



टेलीकम्युनिकेशन्स कंसलटेंट्स इंडिया लिमिटेड

(भारत सरकार का उद्यम)

Telecommunications Consultants India Limited

(A Government of India Enterprise)

आई एस/आई एस ओ
IS/ISO 9001-2000



विभाग
DIVISION

टी. सी. आई. एल. भवन, ग्रेटर कैलाश-I,
नई दिल्ली-110048

TCIL Bhawan, Greater Kailash - I,
New Delhi-110 048

TCIL/11/583/2009/VIG.

Date : 08.06.2009

CIRCULAR

Subject : Forwarding of Complaints to CVO

All GGMs/HODs/PDs are directed to ensure that all complaints including anonymous/pseudonymous having vigilance angle as defined in Annexure II (Copy enclosed) received by them from vendors/ Contractors and TCIL Staff as well as from other sources are immediately and compulsorily forwarded to CVO, TCIL within 4-5 days of its receipt.

Suitable action as deemed fit, shall be taken against the officer who fail to comply with the above directives.

This has concurrence of the CMD, TCIL.

(S.K. Mallick)
Chief Vigilance Officer

To : All GGMs/GMs/PDs

Copy to : SOM to CMD
Director (T) / Director (P) / Director (F)
All EDs

Encl. : Annexure I - TCIL's Complaint Handling Policy
Annexure II - CVC's circulars dated 21.12.2005 & 13.04.2004

COMPLAINT HANDLING POLICY

1. The complaint can be lodged by any person/employee/vendor/contractor who has dealing with TCIL and can be lodged against officer(s)/official(s) working the Organization.
2. In line with CVC Guidelines, the complaints which are anonymous/pseudonymous will not be entertained unless there are any verifiable facts alleged in such complaints.
3. Complaint must be brief and contain factual details, verifiable facts and related matters. They should not be vague or contain sweeping general allegations.
4. Complaints should be addressed directly to CVO, TCIL, with a copy to CMD, TCIL. Complaints which are received by the other functionaries in the organization should be forwarded to the CVO within 4-5 days of its receipt.
5. The complaints which are under investigation by CBI/Local police, in those cases, parallel departmental action shall not be taken up by the Vigilance Division of TCIL.
6. The CVO TCIL has the discretion to refer such complaints to CBI for investigation which contain the allegations of forgery, corruption, bribery, cheating, falsification of records, Possession of assets disproportionate to known source of income. etc., or where truth cannot be ascertained without making enquiries from non official persons or where examination of non Government records, books of accounts is required.
7. Since, TCIL has already implemented the Integrity Pact Programme in consultation with TII and CVC, the Grievances/complaints of the vendors/contractors pertaining to the tenders/contracts, of the value of Rs. 10 Crores and above covered under the IP Programme of TCIL, shall be forwarded by the CVO, TCIL to the Independent External Monitors (IEM's) appointed by CVC, for the investigation.

No. 004/VGL/18
Government of India
Central Vigilance Commission

Satarkata Bhawan, Block-A,
GPO Complex, INA,
New Delhi-1100 23.
Dated the 21st December, 2005

Office Order No.74/12/05

Sub:- Vigilance angle – definition of (partial modification regarding)

In partial modification to Commission's Office Order No. 23/4/04 issued vide No. 004/VGL/18 dated 13.4.04 on definition of vigilance angle, the following is added at the end of para 2 for the purpose of determination of vigilance angle as para 2 (b)

“Any undue/unjustified delay in the disposal of a case, perceived after considering all relevant factors, would reinforce a conclusion as to the presence of vigilance angle in a case”. The existing para 2 will be marked as para 2 (a).

2. CVO may bring this to the notice of all concerned.

Sd/-
(Anjana Dube)
Deputy Secretary

All Chief Vigilance Officers

Copy to:-

1. Director CBI, New Delhi.
2. AVD-III, Deptt of Personnel & Training, North Block, New Delhi.

No. 004/VGL/18
Government of India
Central Vigilance Commission

Satarkata Bhawan, Block-A,
GPO Complex, INA,
New Delhi-1100 23.
Dated: 13th April, 2004

Office Order No. 23/04/04
(read with modification vide Office Order No. 74/12/05)

Subject: Vigilance angle – definition of.

As you are aware, the Commission tenders advice in the cases, which involve a vigilance angle. The term “vigilance angle” has been defined in the Special Chapters for Vigilance Management in the public sector enterprises, public sector banks and public sector insurance companies. The matter with regard to bringing out greater quality and precision to the definition has been under reconsideration of the Commission. The Commission, now accordingly, has formulated a revised definition of vigilance angle as under:

“Vigilance angle is obvious in the following acts: -

- (i) Demanding and/or accepting gratification other than legal remuneration in respect of an official act or for using his influence with any other official.
- (ii) Obtaining valuable thing, without consideration or with inadequate consideration from a person with whom he has or likely to have official dealings or his subordinates have official dealings or where he can exert influence.
- (iii) 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.
- (iv) Possession of assets disproportionate to his known sources of income.
- (v) Cases of misappropriation, forgery or cheating or other similar criminal offences.

2(a)** There are, however, other irregularities where circumstances will have to be weighed carefully to take a view whether the officer's integrity is in doubt. Gross or willful 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 in time – **these are some of the irregularities where the disciplinary authority with the help of the CVO should carefully study the case and weigh the circumstances to come to a conclusion whether there is reasonable ground to doubt the integrity of the officer concerned.**

2(b) **Any undue/unjustified delay in the disposal of a case, perceived after considering all relevant factors, would reinforce a conclusion as to the presence of vigilance angle in a case.**

** **as modified vide Officer Order No. 74/12/05 dated 21/12/05.**

3. The raison d'être of vigilance activity is not to reduce but to enhance the level of managerial efficiency and effectiveness in the organisation. Commercial risk taking forms part of business. Therefore, every loss caused to the organisation, either in pecuniary or non-pecuniary terms, need not necessarily become the subject matter of a vigilance inquiry. Thus, whether a person of common prudence, working within the ambit of the prescribed rules, regulations and instructions, would have taken the decision in the prevailing circumstances in the commercial/operational interests of the organisation is one possible criterion for determining the bona fides of the case. A positive response to this question may indicate the existence of bona- fides. A negative reply, on the other hand, might indicate their absence.

4. **Absence of vigilance angle in various acts of omission and commission does not mean that the concerned official is not liable to face the consequences of his actions. All such lapses not attracting vigilance angle would, indeed, have to be dealt with appropriately as per the disciplinary procedure under the service rules."**

5. The above definition becomes a part of the Vigilance Manual and existing Special Chapter on Public Sector Banks and Public Sector Enterprises brought out by the Commission, in supersession of the existing definition.

CVOs may bring this to the notice of all concerned.

Sd/-
(Anjana Dube)
Deputy Secretary

All Chief Vigilance Officers