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जागृति जागृति JAGRUTI

House Magazine of Vigilance Department, MIDHANI

Volume - VIII



October 2020



राष्ट्रपति - भारत गणतंत्र
PRESIDENT - REPUBLIC OF INDIA

MESSAGE

I am happy to know that the Central Vigilance Commission is observing Vigilance Awareness Week on the theme "सतर्क भारत, समृद्ध भारत - Satark Bharat, Samridh Bharat" (Vigilant India Prosperous India) from 27th October to 2nd November 2020 which coincides with the birthday of Sardar Vallabhbhai Patel.

Corruption has been regarded as one of the foremost hindrance to national development and progress. We must strive to promote integrity and to combat corruption in all walks of life. It is our duty to be a vigilant citizen and prevent corruption of any form in the world around us.

I congratulate Central Vigilance Commission for promotion of systemic improvements and good practices. CVC has taken several proactive steps in disposal of cases in time bound manner Administering Integrity Pledge and conducting workshops for sensitising on issues related to anti-corruption are appreciable steps in the right direction.

An effective and pro-active vigilance machinery can contribute towards improving the quality of governance. We must take this opportunity to renew our commitment to achieve the goals of promoting integrity, transparency and accountability in public life for a better future.

I extend my greetings to all those associated with the Central Vigilance Commission and wish the campaign every success.

New Delhi
19th October, 2020

(Ram Nath Kovind)



भारत के उपराष्ट्रपति
VICE-PRESIDENT OF INDIA

MESSAGE

I am happy to know that Vigilance Awareness Week is being observed by the Central Vigilance Commission (CVC) on the theme 'Satark Bharat, Samridh Bharat' (Vigilant India, Prosperous India), from 27th October to 2nd November, 2020.

The social and economic progress of a society is not possible without combating the menace of corruption in the public life. A transparent and corruption free governance system is an essential tool for economic development and progress of a society or a country.

I am sure the public awareness campaign ran by the CVC during the Awareness Week every year sensitizes the public about the ill effects of corruption and embolden them to adopt a fair system based on the principles of justice and equality in all walks of life.

Let us come together and take a pledge on this occasion to adopt a transparent and efficient work culture, free of corruption and nepotism in our day-to-day conduct and actions.

New Delhi
15th October, 2020


(M. Venkaiah Naidu)

There is a great difference between worry and concern. A worried person sees a problem, and a concerned person solves a problem.

- *Harold Stephens*

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केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



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MESSAGE

Vigilance Awareness Week (27th October to 2nd November 2020)


The Commission observes the Vigilance Awareness Week to emphasize the importance of integrity in public life. We are fully committed to implement the policy of "Zero Tolerance against Corruption".

"सतर्क भारत, समृद्ध भारत - Satark Bharat, Samriddh Bharat (Vigilant India, Prosperous India)" has been chosen as the theme this year. Development and progress of the nation takes place when individuals and organisations are vigilant in safeguarding integrity as a core value.

The Commission believes that citizens and organisations must look inwards at a time when the world is facing an unprecedented crisis. All organisations may focus on improvement of internal processes and activities during this year. Systemic improvements may be carried out to improve the delivery of public services in all organisations. Training and capacity building of staff is an important component supporting this objective. We have been encouraging organisations to implement these initiatives.

The Commission appeals to all citizens to actively work towards promotion of integrity in all aspects of life for the progress of the country.


(Sharad Kumar)
Vigilance Commissioner


(Suresh N. Patel)
Vigilance Commissioner


(Sanjay Kothari)
Central Vigilance Commissioner

**C&MD's
MESSAGE**



Dear Colleagues,

I am very pleased to learn that the Vigilance department, MIDHANI is organising the, “Vigilance Awareness Week” from 27th October to 02nd November, 2020. The theme, as chosen by the Central Vigilance Commission (CVC) for this year’s Vigilance Awareness Week observance is “Satark Bharat – Samriddh Bharat ; Vigilant India – Prosperous India”.

The Corporate culture has undergone a swift revolution in the last few years in our country. The prime focus is gradually shifting towards good governance, fairness, transparency and accountability from the earlier focus, primarily on profit making.

In order to achieve this goal, it is inevitable for every Organization to strive hard to streamline its systems and procedures. In MIDHANI, we are making continuous efforts to bring in systems and processes to enhance transparency and accountability in all our functioning. Vigilance department, MIDHANI has contributed a great deal in evolving methodologies, systems and procedures towards smooth operations of various functions of our business.

The theme chosen by the Central Vigilance Commission for this year is “Satark Bharat – Samriddh Bharat ; Vigilant India – Prosperous India”. It is a very apt theme in the current scenario. We must create conditions favourable to progress rather than “planning progress”. Growth is an essential element in generating more opportunities for people to work, thereby reducing poverty and building lasting prosperity.

I take this opportunity to compliment Dr Upender Vennam, IPoS, CVO and his team, the very best in their efforts towards organizing various activities during the course of Vigilance Awareness Week – 2020.

Sd/-

Dr. SANJAY KUMAR JHA

Chairman & Managing Director

Observance of Vigilance Awareness Week every year during this time renews our duty and commitment for ensuring probity in public life by achieving a corruption-free society.

With the mandate of the Central Vigilance Commission, this year we are observing the Week from 27th October to 02nd November, 2020 adhering strictly to the extant Covid-19 prevention guidelines. The theme chosen by the Commission this year is “Satark Bharat – Samriddh Bharat ; Vigilant India – Prosperous India”. To create Prosperity, one must create an environment where a person is able to reach his/her full potential. A Nation is prosperous when it has effective institutions, an open economy and empowered people who are healthy, educated and safe.

There is a poem which says that Life can be changed if we want to;
When we change our Thinking, we change our Beliefs,
When we change our Beliefs, we change our Expectations,
When we change our Expectations, we change our Attitude,
When we change our Attitude, we change our Behaviour,
When we change our Behaviour, we change our Performance,
When we change our Performance, we change our Life.

