

भारत प्रतिभूति मुद्रण तथा मुद्रा निर्माण निगम लिमिटेड
Security Printing and Minting Corporation of India Limited

मिनीरत्न श्रेणी-I, सीपीएसई
(भारत सरकार के पूर्ण स्वामित्वाधीन)
Miniratna Category-I, CPSE
(Wholly owned by Government of India)

भा.प्र.मु.मु.नि.नि.लि./सतर्कता/03/09 (खंड v)/3425
SPMCIL/VIG/03/09 (Vol.V)

दिनांक 16.08.2016
Date: 16.08.2016

परिपत्र संख्या 16/16 Circular No.16/16

विषय/Sub: सीपीएसई/पीएसबी अधिकारियों एवं उनके आश्रितों द्वारा गठित/संरक्षित संघों द्वारा सीपीएसई/पीएसबी से संबंध रखने वाले ठेकेदारों अथवा व्यक्तियों से चंदा लेने की प्रक्रिया पर नियंत्रण करने के संबंध में-

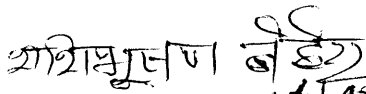
केंद्रीय सतर्कता आयोग ने सीपीएसई/पीएसबी अधिकारियों एवं उनके आश्रितों द्वारा गठित/संरक्षित संघों द्वारा सीपीएसई/पीएसबी से संबंध रखने वाले ठेकेदारों अथवा व्यक्तियों से चंदा लेने की प्रक्रिया पर नियंत्रण करने के संदर्भ में जारी निर्देशों को सूचनार्थ एवं उचित कार्यवाही हेतु परिचालित किया जाता है।

A copy of circular issued by Central Vigilance Commission regarding Guidelines to curb practice of Associations formed/patronized by CPSE/PSB officials, their spouses etc. obtaining donations from contractors or persons having commercial relations/official dealings with the CPSEs/PSBs is circulated herewith for information and necessary action.

2. इसे सक्षम प्राधिकारी के अनुमोदन से जारी किया जाता है।

This issues with the approval of Competent Authority.

संलग्न/Encl: यथोपरि/As above.


(शशिभूषण बेहेरा)/(S.B.BEHERA)

उप मुख्य सतर्कता अधिकारी/ Dy. CVO.

महाप्रबंधक/ The General Manager,

टकसाल/मुद्रणालय/कागज़ कारखाना/नि.मु./ Mints/Presses/Paper Mill/CHO

भा.प्र.मु.मु.नि.नि.लि./SPMCIL

प्रतिलिपि:

1. अध्यक्ष तथा प्रबंध निदेशक/CMD
2. निदेशक (मा.सं.)/मु.स.अ./Director (HR)/CVO
3. अपर महाप्रबंधक/ मुख्य प्रबंधक/ प्रबंधक (नि.मु.)/ Addl. GM/CM/Mgr (CHO)
4. सभी सतर्कता अधिकारी/ All vigilance Officials.
5. सूचना पटल एवं वैबसाइट/ Notice Board & Website.

Guidelines to curb practice of Associations formed/patronized by CPSE/PSB officials, their spouses etc. obtaining donations from contractors or persons having commercial relations/official dealings with the CPSEs/PSBs regarding

The Commission had observed instances of obtaining of donations by associations/organisations formed/patronised by employees, their spouses, etc. from the contractors, vendors, customers or other persons having commercial relations /official dealings with the CPSEs /PSBs. Considering the fact that such contributions may lead to unethical practices and misuse of power, the Commission advised the administrative ministries, i.e. Department of Public Enterprises(DPE) and Department of Financial Services (DFS) as well as the Department of Personnel & Training (DoPT) to examine the issue of incorporating suitable and specific provision in the Conduct Rules governing the conduct of the officers/officials or issue necessary instructions to curb such practice of associations/organisations, formed by employees, their spouses, dependents, etc. obtaining donations, advertisements or sponsorships from contractors or other persons having commercial/business dealings with the CPSE/PSBs.

2. The DPE reported to the Commission in December,2015 [DPE OM dtd. 14.12.2005] that instructions have been issued to all administrative Ministries/Departments advising them to further issue necessary instructions to all CPSEs under their administrative control to curb the practice and to suitably amend the Conduct, Discipline & Appeal (CDA)

es to incorporate a specific provision as advised by the
ommission.

3. The DFS also reported in January, 2016 [DFS letter dtd 28.1.2016] issuance of appropriate instructions to all Public Sector Banks / Public Sector Insurance Companies / Financial Institutions to curb the practice of obtaining donations for associations of employees / their spouses/dependents, etc. from the contractors/ or persons having commercial / business relations with their organisation.

4. DFS has further advised by letter dated 28.03.2016 that violation of these instructions by any officials will be viewed seriously and delinquent officials will be liable to be proceeded for disciplinary action and as for offence of bribery under Prevention of Corruption Act, 1988.

