultancy Corporation	1	-	-
61.	Hotel Corporation of India Ltd.	-	1	5
62.	Housing & Urban Development Corporation	1	1	-
63.	I.C.A.R.	11	19	19
64.	India Tourism Development Corporation	1	-	-
65.	Indian Airlines Ltd.	1	3	-
66.	Indian Bank	2	2	-
67.	Indian Council of Medical Research	2	-	1
68.	Indian Overseas Bank	-	4	-
69.	Jawaharlal Nehru Port Trust	1	-	-
70.	Kandla Port Trust	-	-	1
71.	Kendriya Vidyalaya Sangathan	3	1	15
72.	Kolkata Port Trust	-	2	-
73.	Lakshdweep Administration	-	2	-

S. No.	Name of the Organisation	Complaints pending with CVOs for Investigation		
		Upto One Year	Between One-Three Years	More than Three Years
74.	Life Insurance Corporation	2	8	7
75.	M/o Civil Aviation	2	6	4
76.	M/o Defence	5	35	28
77.	M/o Environment & Forests	4	8	5
78.	M/o External Affairs	-	4	1
79.	M/o Finance	3	44	12
80.	M/o Health & Family Welfare	18	37	43
81.	M/o Home Affairs	4	9	9
82.	M/o Information & Broadcasting	5	20	18
83.	M/o Labour	7	6	9
84.	M/o Petroleum & Natural Gas	1	3	3
85.	M/o Power	1	2	-
86.	M/o Railways	21	62	88
87.	M/o Road Transport & Highways	-	3	2
88.	M/o Rural Development	1	-	-
89.	M/o Shipping	-	6	7
90.	M/o Social Justice & Empowerment	1	4	6
91.	M/o Statistics & Programme Implementation	-	-	2
92.	M/o Steel	-	1	-
93.	M/o Urban Development & PA	-	7	6
94.	M/o Water Resources	2	5	2
95.	MMTC Ltd.	-	3	1
96.	Mumbai Port Trust	-	1	-
97.	Municipal Corporation of Delhi	9	35	75
98.	NABARD	-	1	-
99.	Nathpa Jharkari Power Corporation	-	1	1
100.	National Agricultural Cooperative Marketing Federation (NAFED)	1	1	-
101.	National Aluminium Co. Ltd.	-	2	-
102.	National Building Construction Corporation	-	1	-
103.	National Consumer Cooperative Federation	-	-	1
104.	National Highways Authority of India	1	2	-
105.	National Insurance Co. Ltd.	2	3	18
106.	National Project Construction Corporation	1	-	2
107.	National Seeds Corporation	1	2	-
108.	National Textiles Corporation	-	1	-
109.	National Thermal Power Corporation	1	3	-
110.	Navodaya Vidyalaya Samiti	-	-	2

S. No.	Name of the Organisation	Complaints pending with CVOs for Investigation		
		Upto One Year	Between One-Three Years	More than Three Years
111.	New Delhi Municipal Council	-	1	15
112.	New India Assurance Co. Ltd.	-	13	7
113.	O/o the CGDA	-	2	2
114.	O/o the Comptroller & Auditor General of India	1	3	1
115.	Oil & Natural Gas Corporation	-	-	1
116.	Oriental Bank of Commerce	2	2	-
117.	Oriental Insurance Co. Ltd.	-	10	4
118.	Paradip Port Trust	1	1	1
119.	Post Graduate Instt. of Medical Education Research	-	2	-
120.	Punjab & Sind Bank	-	2	-
121.	Punjab National Bank	-	7	-
122.	Reserve Bank of India	-	2	-
123.	South Eastern Coalfields Ltd.	-	3	-
124.	State Bank of Bikaner & Jaipur	-	1	-
125.	State Bank of Hyderabad	-	2	-
126.	State Bank of India	3	8	1
127.	State Bank of Indore	-	1	-
128.	State Bank of Patiala	-	1	-
129.	State Bank of Saurashtra	-	1	-
130.	State Bank of Travancore	-	1	-
131.	State Trading Corporation	-	1	-
132.	Super Bazar	-	-	4
133.	Tuticorin Port Trust	-	1	-
134.	UCO Bank	-	4	-
135.	United Bank of India	-	1	-
136.	United India Insurance Co. Ltd.	-	17	8
137.	University Grants Commission	-	1	-
138.	UT of Daman & Diu and Dadra & Nagar Haveli	1	2	6
139.	Visakhapatnam Port Trust	-	2	6
	<b>Total</b>	<b>252</b>	<b>867</b>	<b>913</b>