Nothing is impossible in this World, when we follow our Inner Guidance. We are here in this world for a purpose. There is no duplicate of ours in this wide world. We are here to fulfil a certain need. Practice every day a little of good habits, and it will grow and become a giant tree. Realizing our Unlimited Potential is the purpose of our being here.

I would like to appeal to all of you through this special issue of “JAGRUTI” to remain vigilant at all times in your own areas of influence, contribute the way you can; remain ethical in all your dealings, encourage your colleagues, sub-ordinates the younger generation specially the school and college going children to become alert citizens of the country and stand against the wrong doers as well as wrong practices and strive for Prosperous India.

Wish you “Happy Diwali” and hope the festival of light will give us enough strength to fight against the demon of corruption.

Sd/-

Dr. UPENDER VENNAM, IPoS

Chief Vigilance Officer

**CVO's
MESSAGE**





*Hearty congratulations to **Shri N. Gowri Sankara Rao** on assuming charge as Director (Finance), MIDHANI with effect from 27th October, 2020 (F/N).*



DIRECTOR (FINANCE) MESSAGE

I am happy to note that Vigilance Department is celebrating Vigilance Awareness Week – 2020 from 27th October to 2nd November 2020.

It is encouraging to know that Vigilance team at MIDHANI, would be bringing out a special issue of its In-house journal, “JAGRUTI”, and thereby help to spread the awareness during the observance of Vigilance Awareness Week.

I would like to convey my best wishes to Dr. Upender Vennam, IPoS, CVO and Team of Vigilance department for the success of various programs outlined for this year’s Vigilance Awareness Week.

Sd/-

Shri N. Gowri Sankara Rao
Director (Finance)

I Article on “Post – Covid Contract Management: Conditions & Guidelines”

Shri S.P. Gautam

Technical, Examiner, CVC

1. The COVID -19 is the pandemic whole World is facing now a days, including India. The Government of India is trying to tackle the situation on war-footing stage through the stage-wise lockdown across the Country and has been successful also in its endeavour. However, the subject matter of this article is not related to medical aspects of COVID-19 crusade but the impact of lockdown on contracts management. This has really been an issue to worry by various contractors be they small scale or big contractors carrying out high valued infrastructure projects. Some of these issues arising out of the lockdown have already been taken care and have been successfully resolved by the Government by issuing the fresh guidelines on them or modifying the already existing guidelines. These very issues have been discussed in this article, one by one, as below:
2. **Invoking of Force Majeure Clause (FMC):**
 - i. Vide Department of Expenditure O.M.s F.18/4/2020-PPD dtd. 13.05.2020 FMC can be invoked in case of **delays in or non-fulfilment** of contractual obligations, these delays on non-fulfilment being further caused due to restrictions placed on movement of goods, services and manpower on account of lock-down situation prevailing in **India & Overseas**. This FMC can be invoked in case of:
 - Supply contracts (Para 9.7.7 of Manual for Procurement of Goods 2017)
 - Works contracts (Para 6.4.2 of Manual for procurement of Works 2019)
 - Consultancy and Services Contracts (Para 8.14.1 of Manual for procurement of consultancy and other services 2017)
 - PPP Concession contracts
 - ii. After invoking the FMC date for completion of contractual obligation which had to be completed **on or after 20th February 2020** shall stand extended for a period **not less than three months and not more than six months**, without imposing any cost or penalty over contractor or concessionaire. The period between three and six months can be decided based on



- Specific circumstances of the case and
 - Period for which performance was affected due to FM.
- iii. It is to be ensured before invoking FMC in the lockdown period that parties to the contracts were not in default of the contractual obligation on the cut-off date for 19th February 2020.
- iv. Further, it is to be noted that invocation of FMC doesn't absolve all non-performance of a party to the contract but only in **respect such non-performance as is attributable to lockdown or restrictions imposed on account of COVID-19.** e.g. guaranteed performance of a machine supplied by contractor in pre-lockdown period if is not achieved then it can't be blamed to lockdown.
- v. It may also be noted that all contractual obligations shall revive on completion of the concession period.
- vi. Precautions:
- Payment can't be made to PPP Concessionaire in lieu of extension of contract for any duration and at any rate.
 - Price variation may be allowed to contractor for extended duration of contract.
 - FMC shall not be invoked to those non-performances which are not attributable to lockdown or restrictions imposed on account of COVID-19.
 - No risk-purchase clause shall be implied once FMC is invoked.
 - FMC can't be invoked and Risk-Purchase shall be invoked **if & only if** the contractors were in default of the contractual obligation on the cut-off date of 19th February 2020.
 - If FMC has been invoked then no penal interest will be payable for delay in submission of PBG.
3. **Performance Security:**
- i. Vide Department of Expenditure O.M.s F.18/4/2020-PPD dtd. 13.05.2020 it has been decided that part of performance security in proportion to the **Supply already made/contract work already completed** may be returned by the contractee (Government Department) to the contractor/supplier provided:
- Application for the same is made by a contractor who is not in default of any contractual obligation.
 - FMC is invoked by the contractor and all requirements of FMC are fulfilled.
- If the above two conditions are not fulfilled then contractee shall be under no obligation to take action as per these guidelines.
- ii. Extending the analogy further, the same can be applied to performance security in form of Performance Bank Guarantee (PBG) and then PBG corresponding to full contract value may be replaced with by PBG of value of work yet to be done.
- iii. Precautions:
- The two conditions mentioned above in Para 3(I) are mandatory to be fulfilled for invoking this clause of security refund.
 - FMC shall not be invoked to those non-performance which are not attributable to lockdown or restrictions imposed on account of COVID-19.
4. **Payment of wages to outsourced staff:**
- i. Vide Department of Expenditure O.M.s 23(4)/E.Coord/2020/1 dtd.23.03.2020 in order to avoid any undue hardship due to corona; **contractual, casual and outsourced** staff in the Ministries/Department and other organizations in Government of India if stay at home in view of lockdown then they shall be treated as "on duty" and necessary pay/wages would be paid to them accordingly.
- ii. Lockdown period shall be as announced by various states/UT Governments.
- iii. This instruction also applies to attached / subordinate offices, autonomous/ statutory bodies of Government of India.
- iv. Precautions:
- Service contracts like house-keeping, supply of DEO etc. shall not be extended suo-moto invoking the FMC because payment is continue to be made to even the period of lockdown.
 - This instruction also applies to attached / subordinate offices, autonomous/statutory bodies of Government of India.
 - This instruction can't be applied to contracts for engaging outsourced staff for any type of consultancy services.