OFFICE MEMORANDUM

Subject: Guidelines to curb practice of obtaining donations by the associations formed by either employees or their spouses etc. from the contractors, vendors, customers or other persons having commercial relationship / official dealings with the CPSE.

The undersigned is directed to state that the CVC has observed that there is a practice of obtaining donations by the associations/NGOs formed by either employees or their spouse etc. from the contractors, vendors, customers or other persons having commercial relationship / official dealing with the CPSE. Such practice of associations comprising of officials/spouses of employees of CPSEs taking donations advertisement or sponsorships etc. from the contractors, customers, vendors or persons having commercial / business relationship with the Public Enterprises is unethical. The CVC has further observed that such practice is avoidable in the interest of transparency and fairness.

2. The Modal Conduct, Discipline & Appeal (CDA) Rules circulated by DPE vide OMI No BPE No 2(121)/73-BPE (GM-I) dated 26-04-1974 already lays down certain acts construed as misconduct which includes taking any illegal gratification. It is, therefore, advised that the concerned Ministries / Departments having CPSEs under their administrative control may issue necessary instructions to curb such practice in their CPSEs and also instruct them to suitably amend their Conduct, Discipline & Appeals (CDA) Rules to incorporate a specific provision as under

"Obtaining donations/ advertisement / sponsorship etc. by the associations/NGOs formed by either employees or their spouse / family members etc. from the contractors, vendors, customers or other persons having commercial relationship / official dealings with the CPSE will be treated as misconduct"

(J. N. Prasad)
Director

To

All Administrative Ministries / Departments concerned with CPSEs and a copy each to:

- (i) Chief Executive of all CPSEs
- ✓ (ii) Central Vigilance Commission (CVC) in respect of letter no. 015/MSO/058/300851 dated 27th November 2015.
- (iii) NIC, Cell DPE with a request to upload a copy at DPE's web-site under the link Guidelines/Chapter-II/Vigilance
- (iv) Guard File

F. No. 14/56/2015/Vig
Ministry of Finance
Department of Financial Services
(Vigilance Section)

3rd Floor, Jeevan Deep Bldg.,
Parliament Street, New Delhi
Dated: 28 January, 2016

To,

All CMDs/MDs & CEOs of PSBs/FIs/PSICs
All CVOs of PSBs/FIs/PSICs

Subject: Guidelines to curb practice of Associations formed/ patronized by CPSU/PSB officials, their spouses etc. obtaining donations from contractors or persons having commercial relation with the CPSUs/PSBs regarding.

Sir,

Central Vigilance Commission has noticed that in various organizations there is a practice of obtaining donations by the associations formed by either employees or their spouses etc. from the contractors, vendors, customers or other persons having commercial relationship/ official dealings with the organization.

2. Commission has referred to a recent case where a NGO formed by spouses (lady members) of the officers of Central Public Sector Undertaking (CPSU) had received donations from the contractors having business dealings with the CPSU. High Court of Gujarat had taken cognizance of this issue in a Public Interest Litigation and had caused a detailed inquiry/investigation into whether any public servant, by corrupt or illegal means or by abusing his position, has obtained for himself or for any other person, any valuable thing or pecuniary advantage, by extending any undue favour to the contractors. The Commission had caused an inquiry through the CBI and in its report had inter-alia observed that the practice of taking donations from its own contractors is unethical and the association containing officials/spouses of CPSUs should not accept any such benefit/donations, with whom they have commercial relations. Commission has stated that such practice of associations getting/obtaining donations, advertisement or sponsorships from the contractors, customers, vendors or persons having commercial/ business relationship with the enterprise/bank is avoidable in the interest of transparency and fairness and there is a need to put in a suitable mechanism to deal with such issues.

3. You are requested to ensure that necessary rules are put in place to avoid similar practices in your organisation so that donations are not received by your employees/their spouses/dependents etc. from the contractors/ or persons having commercial/ business relations with your organisation.

Yours faithfully,



Mihir Kumar
Director (Vig.)

Tel. No. 011-23344052

E. No. 14/56/2015/Vig
Ministry of Finance
Department of Financial Services
(Vigilance Section)

3rd Floor, Jeevan Deep Bldg.,
Parliament Street, New Delhi
Dated: 28/3 March, 2016

To

All CMDs/MDs & CEOs of PSBs/FIs/PSICs
All CVOs of PSBs/FIs/PSICs

Subject: Guidelines to curb practice of Associations formed/ patronized by CPSU/PSB officials, their spouses etc. obtaining donations from contractors or persons having commercial relation with the CPSUs/PSBs regarding.

Sir,

In continuation to this Department's letter of even number dated 28.01.2016 (copy enclosed) on the subject cited above, it is further advised that the aforesaid instruction be put up to the respective Board of Directors. It may also be noted that violation of these instructions by any officials will be viewed seriously and the delinquent officials will be liable to be proceeded for disciplinary action as for offences of bribery under Prevention of Corruption Act, 1988.

2. Action taken in this regard may kindly be intimated to this Department.

Encl: as above.

Yours faithfully,


(Mudita Mishra)
Director (Vig.)
Tel. No. 011-23362349