



MOIL LIMITED
(A Government of India Enterprise)

VIGILANCE VANI

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CVO's Desk:

Prevention is better than cure ; There would be hardly anyone who doesn't know the meaning of this age old proverb passed on from generation. We are giving our maximum attention on preventive vigilance rather than punitive vigilance. Despite that we hear or notice cases of corrupt practices around us. Way back in 2011 CVC has issued draft Anti-corruption strategy which talks about various strategies to be adopted by organization to prevent corruption.

It is very much important that CPSE officials/ employees should know various laws/legislations already enacted for curbing corruption in public life and discharge their duties with integrity.

Prevention of corruption act 1988 mentions consequences of illegal gratification of any sort with imprisonment without or with fine. It has been recently amended to bring bribe giver in its ambit. Indian Penal code specifies various sections of "Don'ts" for a public servant. The benami Transaction Act 1988 prohibits purchase of property in false name. The Prevention of Money laundering act 2002 refers to offence by a person who is a party to process connected with proceeds of crime and declares such income/proceeds as untainted one. The company act 2013 ensures that all companies have a vigilance structure and well placed system for prevention of fraud. Lokpal and Lokayukt act 2016 requires public servants to declare their assets and liability including those of spouse and children. The whistleblower protection act 2011 aims to develop a system to safeguard person after making a complaint. CVC Act 2003 constituted Central Vigilance Commission as the primary agency to inquire or cause inquiry in case of default under PCA. It also advises, plans, executes, reviews and reforms Vigilance operations in central government organization. RTI 2005 aims at transparent governance with prevention of corruption.

Above mentioned legislations are just indicative and have provisions/ may be instrumental for causing punishment (imprisonment/ fine/ both), which may vary as per severity and nature of default. It is therefore imperative for all public servants to know the procedures, rules and regulations of the position and conduct accordingly. In the eye of law, ignorance is never a defense or an excuse for committing the offence.

Sharat

Sharat Chandra Tiwari, ITS

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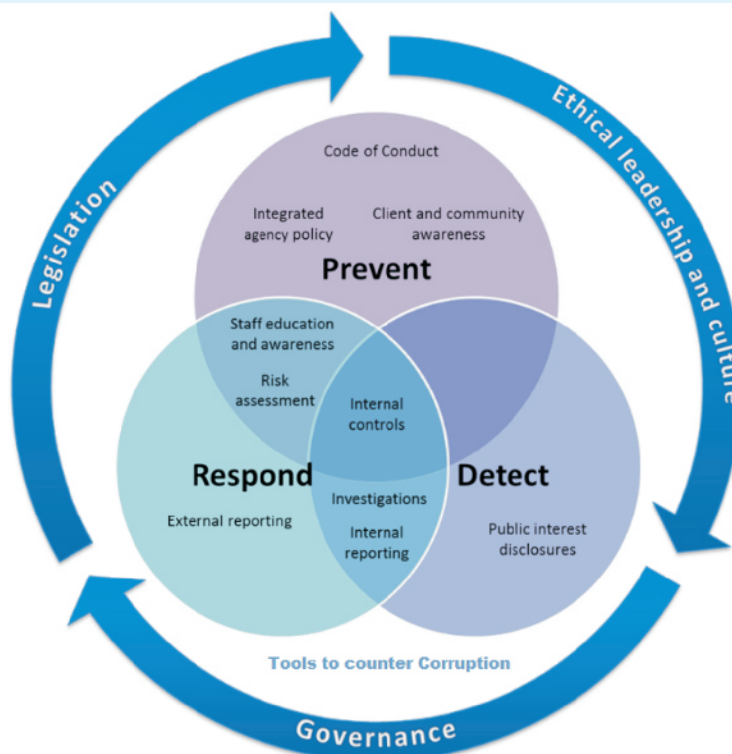
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केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

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दिनांक / Dated 03/05/2018

CIRCULAR NO. 02/04/18

Sub: Timely payments to the contractors/suppliers/service providers-Preventive Measures -reg.

The Commission has been receiving complaints regarding inordinate delay in payments/ non-settlement of bills of contractors/suppliers/service-providers by some of the Central Public Sector Enterprises (CPSE). It is observed that there is substantial delay in settling running/final bills; and in several cases, bills (both running as well as final) have remained pending for 5 - 6 years, though these are required to be cleared within a few days. Such inordinate delay in the settlement of bills is an unhealthy practice, affording scope for corruption. The Commission is of the view that delay could, in some cases, be motivated.

2. Some of the major CPSEs have reported that their Bill Watch/ Online Bill Tracking Systems red flags such delays in payment of bills. However, it is important that monitoring of cases of delay/non-settlement is done at higher levels to achieve efficiency and to reduce delay. The Commission would, therefore, advise the CVOs to examine from vigilance angle all cases of inordinate delay (with respect to prescribed time if any, or cases of delay exceeding 15 days for running bills and 30 days for final bills) from date of receipt of bill. A Report in cases of delay in the last three years, elaborating the reasons for delay, may be submitted to the Commission within three months.

3. As a preventive vigilance measure, the Commission would also advise the CVOs to study the existing systems for receipt and processing of bills and prescribed timelines for release of payments to the contractors/suppliers/service providers. If required, the matter may be taken up with the Management to further streamline the system keeping in view the following aspects:-

i) Stipulation in all tender documents/Contracts/POs regarding the number of days (from the date of submission of clear and admissible bill) within which payment will be released. Officials should be designated to ensure compliance of timelines for release of such payments.

ii) Any clarification from the contractors/suppliers/service providers on the bill submitted by the contractor should be sought within a specified number of days provided in the contract itself and except in exceptional circumstances, these clarification should be sought in one go. Similarly, the contractor should be required to submit the clarification sought within a specified number of days.

iii) In case of any disagreement between the Organization and the contractor on any part of the bill, such part may be severed from the rest. Payment against agreed and admissible part can be processed as per laid down procedure, while the disputed part can be dealt as per contract provisions viz. conciliation, dispute resolution, arbitration, etc.

iv) Online Bill Tracking System should be put in place with provision for alerting higher level of management to enable monitoring, review/intervention in cases of delay.