5. **Further precaution:**

- i. Tenders received prior to Lockdown may not be fit under new circumstances e.g. there may be issue of pricing or issue of delivery timeline. Under such circumstances, it is advisable that tenderers may be asked to confirm their offers and to supplement the tenders by submitting the supplementary price bid if they need.
- ii. Completion date envisaged in tenders yet to be finalised may also be revised so that clauses of price variation etc. may be accordingly applied.

6. **Some issues still left unanswered:**

- i. Contractors may ask for relaxation in payment of Interest on Interest bearing Mobilisation advance for at least the Lockdown period. But no guideline have yet been issued on this particular aspect.
- ii. For purpose of resolving crisis of mobility, Industry may ask for releasing the retention money being kept by contractee. This issue may be dealt by respective Industry/PSU if they wish to release the same as one time measure.

Source: VIGEYE VANI, CVC Half Yearly Newsletter for the period January – June, 2020.

II

“THE WORLD WILL NOT BE DESTROYED BY THOSE WHO DO EVIL, BUT BY THOSE WHO WATCH THEM WITHOUT DOING ANYTHING”

Article by **Shri V. Mahesh Babu**
Manager (PPC)

Today, perhaps more damaging than a nuclear holocaust is the impact of corruption on Nation’s Prosperity, which has assumed monumental proportions, eating into the vitals of the system like cancer. Corruption is a global phenomena and it’s truly an international problem sparing not even the advanced nations. Despite all Economic Progress, Scientific and Technological Advancement, our system remains hollow, corrupt and inefficient. Corruption will have a deleterious effect in all streams of Indian life, including the Defence sector which is vital to the Nation’s Security.

When we look back at history, historical evidences point out that corruption is not a feature confined to a particular period. It is formed part of social life for ages. The ancient political scientist Kautilya mentions in his Arthasatra about the prevailing corruption in political and public life during the Maurya rule. Corruption was rampant during both Tugluk and Mughal regimes. The East India Company and later the British Indian officials were openly indulging in corruption. Thus, corruption existed in India in different forms from the ancient day’s right upto the British rule. But, during this long period it has been confined to elite officials and politicians.

Martin Luther King once said: “It is not the violent action of the Bar people, but the appalling silence and indifference of the good people, which is more dangerous” i.e. even the political parties do not want to change the system and politicians seem to be behind many corrupt practices. In this regard, Lord Acton’s words appear to be very apt; “Power corrupts absolutely. The obsolete power, therefore, has become a licence to indulge in absolute corruption”.

Earlier, way back in 1962, the Santhanam Committee was appointed by Government of India to look into the ways of preventing corruption. It felt that Ministers, Political parties, Legislators, Industrialists and Businessman are responsible for corruption. Corruption at higher level percolates to the grass root level.

Central Vigilance Commission once identified that there are 27 corruption entities and that they themselves have grown to such an extent that the list of decadence has many such types and fresh entrants. Whatever may be the reasons for spread of corruption, its impact is grave. Acquiring status has become the solo motto, especially among the middle class households. Insatiable appetite for affluent life styles and inadequate income to meet the snowballing ambitions drives man to search for alternatives and rather for unaccountable sources of income. The cost of living is even on the rise and right from education to medication all activities demand money.

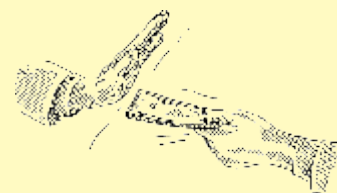
On conclusion, the menace of corruption does not have any instant solution. It cannot be removed by miracles. We must also subject ourselves to scrutiny. Idea to earn money is not bad but to earn by immoral means is condemnable.

Corruption is a multifaceted problem and needs a multipronged strategy to tackle it. A comprehensive package of electoral reforms is a must to curb the menace. Surveillance is needed on preventing higher level corruption that has positive percolating effect. The Official Secrets Act has to be rationalized and bring in transparency in Governmental functioning, as in the Scandinavian countries.

Thus, the need of the hour is to initiate renaissance of moral conscience and halt the rampant corruption. The appropriate weapon to curb corruption is bring in transparency of information and publicity, urging punishment to both who accept and offer bribes. No corrupt practices will ever take place if the citizens are of high moral values, strong character and have an indomitable will. Citizens should be taught to keep the National interest above the self. So it is possible for India to become totally corruption-free and make our Country Prosperous provided Indians resolve to be corruption-free themselves.

CORRUPTION – SELF EXAMINATION

- 1 If you usually put more sugar in your tea when in a hotel than you do at home, you're likely to be corrupt.
- 2 If you use more tissue in a public washroom than you do at home, you are a potential thief, if given opportunity you would take what's not yours.
- 3 If you serve yourself more food that you can finish just because someone else is footing the bill, you're greedy.
- 4 If you are more concerned about knowing someone's surname rather than first name, you're likely to be a tribal bigot. It's even worse when someone tells you their name and you ask, "which tribe is that?"
- 5 If you channel waste or dirty water from your compound to a neighbour's compound rather than manage it, you're ill-mannered.