**Annexure - VII**

**List of Organisations yet to Appoint CDIs Nominated by the Commission**

S. No.	Name of Organisation	No. of Nominations Pending	
		>Three Months But <One Year	>One Year
1.	Airports Authority of India	-	2
2.	All India Radio	1	-
3.	Allahabad Bank	-	1
4.	Bank of India	2	-
5.	Bharat Dynamics Ltd.	2	-
6.	Bharat Heavy Electricals Ltd.	2	-
7.	Bharat Wagon & Engg. Co. Ltd.	1	-
8.	Border Roads Development Board	-	4
9.	Central Board of Direct Taxes	3	-
10.	Central Board of Excise & Customs	5	-
11.	Central Bureau of Investigation	2	-
12.	Central Warehousing Corp.	-	1
13.	Chandigarh Admn.	1	-
14.	Controller General of Defence Accounts	1	-
15.	D/o Food & Public Distribution	1	-
16.	D/o Personnel & Training	1	-
17.	D/o Telecom	3	8
18.	Delhi Transport Corp.	4	-
19.	Food Corp. of India Ltd.	2	1
20.	Govt. of NCT Delhi	4	-
21.	Indian Bank	3	3
22.	Indian Council of Agricultural Research	1	-
23.	M/o Agriculture	1	-
24.	M/o Defence	3	-
25.	M/o External Affairs	1	-
26.	M/o Health & Family Welfare	1	-
27.	M/o Home Affairs	1	-
28.	M/o Information & Broadcasting	25	-
29.	M/o Urban Development & Poverty Alleviation	-	1
30.	MMTC	2	-
31.	National Insurance Co. Ltd.	-	1
32.	Nuclear Power Corp.	1	-
33.	Oriental Bank of Commerce	9	-
34.	Punjab & Sind Bank	3	1
35.	State Bank of India	4	-
36.	Super Bazar	-	2
37.	Syndicate Bank	4	-
38.	UCO Bank	-	1
39.	UPSC	1	-
40.	Vijaya Bank	5	-
	<b>Total</b>	<b>100</b>	<b>26</b>

**Annexure – VIII**

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

S. No.	Name of Organisation	No. of Cases Pending Implementation of CVC's Advice for more than Six Months	
		First Stage Advice	Second Stage Advice
1.	Airports Authority of India	1	-
2.	Allahabad Bank	8	4
3.	Andaman & Nicobar Administration	28	2
4.	Andhra Bank	2	3
5.	Bank of Baroda	27	22
6.	Bank of India	9	14
7.	Bank of Maharashtra	11	18
8.	Bharat Coking Coal Ltd.	3	-
9.	Bharat Heavy Electricals Ltd.	1	-
10.	Border Road Development Board	6	5
11.	Bureau of Indian Standards	1	-
12.	Cabinet Secretariat	11	7
13.	Canara Bank	4	7
14.	CAPART	1	2
15.	Cement Corporation of India	-	1
16.	Central Bank of India	2	1
17.	Central Board of Direct Taxes	104	63
18.	Central Board of Excise & Customs	561	212
19.	Central Bureau of Investigation	4	2
20.	Central Coalfields Ltd.	1	1
21.	Central Council for Research in Ayurveda & Siddha	1	-
22.	Central Public Works Department	14	12
23.	Central Warehousing Corporation	5	-
24.	Chandigarh Administration	53	2
25.	Chennai Petroleum Corp. Ltd.	1	-
26.	Corporation Bank	5	-
27.	Council of Scientific & Industrial Research	1	1
28.	D/o Agriculture & Cooperation	8	5
29.	D/o Animal Husbandry & Dairying	1	2
30.	D/o Atomic Energy	2	5
31.	D/o Chemicals & Petrochemicals	1	2
32.	D/o Commerce	1	1
33.	D/o Company Affairs	5	1
34.	D/o Consumer Affairs	2	-
35.	D/o Culture	4	-

