

S&T and Electrical Vigilance Awareness Seminar

ECoR

Role of Vigilance

- Clean and transparent administration
- Investigate complaints
- Conduct preventive checks
- Suggest system improvements
- Ensure guilty is punished
- Preventive and punitive

Procedure of Vigilance Case

- Preventive Check / Complain
- Seeking of clarification issued in course of investigation
- Registration of a Case against Railway Officials
- Issue of Questionnaire after registration of case
- Advice of Closure of Vigilance Investigation
- Preparation & Submission of Investigation Report
- Submission of Report to SDGM/ PHODs and obtaining the recommendation of the concerned disciplinary authority and GM

What causes vigilance cases?

- Corruption
- Poor quality of outcome/ output
- Violation of due procedures and rules
- Lack of knowledge about rules/procedures
- Undue delay
- Lack of transparency / inconsistency in approach
- Lack of reasoned noting on file
- Taking decisions under undue pressure without written instructions

Vigilance angle : where clarification is not required

- Demanding and/ or accepting gratification other than legal remuneration in respect of an official act or for using his influence with any other official.
- Obtaining valuable thing, without consideration or with inadequate consideration from a person with whom he has or is likely to have official dealings or his subordinates have official dealings or where he can exert influence.
- Obtaining for himself or for any other person any valuable thing or pecuniary advantage by corrupt or illegal means or by abusing his position as a public servant.
- Possession of assets disproportionate to his known sources of income.
- Cases of misappropriation, forgery or cheating or other similar criminal offences.

Vigilance angle : where Clarification is required

- Gross or wilful negligence
- Recklessness in decision making
- Blatant violations of systems and procedures
- Exercise of discretion in excess, where no ostensible public interest is evident
- Failure to keep the controlling authority/ superiors informed of required transactions and issues in time
- cause of undue loss or a concomitant gain to an individual or a set of individuals/ a party or parties
- Any undue/ unjustified delay in the disposal of a case

Potential areas of corruption

- Procurement
- Store Handling
- Award of Tenders
- Execution of Contracts
- Human resources management (Service Contracts)
- Delivery of Scraps

Store Dealing Procedure – Store Records

- Standard and printed registers should be used for DMTR and ledger.
- Certification in 1st page of DMTR & ledger with signature of controlling officer
- Each transaction should have continuous serial no. and continuity to be maintained separately on receipt & issue side.
- Entry should be as soon as the material transaction takes place
- Line to be drawn at the end of each day's transaction on both issue and receipt side at the same level.
- **Blank spaces to be strike out**
- No blank space between consecutive entries & day's last entry and executive signature.
- Submit monthly return to controlling officer at the end of each month indicating the transactions and the balance stock

Store Dealing Procedure – Store Records

- Store Clerk entering the transactions should initial the entries with date at the end of each day followed by SSE signature and stamp.
- Entry from DMTR to the ledger to be made as early as possible with ledger reference in DMTR.
- Challan/Issue notes to be verified within a reasonable time.
- Released material to be taken into a register (RM ledger) after entry in DMTR. The released materials should be properly verified and classified to serviceable and unserviceable release materials.
- Material transaction from one unit to another should be issued only on challan after getting requisition from the other unit.
- **Inspection by controlling officer should be carried out** at least once in a year which should cover checking of store records, store accountal etc.
- Timely stock verification. Any delay must be brought to the notice of DAO/FA&CAO

Store Dealing Procedure – Accountal of Materials

- Procurement of materials should be done judiciously to avoid accumulation of materials in the store.
- Review of non-moving materials may be done in every six months with the concerned officer in charge.
- Proposal for disposal of non-moving, scarp materials should be carried out **periodically**.
- Controlling officer should process the condemnation proposals given by stock holders and dispose scraps in a time bound manner to avoid accumulation of scrap in stores.

Store Dealing Procedure – Quality of Materials

- Warranty Certificate and Test check report of material should be verified with OEM for authentication.
- Mandatory Third party inspection should be carried out for consignee inspected materials.
- CA/PO no. with date, Description of material, Supplier name & address, Specification number, Drawing number, **Manufacture name, Model/Brand**, Serial number, Mfg year, **Details of parameter checked**, Place of inspection, Name & Designation of the inspecting authority, Date of Inspection, Total quantity supplied, Quantity offered for inspection, Quantity passed, Quantity rejected, Remarks for rejection, DMTR reference etc. should be incorporated in the inspection certificate by the inspecting official.

Estimate Preparation

- Estimate should be prepared only after getting requirement from site.
- Proper justification of work should be there to get sanction. Special care is to be taken for renew of revenue estimates and sanctions.
- Estimate should be prepared after getting at least one tentative SIP and approved/freeze ESP. Any change in drawing at later stage should have the approval of competent authority.
- Rate of execution schedule item should be based on UBR or mean of at least three similar type LOA rates which has been executed at similar locations.
- For supply schedule items, the rates should be taken from UBR/latest PO/LOA and workshop rates.

Estimate Preparation

- **The schedule item rates should be enhanced by taking RBI indices into consideration.**
- Materials should be procured judiciously to avoid overstocking of materials in the concerned store.
- If a new technology is to be adopted in the estimate, approval from competent authority should be taken before hand.
- Deletion of any portion from the description of schedule in UBR/LOA/PO should be avoided.

Contracts

- Works Contract
- Zonal Contract
- AMC Contract
- Manpower based contracts (Service Contract)

Tender Document Preparation

- Under Supply & Execution Schedule, Drawing number, RDSO/IRS Specification, Inspection clause must be clearly mentioned.
- For Thermo shrink Cable Jointing Kit – RDSO inspection is must despite the item value.
- The quantity of each schedule item must be same as per sanctioned estimate.
- RDSO/RITES inspection must be ensured for items valued more than 5 lakhs.