Let us join hands to eradicate corruption from the face of our country and build a Prosperous India.

III

सफेदधन और कालाधन

बहुत पुरानी बात है। धनमाता ने शुभ समय पर एक पुत्र को जन्म दिया। इस पुत्र के जन्म के लिए धनमाता ने बहुत कठिन जप-तप किए थे। उपवास किए थे। मन्त्रों में मांगी थीं। बहुत लंबा इंतजार किया था। एक शुभ घड़ी पर सफेदधन का जन्म हुआ। जन्म क्या हुआ, धरती पर अवतार हुआ था। यह अवतार आज से लगभग नौव हजार वर्ष पहले हुआ था। विद्वानों का कहना है कि धनमाता की कोख से सफेदधन की छाया के रूप में ही कालाधन भी पैदा हुआ था। इनके जन्म पर एक ऋषि प्रकट हुए थे। उन्होंने भविष्यवाणी की थी कि सफेदधन संसार में यश कमाएगा। इसके उपयोग से लोग यश के पात्र बनेंगे। वहीं कालाधन लोगों को लालची बनाएगा। लोग एक दूसरे के खून के प्यासे हो जाएंगे। बलात्कार व हत्याएं होंगी। इसे छिपाकर रखना पड़ेगा। कोई भी सबके सामने इसकी प्रशंसा नहीं करेगा। समाज में दुराचारियों की कौम इसके बल पर ही दुराचार करेगी। समाज सुधारकों को मात देने, सत्यनिष्ठ व्यक्तियों को मार्ग से भटकाने, हटाने इसका इस्तेमाल होगा। उन्होंने कहा कि सफेदधन हनुमान जी की तरह चिरंजीवी रहेगा और काले धन का अस्तित्व लोगों की सत्यनिष्ठा पर निर्भर करेगा। लोग अधिक सत्यनिष्ठ होंगे तो कालाधन अपने आप ही लुप्त हो जाएगा। इतना कहकर ऋषि अदृश्य हुए।

धनमाता ने ऋषिवाणी सुनकर अपने पुत्र कालाधन को एक लकड़ी की संदूकची में बंद कर नदी में बहा दिया। वह संदूकची बहुत दूर जाकर, जंगल के उस भाग के पास रुक गई, जहाँ डाकुओं की टोली रहती थी। एक डाकू ने उस संदूकची को देखा जो नदी के पानी में तैर रही थी। उसे बड़ा आश्चर्य हुआ। वह उस संदूकची को पानी से

निकालकर अपने सरदार के पास ले गया। आदेश पाकर उसे खोला। उसमें एक सुंदर, किंतु काले रंग का बालक उसकी ओर देखकर मुस्कुरा रहा था। उसकी आँखें बड़ी चमकदार थीं। ऋषि ने यह भी कहा था कि जो कोई उसकी आँखों से अपनी आँखें मिलाएगा, वह उसकी ओर आकर्षित हो जाएगा। डाकुओं के सरदार को आश्चर्य हुआ। यह बालक कौन है और उसे देखकर क्यों मुस्कुरा रहा है। उसने अपने कबिले के गुरु को बुलवाया। उनसे पूछा- महाराज यह बालक कौन है और मुझे देखकर क्यों मुस्कुरा रहा है? गुरुजी ने अपनी दिव्य दृष्टि से देखा और डाकुओं के सरदार को बताया कि यह बालक आने वाले समय में बहुत शक्तिशाली होगा। जिसके पास रहेगा उसे ताकतवर बना देगा। हाँ, इसके साथ बदनामी भी आएगी। डाकू ने सोचा, वह तो ऐसे ही बदनाम है। नाम किसे कमाना है। ताकतवर होना है। उसकी पत्नी निःसंतान थी। उसे भी वह बालक बहुत प्यारा लगा। उन दोनों ने उस बालक को अपने पास रखने का निर्णय लिया।

दोनों भाई साथ में बड़े होने लगे। सफेदधन अपनी धनमाता के पास और कालाधन डाकुओं के पास, लालची, श्रीमंत व्यक्तियों की बस्ती में। कालाधन सफेदधन से अधिक ताकतवर होने लगा। सफेदधन बुद्धि बल का धनी था और कालाधन बाहूबल का।

कालाधन अपने बल से अपने घनिष्ठ व्यक्तियों को हमेशा प्रसन्न करता रहता। सिवाय डाकुओं के करीबी मित्रों और रिश्तेदारों के इस बात की किसी को कानों-कान खबर नहीं थी कि कालाधन भी समाज में रहता है। डाकुओं के कुछ करीबी मित्र समाज में सम्मानित होते



रहने के लिए हमेशा सफेदधन की मदद लेते थे और ताकत के प्रदर्शन के लिए काले धन की। लोगों को पता भी नहीं लगता कि ये लोग कैसे इतने ताकतवर बनने लगे हैं। इनके पास बड़े-बड़े बंगले हैं, बड़ी-बड़ी कारें हैं। समान्य आय के एक व्यक्ति को एक छोटा-सा घर बनाने के लिए पूरा जीवन बिताना पड़ता है। शरीर की हड्डियाँ गल जाती हैं। अपने सपनों की गाड़ी खरीदने का सपना, सपना ही रह जाता है। लोग अपने बटुपन के प्रदर्शन के लिए इतना धन कहाँ से लाते हैं?

