



# Container Corporation of India Ltd.

भारत सरकार का उपक्रम  
(A Govt. of India Undertaking)

## VIGILANCE BROCHURE



### MD's MESSAGE

I am pleased to note that Vigilance Division of CONCOR is bringing out a Vigilance Brochure on the occasion of Vigilance Awareness Week-2011 being observed from 31st October 2011 to 5th November 2011.

The publication of such a Brochure will sensitize the officials on various issues to stem the evils of corruption by creating awareness of the rules and procedures to be observed in official matters. However, there is no escaping the fact that the basic qualities of honesty and integrity have to come from within ones' own inner conscience.

I would like to convey my appreciation to the Vigilance Division for taking the initiatives and the efforts undertaken in bringing out this Brochure.

I convey my best wishes for its success.

**ANIL K. GUPTA**



### CVO's MESSAGE

On the occasion of Vigilance Awareness Week-2011, Vigilance team of CONCOR has attempted to bring out the Vigilance Brochure, which would increase awareness of various issues related to procedures and practices amongst the officials.

This year, CVC's main focus is on 'Participative Vigilance' through involvement of stakeholders and through system improvements. The campaign also aims at disseminating information about avenues available to the users/citizens for redressal of their grievances. It is the duty of each and every employee of the organization to contribute in the fight against corruption.

I am confident that publication of this Brochure is another step forward in creating awareness amongst the employees.

**K. RAJESWARA RAO, IAS**



Launch of on-line Vigilance Clearance System in CONCOR by Shri J.M. Garg and Shri R. Srikumar, Vigilance Commissioners of CVC

### The main purpose and objective of Online Vigilance Clearance are:-

- Positive Vigilance
- Increasing transparency/openness
- Paperless transaction & Online NOC
- Reduction in time of the whole process/stop delays
- Leverage technology for enhancing response levels
- To discourage requests/reminders and eliminate discretion, if any

### Major features of Online Vigilance Clearance are:-

- Data i.e. notes, comments recorded are stored in encrypted format i.e. ciphertext that can not be accessed by unauthorized people and saved in Structure Query Language (SQL 2008).
- Vigilance clearance certificate (Report) has digital signature of issuing personnel.
- Two level of authentication i.e. User Id & Password.
- Interface with Ramco HR system.
- Auto E-mail notification/intimation at each level.

### Confidentiality & Security of Online Vigilance Clearance:-

- Digital tokens are required to login & sign with PKI validation at all levels.
- Employees are mapped with digital tokens.
- All vigilance clearance digitally signed by competent authorities.
- Employees data is populated from Ramco HR & Payroll system.
- It is based on the Internet Explorer Version 8 latest version.
- Unique system generated number for each request.



Launch of Handbook on Vigilance Case Studies by MD/CONCOR

The thirst of desire is never filled, nor fully satisfied. - Cicero

## VIGILANCE – A MANAGEMENT ISSUE: PERSPECTIVE

1. Public Sector Undertakings in India play a significant role in the economic, social development as well as service sectors of the country. They deal with public money and are therefore, accountable to public at large. They are subject to public scrutiny. Unlike the private commercial organizations, where individuals count more, in these public sector undertakings, the systems have to work more than individuals. Under such circumstances, there is a need for a strong vigilance set up in the PSUs to regulate the conduct of the employees and check/prevent corrupt practices.
2. Vigilance has to be looked upon as one of the essential components of management. It is as important a segment in an organization like Finance, Personnel, Technical and Marketing. An effective vigilance set up in an organization will certainly ensure the functioning of the other segment like Finance, Personnel, Commercial, Technical and Marketing in an efficient way. It has, therefore, to be given a rightful place in the management hierarchy.
3. The objective of vigilance is to ensure that the management gets maximum out of its transaction without any compromise in quality. The presence of vigilance sector will certainly help the management to cultivate this culture.
4. Vigilance should be accepted as an essential part of management system. Vigilance connotes watchfulness. As the say goes 'Prevention is better than cure', preventive vigilance is more purposeful than punitive vigilance. Through, preventive vigilance, many cases can be eliminated. Preventive vigilance calls for constant review of roles, procedures and practices for refining and improving the system.