Tender Finalization

- Tender Opening
- Briefing Note
- Deliberations by TC
- Orders of TAA
- Issue of LOA
- Contract Agreement

CVC Instructions on Negotiations:

- Negotiations in exceptional circumstances after recording valid & logical reasons.
- Negotiation with L-1 only.
- In case of failure, TC to record satisfactory explanation. It only delays award of work.
- If L-1 backs out, re-tendering in a transparent and fair manner.

Tenders – Tender Committee

- The financial capability and past performance of the eligible tenderer must be studied even if the value of instant tender is below Rs. 50 lakhs.
- Bypass of L1 should go through TC for below 50 lakhs tender.
- For calculation of updated LAR, average of a number of rates (minimum three) must be taken which should be enhanced based on Building Cost Index/ **RBI indices** for the period elapsed.
- Care should be taken for numerical calculation in rate justification.
- All TC members must declare that they don't have any personal interest in the companies participating in the subjected tender.
- TC recommendations (if any like restricting rates) must be clearly reflected in the online LOA.

Tenders – Tender Committee Minutes

- Definite recommendation with full facts and reasons.
- Factors cited for higher rates, must be explained adequately including urgency.
- Never hide favourable/unfavourable information.
- Use RBI indices for escalation of estimate/LAR.
- Indicate TAA clearly.

Tenders – Role of TAA

- In case of any clarifications required, refer to TC, and not to any individual member, with clear queries.
- Do not use phrases like “Please discuss” etc.
- Should take decision in reasonable period of time.
- In case the tender notice period is less than 21 days or accepting authority intend to accept offer other than lowest financial offer; direct acceptance of tender is not allowed in the tender up to and including Rs 50 lakh. Such tenders shall be dealt by Tender Committee.

Contract - Execution

- The following Registers/Documents must be available with the concerned JE/SSE.
 - Contract Agreement.
 - Daily work progress register
 - **Hindrance Register**
 - **Material Register**
 - Cable meggering Register
 - Earth testing Register
 - Cable Route Plan
 - Approved signalling Interlocking Plan
 - Approved wiring diagram
 - Cable corage plan
 - Battery Charging Register
 - Track circuit bonding Plan
 - **Officer inspection register**
 - OFC testing register

Contract - Execution

- The materials must be issued to contractor for execution through DMTR only, well within the work order period (after getting requisition memo from contractor with approval from the competent authority).
- For supply and execution schedule, the inspection certificate for the supply item should be ensured in proper format.
- For consignee inspection, instructions in the vigilance advisory should be strictly followed.
- Material should be received within the delivery period.
- Materials supplied by the contractor should be taken into DMTR promptly.
- The MBs must include the site of execution. Checks by concerned officers must accompany site of check while filling MB.
- Timeline for recording MB should be followed strictly.

Contract - Execution

- Engagement of Engineers by the contractor for supervision of work must be clearly specified in the contract agreement as per new GCC and ensured by the executing officials.
- CA/LOA hard copy, Drawings must be available with the executing SSE
- Site Register, Material Register must be timely filled.
- Site SSE must ensure that, materials taken from store must be same while being unloaded at the work site. Same must be cross checked by the Store SSE during return of surplus materials.
- Extension of time for a contract should be granted with proper justification taking all the hinderances from contractor and railway side into account

Contract - Variation

- Reason for variation need to be properly justified
- Rates of variation quantity should be carefully ensured.
- Vitiation to be checked.
- Approval of competent authority to be taken for variation.

Contract - Closing

- Every contract should be closed in a specified time with proper variation statement, completion certificate, no claim certificate from contractor, material statement.
- Completion certificate must be issued after ensuring the following points:
 - (i) List of all materials received from the stores and other sources with all particulars.
 - (ii) List of all materials used for the work.
 - (iii) List of materials released and returned to stores with particulars.
 - (iv) List of excess materials returned to stores with particulars.
 - (vi) Special problems or difficulties experienced during the execution of the work (if any) and
 - (vii) Transfer unutilised materials from 'Works Registers' of that work to other works to get the credit for that work.

Zonal Contracts.

Following points should be ensured in addition to the above:

- The work orders should be issued strictly according to the requirement at the field and proposal received from field.
- The agreement, work orders should be as per the GCC format.
- The site of work test checked by officials should be mentioned in MB & Bill
- every work order bill should accompany with completion certificate, material statement and variation statement if any.
- In case of incomplete execution of work order, proper reason should be indicated in the variation statement and necessary penalty/LD must be deducted for the fault on contractor's part as per tender condition.
- The use of IRCMS should be adopted and timeline for execution of contract must be ensured as per GCC.

AMC contracts.

Following points should be ensured in addition to the above:

- The AMC contract should be executed according to the contract agreement. The number of man power requirement should be reflected in the tender condition.
- Details of service engineers engaged by the firm at site should be available with executing officials.
- The schedule visit of the firm's representative should be ensured and entered in the specific format (monthly, quarterly etc.).
- History sheet of the equipment & other necessary documents required to be supplied by the firm as per tender condition should be made available at the station.
- Before making payment, it should be ensured that the component taken for repairing, repaired and returned.

Manpower Contracts (Service Contract)

Following points should be ensured in addition to the above:

- Manpower contract should be carried out strictly according to the requirement.
- The GCC for services 2018 should be followed.
- The attendance of all the manpower deployed should be taken daily.
- It should be ensured that the contractor is following the labour laws (labour license, uniforms, safety items, monthly payment by 7th of next month, payment of EPF and ESI, display of minimum wage at workplace etc.)
- The proof of payment of monthly wages, EPF & ESI should be ensured before making payment to contractor.

Thank You