सफेदधन दिखाई देता था, कालाधन गुप्त रहकर काम करता था। गरीब लोग सफेदधन को डांटने लगे। गाली देने लगे। उसकी बुराई करने लगे। समाज में सफेदधन की बदनामी होने लगी। वह परेशान था। उसे समझमें नहीं आ रहा था कि उसने ऐसा क्या किया है, जिस कारण लोग उसकी निंदा करने लगे हैं। वह बहुत परेशान रहने लगा। अपनी माता से वह अपनी परेशानी नहीं छिपा पाया। माता के पूछने पर उसने अपना दुखड़ा सुनाया और उसकी गोद में अपना मुँह छिपा रोने लगा। सफेदधन की आपबीती सुनते ही धनमाता को सफेदधन की छाया कालाधन के जन्म की बात याद आई। उसे याद आया कि उसने किस तरह से अपनी ममता की हत्या की थी और कैसे अपने पुत्र कालाधन को अपने से दूर किया था। उसने अपने सीने पर पत्थर रखकर सफेदधन को सब बता दिया।

सफेदधन अपने जुड़वा भाई कालाधन की खोज में निकल पड़ा। कालाधन जंगल में रहकर अय्यारी सीख चुका था। वह अपना रूप बदलकर सफेदधन के सामने से निकल जाता। सफेदधन कभी उसे पहचान नहीं पाया। सफेदधन ने अपने बुद्धि बल का प्रयोग कर समाज में अपने निर्दोष होने की कथा सुनाई। पढ़े-लिखे ईमानदार और सत्यनिष्ठ व्यक्तियों ने उसकी कथा सुनी और प्रण लिया कि वे सफेदधन का साथ देंगे। कालाधन का सत्य समाज के सामने लाएंगे। इस घोषणा को सुनकर कालाधन थोड़ा घबराया। उसके साथियों को भी थोड़ी-सी घबराहाट हुई। लेकिन कालाधन के पढ़े-लिखे साथियों ने उसके प्रयोग के नए-नए रास्ते खोज निकाले, जिससे वे लोग काले को सफेद कर सकते हैं। कालाधन को सफेद लिबाज पहना सकते हैं और सभ्य समाज में सभ्य बनकर अपना जीवन आराम से बिता सकते हैं। यह भी बताया कि यदि कभी पकड़े जाने का डर होने लगे तो उस समाज-देश से कैसे पलायन करें, और अन्य समाज-देश में, जहाँ उन्हें कोई नहीं पहचानता जाकर रहें। विश्व के विशेषकर भारत देश के कई बहुचर्चित व्यक्तियों ने अपने पकड़े जाने के डर से इस युक्ति का उपयोग किया है और देश पलायन किया है।

सफेदधन ने शोध किया कि कालाधन का प्रयोग कब-कब और कहाँ-कहाँ होता है। उसने शोध के लिए भारत को अपना कार्यक्षेत्र बनाया था। उसने अपने शोध को भारतीय समाज के सामने प्रस्तुत भी किया है। वह शोध इस प्रकार है:- लोग अपनी इच्छा का काम करवाने सरकारी दफ्तरों में, अपराध से बचने के लिए कोर्ट-कचहरी में, जमीन-जायदाद अपनी हैसियत से अधिक कमाने के लिए, सरकार

को दिए जाने वाले कर की चोरी आदि काम से काले धन का संग्रहण करते हैं। कालाधन का घनिष्ठ मित्र है भ्रष्टाचार। इन दोनों का चोली-दामन का साथ है। सफेदधन के शोध पत्र में यह भी लिखा था कि जहाँ-जहाँ भ्रष्टाचार और कालाधन, दोनों का अस्तित्व बना रहता है, वहाँ-वहाँ समृद्धि अपना वास बनाने से डरती है। वह समाज और देश कभी समृद्ध नहीं हो सकता जहाँ भ्रष्टाचार और कालाधन अपना अड्डा जमा लेते हैं। भारत इसका बहुत ही सटीक उदाहरण है। सफेदधन ने अपने शोध में यह भी पाया कि भारत में उसे ताकतवर बनने का प्रयास किया गया था। विमुद्रीकरण के माध्यम से कालाधन का अस्तित्व समाप्त करने का उपाय भी खोज निकाला गया था। किंतु वहाँ के पढ़े-लिखे भ्रष्ट-तिकडमी लोगों ने काले को सफेद बनाने के नए-नए तरीके भी खोज निकाले। सफेदधन ने अपने शोध में यह निष्कर्ष दिया है कि भारत में भ्रष्टाचार और कालाधन को जीवन में अपनानेवाले लोग ताकतवर-धनवान बनते जा रहे हैं और सामान्य जन जो इनसे घृणा करते हैं वे धन की कमी को झेलते रहते हैं। यदि वे लालच से बचे रहेंगे तो संतुष्ट रहेंगे। भले ही उनके पास धन का अभाव होगा।

अब हालत यह हो गई है कि सफेद लिबाज में छिपा कालाधन किसी की पकड़ में नहीं आ रहा है। अपनी अय्यारी कला का उपयोग कर वह सफेद कपड़े पहनकर घूम रहा है। उसे पकड़ना अब मुश्किल ही नहीं नामुमकिन होता जा रहा है। सफेदधन और उसके संरक्षक कालाधन को ढूँढ रहे हैं। अमीर लोगों के घरों में, उनके देश-विदेश के बैंक खातों में। उसके साथी भ्रष्टाचार की खोज में दर-बदर की ठोकरे खा रहे हैं। कालाधन के कमजोर साथी यदा-कदा पकड़े जाते हैं, जो ताकतवर हैं वे आजाद हैं। बस, उनके कमजोर होने का इंतजार करने या उनकी कमजोरी को पकड़ने के अलावा सफेदधन और उसके साथियों के पास कोई चारा नहीं है। कालाधन की खोज अभी जारी है। खासकर भारत के पढ़े-लिखे, ईमानदार और सत्यनिष्ठ व्यक्ति स्विस बैंक में सुरक्षित कालाधन भारत वापस लाने की तरकीब खोज रहे हैं। आशा की जानी चाहिए कि वे इस जन्म में ही इस असंभव काम को संभव कर पाएंगे। कालाधन की अय्यारी तोड़ पाएंगे।

- डॉ. बी बालाजी / Dr. B. Balaji

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*A journey of a thousand miles begins
with a single step.*

-Lao Tzu



Hence, the equipment (Capital) / spares / stores / software / services / patented items whose Make and Model are only from a named manufacturer and no other Make and Model is acceptable as substitute for technical reasons, these are classified as Proprietary items.