S. No.	Name of Organisation	No. of Cases Pending Implementation of CVC's Advice for more than Six Months	
		First Stage Advice	Second Stage Advice
36.	D/o Defence Production & Supplies	43	9
37.	D/o Economic Affairs	8	5
38.	D/o Expenditure	1	-
39.	D/o Industrial Policy & Promotion	3	2
40.	D/o Personnel & Training	16	4
41.	D/o Posts	14	13
42.	D/o Public Distribution	2	1
43.	D/o Revenue	8	2
44.	D/o Science Technology	4	3
45.	D/o Space	-	1
46.	D/o Supply	3	1
47.	D/o Telecom	245	84
48.	D/o Tourism	1	1
49.	D/o Women & Child Development	-	1
50.	D/o Youth Affairs & Sports	3	1
51.	Delhi Development Authority	73	58
52.	Delhi Jal Board	51	14
53.	Delhi State Industrial Development Corporation	9	1
54.	Delhi Transport Corporation	38	-
55.	Delhi Vidyut Board	235	78
56.	Dena Bank	3	7
57.	Employees Provident Fund Organisation	20	2
58.	Employees State Insurance Corporation	4	2
59.	Food Corporation of India	9	1
60.	General Insurance Corporation	1	-
61.	Govt. of NCT of Delhi	83	27
62.	Govt. of Pondicherry	67	8
63.	Hindustan Machine Tools	1	1
64.	Hindustan Vegetable Oils Corporation	3	-
65.	Hospital Services Consultancy Corporation	1	1
66.	HUDCO	3	2
67.	IDPL	1	-
68.	Indian Bank	25	12
69.	Indian Council of Agricultural Research	12	1
70.	Indian Oil Corporation Ltd.	1	-
71.	Indian Overseas Bank	15	15
72.	Jawaharlal Nehru Port Trust	-	1
73.	Kendriya Vidyalaya Sangathan	17	8
74.	Khadi & Village Industries Commission	3	1

S. No.	Name of Organisation	No. of Cases Pending Implementation of CVC's Advice for more than Six Months	
		First Stage Advice	Second Stage Advice
75.	Kolkata Port Trust	-	1
76.	Lakshdweep Administration	2	-
77.	Life Insurance Corporation	28	15
78.	M/o Defence	159	20
79.	M/o Environment & Forest	5	11
80.	M/o External Affairs	20	-
81.	M/o Health & Family Welfare	26	21
82.	M/o Home Affairs	50	37
83.	M/o Information & Broadcasting	195	13
84.	M/o Labour	6	2
85.	M/o Power	1	-
86.	M/o Railways	453	56
87.	M/o Rural Development	1	-
88.	M/o Shipping	7	3
89.	M/o Social Justice & Empowerment	2	-
90.	M/o SSI & ARI	1	2
91.	M/o Steel	1	-
92.	M/o Textiles	1	-
93.	M/o Urban Development & PA	9	24
94.	M/o Water Resources	9	3
95.	MMTC Ltd.	2	-
96.	Mumbai Port Trust	2	-
97.	Municipal Corporation of Delhi	111	65
98.	N.I.I.E.	1	-
99.	NABARD	-	1
100.	National Aluminium Co. Ltd.	1	-
101.	National Building Construction Corporation	14	1
102.	National Consumer Cooperative Federation	2	1
103.	National Highways Authority of India	1	-
104.	National Instt. of Ortho. Handicapped	1	-
105.	National Insurance Co. Ltd.	212	42
106.	National Thermal Power Corporation	1	-
107.	National Water Development Agency	1	-
108.	Navodaya Vidyalaya Samiti	4	-
109.	New Delhi Municipal Council	-	2
110.	New India Assurance Co. Ltd.	81	20
111.	North Eastern Electric Power Corporation	2	-
112.	NPCIL	-	3

S. No.	Name of Organisation	No. of Cases Pending Implementation of CVC's Advice for more than Six Months	
		First Stage Advice	Second Stage Advice
113.	O/o CGDA	29	28
114.	O/o Comptroller & Auditor General of India	8	5
115.	Oil & Natural Gas Corporation	5	-
116.	Oriental Bank of Commerce	3	-
117.	Oriental Insurance Co. Ltd.	43	13
118.	Punjab & Sind Bank	12	7
119.	Punjab National Bank	16	2
120.	SEBI	-	1
121.	SIDBI	2	-
122.	South Eastern Coalfields Ltd.	4	-
123.	State Bank of Bikaner & Jaipur	11	3
124.	State Bank of Hyderabad	19	9
125.	State Bank of India	157	17
126.	State Bank of Indore	4	10
127.	State Bank of Mysore	14	2
128.	State Bank of Patiala	2	1
129.	State Bank of Saurashtra	3	1
130.	State Bank of Travancore	34	27
131.	Steel Authority of India Ltd.	-	1
132.	Super Bazar	5	-
133.	Syndicate Bank	2	1
134.	TRIFED	1	1
135.	Tuticorin Port Trust	1	-
136.	UCO Bank	7	4
137.	Union Bank of India	5	1
138.	United Bank of India	11	1
139.	United India Insurance Co. Ltd.	68	20
140.	University Grants Commission	1	-
141.	UT of Daman & Diu and Dadra & Nagar Haveli	46	8
142.	Vijaya Bank	15	19
143.	Visakhapatnam Port Trust	3	-
144.	Western Coalfields Ltd.	2	-
	<b>Total</b>	<b>3860</b>	<b>1288</b>