A view of Vigilance Workshop at Southern, Region, Chennai

## INTEGRITY PACT

1. Inclusion of an additional agreement in the contract document between CONCOR and bidders to refrain from bribery and collusion once the contract is awarded to the successful bidder.
2. Bidders are required to disclose all commissions and similar expenses paid by them to anyone in connection with the contract. If the written agreement is violated then the pact describes the sanctions that shall apply. These may include:
  - Loss for denial of contract;
  - Forfeiture of the bid or performance bond and liability for damages;
  - Exclusion from bidding on future contracts (debarment); and
  - Criminal or disciplinary action against employees of the Corporation.
3. A monitoring system that provides for independent oversight and increased government accountability of the public contracting process.

In most cases, monitors are members of civil society or experts appointed by (and reporting to) the TI Chapter and its civil society partners. The independent monitoring system aims to ensure that the pact is implemented and the obligation of the parties are fulfilled. The monitor performs functions such as:

- Overseeing corruption risks in the contracting process and the execution of work,
- Offering guidance on possible preventive measures,
- Responding to the concerns and/or complaints of bidders of interested external stakeholders,
- Informing the public about the contracting process's transparency and integrity (or lack thereof).

## Implementation of Integrity Pact by CONCOR:

Consequent to CONCOR's signing of MOU with Transparency International India (TII) on 20.12.2007 for implementation of Integrity Pact from Jan' 2008 in CONCOR's contracts related to procurement/works of value exceeding Rs. 5.00 crores, CONCOR has been following this in all its contracts. The amount stipulated was lowered to Rs. 1.00 crore to expand the scope and bring more contracts under the ambit of Integrity Pact. CONCOR has made use of resolving the contentious issues by utilizing the provision of Integrity Pact by making references to IEMs. This initiative is successfully working in CONCOR.

## Independent External Monitors (IEM) of CONCOR

1. Shri Subir Datta, Ex-Chairman, UPSC
2. Dr. B.P. Mathur, Ex-Deputy C&AG

## क्या करें और क्या न करें

### DO's and DON'Ts

#### क्या करें DO's

- √ Be conversant with current rules and regulations on the subject before taking any decision.
- √ While framing the pre-qualification criteria, the end purpose of doing so should be kept in view. The purpose of any selection procedure is to attract reputed and capable firms with proper track records to participate. The PQ conditions should be exhaustive, yet specific. The factors those may be kept in view while framing the PQ criteria include the scope and nature of work, experience of firms in the same field and financial soundness of firms.
- √ Allow adequate and reasonable minimum time (as prescribed) for submission of tenders to encourage proper response and adopt competitive tendering systems.
- √ Ensure that the Tender Committee is duly constituted at competent level of officers specified.
- √ Ensure realistic assessment of time required for completion of works and close monitoring of time & costs overruns.
- √ The genuineness of BGs (Bank Guarantee) should be checked from the issuing bank, invariably.
- √ Ensure obtaining valid insurance policies for works, persons, property and equipment etc. and periodical renewal to cover entire period of contract.
- √ Ensure instructions/deficiencies recorded in site order book by field engineers/ inspecting officers are complied with by the contractor and compliance recorded with dated initials of Site-in-charge.
- √ Ensure that proper size of equipment/ wiring cables are used by the contractor according to the sanctioned load.
- √ Ensure that the consumption pattern of an item before placing indent for its procurement.
- √ Always insist on stock verification of the store items at the time of taking over charge.
- √ Always maintain bin cards/ ledgers/ prescribed records

for every issue of item(s) from store rather than postponing the entries to a later date.

- √ Always accept material strictly as per the specifications and wherever the material supplied is of any inferior specifications but acceptable on technical grounds, the same should be accepted only after off setting the financial implication thereof with prior concurrence of Competent Authority, in exceptional cases.

#### क्या न करें DON'Ts

- x Don't relax "pre-qualification" criteria to suit particular Vendor while rejecting the other for not meeting out certain "pre-qualification criteria".
- x Don't ask the bidder to submit EMD, after tender opening.
- x Don't delay refund of Earnest Money to the unsuccessful tenderers after the tenders are finalized.
- x Don't change the Tender Committee members once constituted, without prior approval of Competent Authority.
- x Don't advise the Tender Committee prior to their deliberations on the suitability or otherwise of any particular offer.
- x Don't split requirement to bring the tender value within the powers of the lower level sanctioning authority.
- x Don't take part in the Tender Committee Meetings, if any, of your relative is one of the tenderers.
- x Don't accept the materials or brands/make, which are not stipulated in the Contract.
- x Don't execute the work even before calling or acceptance of quotations.
- x Don't allow or tamper the seal of electrical meters provided to Contractor.
- x Don't mention such 'makes' of items in works contracts which are not equivalent quality wise.
- x Don't modify description of the items so as to make them non-stock items, leading to local purchase.
- x Don't alter/change Stores Receipts Vouchers (SRVs) and Store Issue Vouchers (SIVs) in collusion with indenting department.