Any Capital item, spares or stores procured from only one source like OEM is also proprietary, in case there is no substitute available for the item.

b. **Non-Proprietary Items:** Non-Proprietary items are those which are manufactured by many firms.

7. **Collaboration in Tender:** In a Tender a bidder can participate either directly or indirectly.

7.1 **Direct Routes**

7.1.1 **Bid on own strength:** Bidders submit it's own bid.

7.1.2 **Joint Venture or JV:** There are tenders where Joint Venture is allowed. In such tender two or more companies float a new company which is jointly owned and this JV Company submits bid on behalf of both the companies.

For example, if there is a condition in a tender that the Bidder has to submit Rs. 10 Crore as Security Deposit, Two small companies may not have Rs. 10 Crore individually, but they can contribute 50% each and submit Security Deposit worth Rs. 10 Crore. In such cases they will form a JV company & the JV will submit the bid.

JV can be formed on any mutually acceptable conditions which can be technical, financial or related to execution, supervision, quality, experience etc., Two companies may not be fulfilling all the pre-qualification criterion individually but under the JV, they can fulfil all the criteria.

For example, a Tender may have the following Pre-Qualification criteria – A company or JV having Rs. 100 cr turnover & experience of successfully executed 3 projects. In such case a company having Rs. 100 Crore Turnover & another company having experience of executing 3 projects successfully can form a JV.

7.1.3 **Consortium:** This is similar to JV where 2 Bidders bring in their individual strengths such that their bid gets pre-qualified. Unlike JV, a new JV company is not formed, but between 2 bidders one decides to be a Lead Partner & other as a Secondary partner. Two or more companies can form a Consortium. When contract is awarded, the responsibility of execution lies on the Lead Partner.

7.2 **Indirect Route - Subcontracting:** In case of integrated service or bundle service, the main contractor may hire services from other contractors on sub contracting basis. For example, in case of construction of a new Big project, the sub contract may be for supply of manpower, machinery etc.

8. **Various Business Models / Project Execution types:** For any project jobs, Buyer may split the work & invite tender

from different agencies for the Project. Failure of one agency to deliver on time results in delay of the entire project. In such cases, Tenders are invited under the following models:

8.1 **Turn Key Project:** When a Tender for setting up a new Metallurgical Plant is floated on Turn Key basis, the Buyer expects Bidder to buy Land, build Complex, buy and install the required machinery, test run the machinery, training the people etc., The whole idea is to walk into a fully furnished house, where all you have to do is unlock the doors (Turn Key).

8.2 **SITC: Supply, Installation, Testing & Commissioning** - For example, if a tender is floated for supply of a particular machinery eg., DG SET under SITC basis, then the bidder has to Supply the Machinery, do the Installation, Test Run & Commissioning the equipment for the Buyer.

8.3 **BOOT : Build, Own, Operate & Transfer** - For example, when a tender for construction of Highways is floated on BOOT basis, worth Rs. 100 Crore, it means,

- ✓ The Bidder will invest Rs. 100 Crore & build the Road.
- ✓ The Bidder will own it & collect the toll fee from vehicles that use the Road.
- ✓ The Bidder will operate and maintain the Road till the time it does not recover Rs. 100 Crore.
- ✓ And eventually after the bidder recovers its invested amount, it will transfer the Road to Buyer / Government.

8.4 **PPP: Public Private Partnership:** Under this model, the tender is executed under partnership model (between Government & Bidder).

For eg., A new Power Plant is built & operated by the Bidder but the Power is distributed by Government & fee is collected by the Government. The Revenue is split between Government & Bidder on pre-defined ratio.

8.5 **EPC: Engineering, Procurement & Construction:** Under this model, the Bidder is responsible for Engineering Work, Procurement of Goods and Machinery, even for the contraction works.

Construction of Power Plant is a good example of EPC model. Three different agencies are not appointed for Engineering, Procurement & Construction works such that coordination is easy and is responsibility of one Bidder.

9. **Reverse Auction (RA):** Traditionally, Buyers negotiates with the Bidders to get the best competitive price. In Reverse Auction, Buyer can make all their Suppliers compete with each other through online transparent process and Buyer can watch the price movement. Reverse Auction helps the Buyer to save time, efforts and also results in great amount of savings with complete transparency.

Once MIDHANI decides to conduct Reverse Auction for a tender (as mentioned in NIT), an e-mail intimation will be sent to the all qualified bidders with the details of date and time, start price and decrement value.

The auction will be held for a minimum duration on the specified date and time. If any bids are received in the last 10



minutes the auction duration will be extended by 10 minutes. Bidders shall start with a preset initial bid price i.e., lowest price of original bid and shall reduce their bids by the specified decrement values.

Only the Bidder with the lowest price at the closure of the auction will be considered for Award of Contract.

10. **Expression of Interest (EOI) & Invitation to tender (ITT):** EOI: EOI is an instrument to conduct a market survey

in order to gather basic information from the market that can be used to identify available or potential solutions for fulfilling identified needs which may include basic information on cost and delivery time. In addition to gathering basic information, an EOI is often used to developing strategy, building a database and preparing for RFP and RFQ.

ITT: ITT is where selected suppliers are invited to compete and submit an offer within a specified time frame.

* The views expressed in the articles are personal to the authors and do not necessarily represent the views of Management.

V

SYSTEMIC IMPROVEMENTS / GOOD PRACTICES SUGGESTED BY VIGILANCE DEPARTMENT TO MANAGEMENT

System studies were carried out in the areas of HR, Purchase, Scrap sale, Labour Contracts etc. Points requiring systemic correction as noted during system studies and investigations were brought to the notice of the Management for suitable intervention.