4. All CVOs while preparing the report as at para 2 above, should also inform the Commission of status of action taken on the preventive aspects as at point (i) to (iv) above.

5. The CVOs may report on the implementation of the guidelines, aberrations detected and action taken in the annual reports.

(Sonali Singh)
Additional Secretary

Objective of Vigilance

Prevention
of
corruption.

Promotion of
Integrity.

Promotion of Vigilance
consciousness, amongst
people

Effecting system improvement.

Advise suitable administrative or
disciplinary action.

Routine Inspection Schedule August-2018

S.N.	Date	Day	Place	VO	Major Area
1	12/08/2018	Sunday	Balaghat	Sh.B.S.Karpe	FMP
2	13/08/2018	Monday	Chikla	Sh.U.M.Charpe	U/G Development
3	17/08/2018	Friday	Tirodi	Sh.N.M.Shesh Sh.ShivamDutt Rishi	Stores
4	19/08/2018	Sunday	Chikla	Sh.U.M.Charpe	Civil
5	20/08/2018	Monday	Ukwa	Sh.B.S.Karpe	R & T
6	21/08/2018	Tuesday	Munsar	Sh.M.Patil	Civil
7	24/08/2018	Friday	Kandri	Sh.M.Tiwari Sh.P.R. Sawai	Civil
8	28/08/2018	Tuesday	Dongri Buzurg	Sh.G.R. Kumar	O/C Development

General Financial Rules- 2017

Rule 208 (1) Receipt of goods and materials from private suppliers.

- (i) While receiving goods and materials from a supplier, the officer-in-charge of stores should refer to the relevant contract terms and follow the prescribed procedure for receiving the materials.
- (ii) All materials shall be counted, measured or weighed and subjected to visual inspection at the time of receipt to ensure that the quantities are correct, the quality is according to the required specifications and there is no damage or deficiency in the materials. Technical inspection where required should be carried out at this stage by Technical Inspector or Agency approved for the purpose. An appropriate receipt, in terms of the relevant contract provisions may also be given to the supplier on receiving the materials.
- (iii) Details of the material so received should thereafter be entered in the appropriate stock register, preferably in an IT-based system. The officer-in charge of stores should certify that he has actually received the material and recorded it in the appropriate stock registers.

Rule 209 Receipt/issue of goods and materials from internal divisions of the same organization.

- (i) The indenting officer requiring goods and materials from internal division(s) of the same organization should project an indent in the prescribed form for this purpose. While receiving the supply against the indent, the indenting officer shall examine, count, measure or weigh the materials as the case may be, to ensure that the quantities are correct, the quality is in line with the required specifications and there is no damage or deficiency in the materials. An appropriate receipt shall also be given to this effect by the indenting officer to the division sending the materials.
- (ii) In the case of issue of materials from stock for departmental use, manufacture, sale, etc., the Officer-in charge of the stores shall see that an appropriate indent, in the prescribed form has been projected by the indenting officer. A written/online acknowledgement of receipt of material issued shall be obtained from the indenting officer or his authorized representative at the time of issue of materials.
- (iii) In case of materials issued to a contractor, the cost of which is recoverable from the contractor, all relevant particulars, including the recovery rates and the total value chargeable to the contractor should be got acknowledged from the contractor duly signed and dated.
- (iv) If the Officer-in-charge of the stores is unable to comply with the indent in full, he should make the supply to the extent available and make suitable entry to this effect in the indenter's copy of the indent. In case alternative materials are available in lieu of the indented materials, a suitable indication to this effect may be made in the document.

Rule 210 Custody of goods and materials.

The officer-in-charge of stores having custody of goods and materials, especially valuable and/or combustible articles, shall take appropriate steps for arranging their safe custody, proper storage accommodation, including arrangements for maintaining required temperature, dust free environment etc.



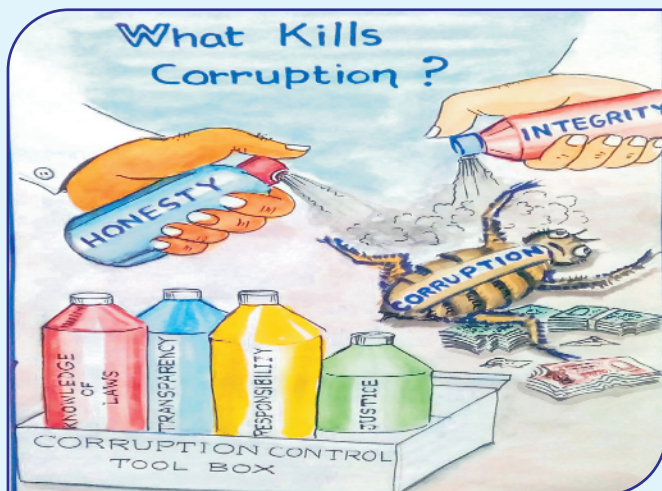
Quarterly Structured Meeting with Management 25.07.18



Intra-Department Training program at H.O.



Inspection at Kandri Mine by Shri M. Tewari, Sr. VO and Shri P. R. Sawai, VO



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Views and opinion published in News Letter do not necessarily reflect the Management's Policy/Views.

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