A view of Vigilance Workshop at Central Region, Nagpur

## Ideal Conduct for an Executive / Vigilance Executive

### Follow the following three principles of "Lord Buddha"

- i) Buddham Saranam Gachami  
(Be loyal to the self/leader)
- ii) Dharman Saranam Gachami  
(Be loyal to the rules & regulations)
- iii) Sangham Saranam Gachami  
(Be loyal to the organization)

### Always keep in mind the "Five E's"

- i) Economy
- ii) Efficiency
- iii) Effectiveness
- iv) Excellence
- v) Equity

### Follow the path of the "RAAT"

- i) Responsibility
- ii) Accountability
- iii) Authority
- iv) Timely Action

### Ensure

- i) Protection of the honest employees
- ii) Justice is not only done, but must appear to have been done

## Complaints:

If there is a complaint against any official of CONCOR relating to corruption, misuse of office, lack of integrity and lack of fairness in the business dealings, complaint can be sent to the following address:

**Chief Vigilance Officer,**  
CONCOR Corporate Office  
CONCOR BHAWAN  
C-3, Mathura Road,  
New Delhi-110076  
Phone No.011-41673014  
Fax No.011-41673120  
Email id: cvo@concorindia.com

### Broad Guidelines for the complainant:

- The complaint should be sent in sealed cover.
- The complainant must disclose his/her identity by giving name, address, e-mail Id and contact phone/cell number.
- Anonymous/pseudonymous complaints will not be considered.
- Complaint must be specific, brief and factual with verifiable details. It should be supported by documentary evidence wherever possible. Complaint with irrelevant, vague, absurd or generalized allegations will be rejected at the discretion of CVO, CONCOR.

- Vigilance Department will maintain secrecy of the identity of the complainant, as far as possible, if so desired by him/her.
- In case it is found that the complaint was false/motivated and lodged with a view to harass the officials, suitable action will be taken against such complainant in accordance with the law.

## Publication / Vigilance Corner

- Reaching field officials in interactive Sessions.
- Vigilance Awareness/ Education on Quality Management of Contracts/Engineering Works.
- Publications/Vigilance Corner
- Employee Friendly Initiatives-online vigilance clearance
- Meeting with other Key Stake holders

## Features

- Regional level interactive session. Seven out of Eight Regions covered and 8th Region on 02.11.2011
- Participation of terminal and regional level officers/supervisors.
- Adhoc contracts and extensions discussed – measures to award regular contracts.
- Inter-departmental issues affecting quality of contract management discussed:- Engineering, commercial & operations, accounts & finance.
- Shortcomings/ deficiencies of previous inspections of contracts (H&T, security, Survey etc.) and case studies on penalties imposed are discussed.
- Best practice of one terminal in each region is discussed for improvements in other places.
- Creating awareness about transparent and employee friendly initiative of Online Vigilance Clearance, launched by Vigilance Commissioners, CVC.

## Seminars/ Interactive Sessions:

Preventive vigilance campaign was undertaken to create awareness about best contract management. In this regard, Vigilance Division is conducting regional seminars wherein various levels of officials at regional and terminal level are educated about the various aspects of quality management of contracts and to avoid ad-hocism of contracts. Seminars were already conducted at Corporate Office on 21.01.2011, at TKD in Northern Region on 19.04.2011, North West Region on 21.05.2011, South Central Regional 27.05.2011, North Central Region on 15.07.2011 Eastern Region on 09.08.2011, Central Region on 24.08.2011 and Southern Region on 09.08.2011, Central Region on 24.08.2011 and southern region on 12.10.2011. Seminar in Western Region has been planned on 02.11.2011. "In second phase, Seminar/ Interactive Session would be conducted in major terminals, as projected by the officers."

## Disclaimer

This Brochure is only indicative, not exhaustive. The provisions herein do not in any way supersede the rules contained in any of the CVC/Railway/CONCOR codes and the circulars referred to herein should be read both individually and in conjunction with other relevant policy circulars for proper appreciation of the issues involved. This brochure also should not be produced in any court of law and wherever necessary, reference should always be made to the original orders on the subject. Primary purpose of the brochure is for reference only.