A total of 14 Systemic improvements and good practices are suggested by the Vigilance department and considered by the Management during the last one year are furnished herewith for wider dissemination and awareness. Some of them are:

SI.No.	Systemic Improvements suggested
1.	On review of the procedure for the Probation confirmation on Initial appointments and Departmental Promotions as per the HR Manual, a Systemic Improvement note on “Seeking the Vigilance Clearance for Probation confirmation on initial appointment and on Departmental Promotions” has been forwarded to the Management in-line with DoPT guidelines and the procedure being followed in other DPSUs.
2	On review of the MIDHANI CDA rules, 1977 with DPE “Consolidated Model Conduct, Discipline and Appeal Rules (CDA) for CPSEs”, issued vide OM no. 15(07)/99-DPE-GM-VOL-III-FTS-2344 dated 11.12.2017 & 09.10.2019, the differences noticed by Vigilance department are informed to the Management for issuing suitable amendments to the company CDA rules.
3	On scrutiny of a case file pertaining to the Civil works, an advise note given to the Management to include the below Penalty clause as a part of proactive and preventive vigilance approach in all civil work tenders as well as in work orders: “If the Contractor performs any work in a manner contrary to the Contract, without the approval of the Engineer-in-charge, the Contractor shall bear all the costs arising there from and shall be responsible for all losses to the employer arising there from”.
4	On examination of the Outpatient Medical bills for the last 3 years, observations made along with the appropriate suggestions forwarded to the Management for suitable implementation.
5	In order to address the issue of delays in getting the responses to the Post Qualification experience verification letters, suggested Management to modify the existing Recruitment Application form in respect of entering the “Experience details” and also to ascertain e-mail addresses and send the verification letters through mails, since the responses are swift through mails.
6	Vigilance department verified the genuineness of the Solvency certificates submitted by the successful bidders at random, which is a pre-condition for tender eligibility. On checking with the concerned banks it was found that both are fake / forged documents. In order to eliminate the malpractices and to have a fool-proof system, it is advised to obtain the Solvency certificate “in original” from all the tenderers. Also, suggested Management to check the genuineness of the Solvency certificate of Lowest tender (L1 party) from the issued Bank before placement of Purchase Order.
7	On review of the existing Vigilance clearance procedure, suggested Management to introduce the system of taking the prior vigilance clearance for the below purposes: i. While recommending the names of employees for “Conferment/ grant of Individual and Group awards for their outstanding contribution”. ii. While nominating the employees for any “National and International awards.”

SI.No.	Systemic Improvements suggested
8	Based on Investigation carried out by Vigilance department on purchase of Housekeeping items on Spot Purchase basis by an constituted committee, advised Management to purchase all the Housekeeping items from retail stores only in future i.e. More, Heritage, D-Mart etc., where Electronic printed bills are generated to have a fool-proof system.
9	Inline with the CVC advice on incorporation of In-service training module on “Preventive Vigilance awareness” as part of sensitization program in all CPSEs, advised Management to include a specific Training module covering the basics of various manuals, rules & vigilance matters etc., to impart the knowledge to all the employees. In this context, study material with title: “BE VIGILANT” prepared by the Vigilance department, MIDHANI covering the basics of Vigilance department has been uploaded on the company’s Intranet portal for the benefit of all the employees.
10	Advised Management to review the existing Pre-Qualification criteria / Eligibility criteria for Procurement inline with the CVC guidelines issued vide O.M. no. 12-02-1-CTE-6 dated 17.12.2012 and Manual for Procurement of Goods – 2017 and also to make an SOP in relation to bid evaluation of vendors participation in Open tenders.
11	An advise note given to Management to finalize the list of Transfers in Sensitive areas as per the company Job Rotation policy i.e., by 31st March of the respective year and if any transfers are made subsequently due to administrative reasons and exigencies, the proposed transfers are to be routed through Vigilance department for the concurrence, since the Agreed List and Officials of Doubtful Integrity (ODI) list are under the custody of the CVO.
12	An advise note given to Management to review the existing Pre-Qualification criteria / Eligibility criteria w.r.to Annual Turnover for Civil and Electrical works in-line with the CVC guidelines issued vide O.M. no’s. 12-02-1-CTE-6 dated 17.12.2002 & 07.05.2002 i.e., “Average Annual financial turnover during the last 3 years, ending 31st March of the previous financial year, should be at least 30% of the estimated cost”.
13	On analysis of procurement data for the last five years i.e., from FY2015-16 to FY 2019-20, advised the Management to continue the same practice for Open tenders (% of Open tenders increased from 17.7% in 2015-16 to 64.1% in 2019-20) as per the CVC guidelines and to continue the efforts to follow the DPE guidelines for procurement of Goods and Services from GeM portal.
14	<p>INTEGRITY SURVEY: To assess the extent of Integrity Orientation in MIDHANI, a questionnaire consisting of 30 questions has been prepared by Vigilance department, MIDHANI covering the Integrity aspects of Workplace Ethics, Personal Integrity and Organizational Integrity and the questionnaire has been circulated to all the employees for their response.</p> <p>The objective of this exercise is:</p> <ul style="list-style-type: none"> - To identify different factors of integrity at personal level, at work place level and at organizational level and then to assess their extent of interplay. - To create an objective and reliable tool that measures the integrity orientation of the Organization. <p>Outcome of the Survey:</p> <p>The research study was conducted with a total sample of 251 Executives covering 83.66% of Executives on roll. Various statistical techniques have been employed for analyzing the data.</p> <p>Some of the findings are :</p> <ul style="list-style-type: none"> ✓ Integrity orientation at Personal level is more compared to overall integrity orientation. ✓ In case of Work place ethics and Organizational integrity, the assessed values are less compared to overall value at Origination level. ✓ The item “There are not many secrets in this Organization; information is openly shared”, emerged as area of concern. It was recommended to improve the communication process. ✓ The item, “Your Organization gives less importance to Organization’s goals over the ethical business practices”, emerged as area of concern. It need to be seen in what areas there is a conflict between a commercial decision-making and goals of Organization. ✓ The item, “In your Organization employees admit their mistakes”, emerged as the area of concern. Exact reasons for such behaviour need to be probed and suitable interventional strategies need to be implemented. <p>A detailed study report on the analysis made has been submitted to the Management and advised to work upon to channelize the ethical attributes at work place towards the Organizational Integrity.</p>

VI

**VIGILANCE AWARENESS WEEK (VAW)
CELEBRATIONS OVER THE PAST FIVE YEARS IN MIDHANI**

VAW – 2015 (26.10.2015 TO 31.10.2015)

Theme: PREVENTIVE VIGILANCE AS A TOOL OF GOOD GOVERNANCE



- Prof. Madabhushi Sridhar Acharyulu, Information Commissioner, CIC presented as the Chief Guest during the Inaugural function.

VAW – 2016 (31.10.2016 TO 05.11.2016)

**Theme: PUBLIC PARTICIPATION IN PROMOTING INTEGRITY
AND ERADICATING CORRUPTION**



- Shri B. Chandra Kumar, Hon'ble Judge (retd.) High Court of Andhra Pradesh presented as the Chief Guest during the Inaugural function.
- Talk by Dr. K.S. Ratnakar, Chairman, Global Medical Education & Research Foundation, Hyderabad on "Ethics and Moral values".

VAW – 2017 (30.10.2017 TO 04.11.2017)

Theme: MY VISION – CORRUPTION FREE INDIA



- Shri L. Narasimha Reddy, Hon'ble Chief Justice (Retd.) of Patna High Court presented as the Chief Guest.
- Talk by Ms. Anupama Jha, Ex-Executive Director, Transparency International India, New Delhi on "Ethics, Transparency & Moral values".

VAW – 2018 (29.10.2018 TO 03.11.2018)
Theme: ERADICATE CORRUPTION – BUILD A NEW INDIA



- Chief Guest: Hon'ble Justice (retd.) G.V. Seethapathy.
- Talk by Shri P.V.K. Ramana Prasad, Principal Chief Legal Advisor, Anti-Corruption Bureau, Telangana state on "Eradicate Corruption – Build a new India".

VAW – 2019 (28.10.2019 TO 02.11.2019)
Theme: INTEGRITY – A WAY OF LIFE



- Chief Guest: Shri A Y V Krishna, IPS, Joint Director, CBI, Hyderabad.
- Talk by Shri Ashutosh Kumar Mishra, Adviser to partnership for Transparency on "Ethics, Integrity and Moral values at work place".

- Organized 4 KM WALKATHON on the theme "INTEGRITY – A WAY OF LIFE".
- **Setting up of Integrity Club at BPDV school, Kanchanbagh:** In order to promote ethical habits, a philatelic exhibit of 80 'A4' sheets containing quotes of Mahatma Gandhiji on stamps and related materials prepared by Dr. Upender Vennam, CVO, Midhani was displayed permanently at the school. They were exhorted to inculcate ethical habits and respect the parents/teachers/motherland.

VII Contributions of MIDHANI employees to this VIII issue of JAGRUTI

Cartoons related to the Theme by;



Mrs. J. Madhavi
 Manager (PPC)



Shri V. Mahesh Babu
 Manager (PPC)



Shri J. Siva Prasad
 Manager (Forge)

VIII

FAREWELL CORNER



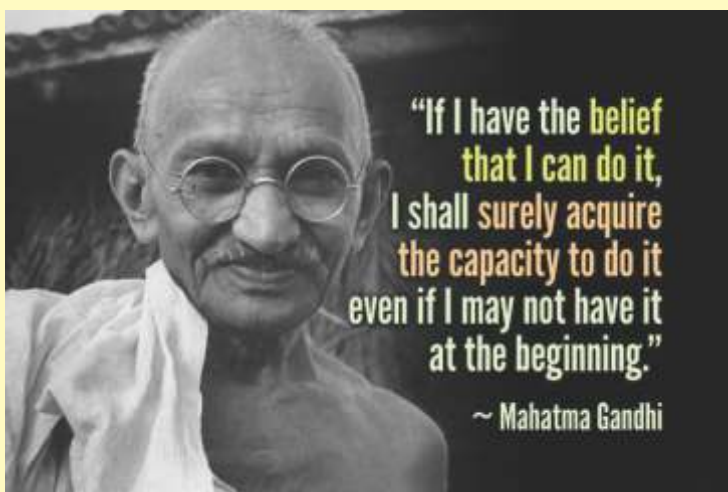
Shri P. Malla Reddy, Senior Executive Grade II (Vigilance) was superannuated from the Vigilance department on 30.06.2020.

IX. CALL FOR ARTICLES

All Officers and employees are requested to forward contributions for future issues of “JAGRUTI”. Contributions can be in the form of articles related to Vigilance, System Improvements, anecdotes on ethics, pictures / cartoons related to vigilance, compilation of quotes / slogans on a topic or any other creative input. Suggestions on any aspect of the magazine are welcome. Contributions / Suggestions may please be forwarded to CVO Office, MIDHANI.

X. EDITORIAL BOARD

Chief Patron : Dr. Upender Vennam, IPoS, Chief Vigilance Officer
 Compiled & edited by : Shri Supartha Sen, GM & Shri K Mukesh, Manager,
 Mishra Dhatu Nigam Limited, PO Kanchanbagh, Hyderabad – 500 058.



Education's purpose is to replace an empty mind with an open one.
 - Malcolm Forbes

Whoever is careless with the truth in small matters cannot be trusted with important matters.
 - Albert Einstein

Speak with Honesty, Think with Sincerity, Act with Integrity.