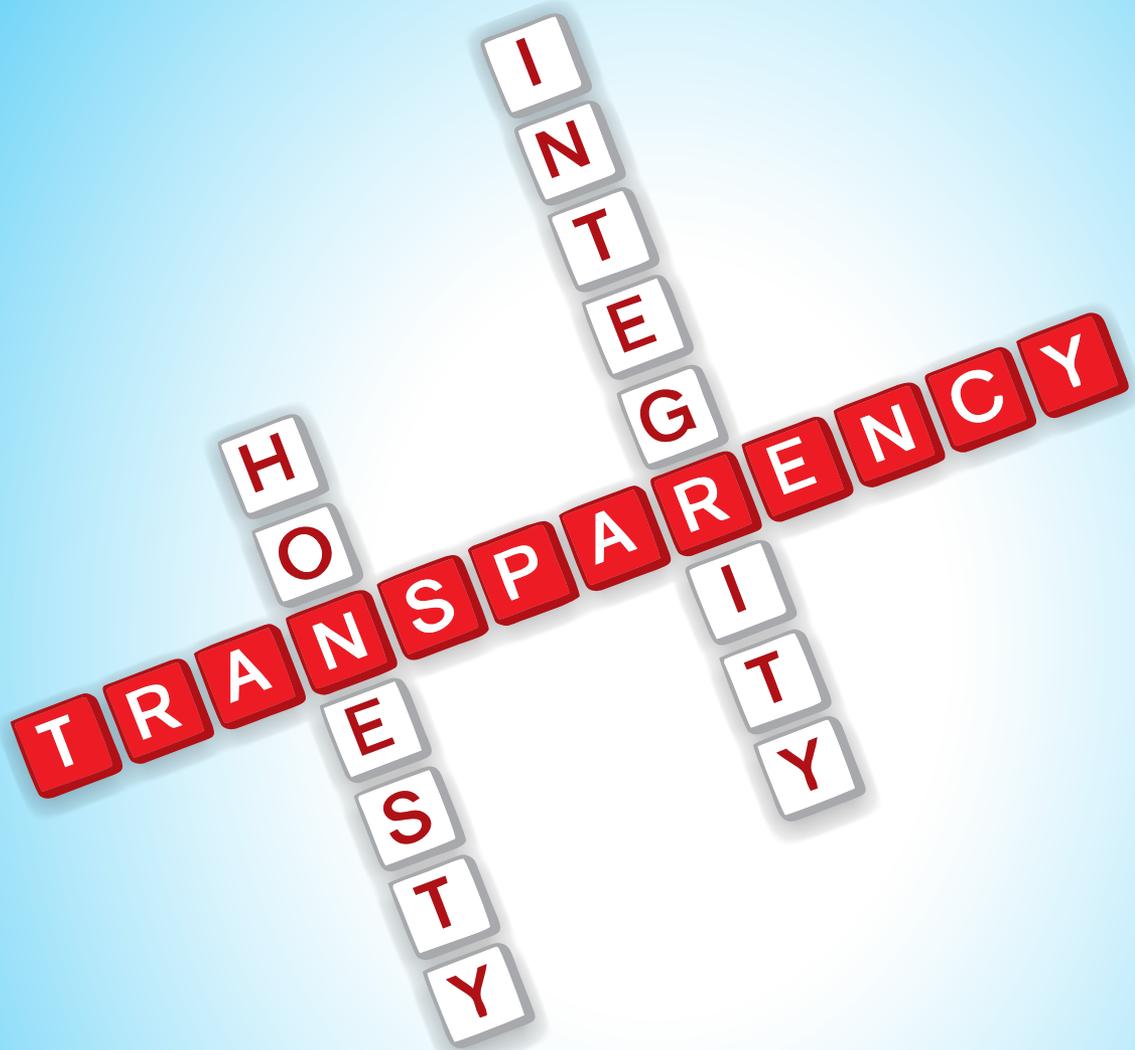


InTouch

A QUARTERLY NEWSLETTER OF VIGILANCE DEPARTMENT

Volume 14 NO. 6, April-June, 2014

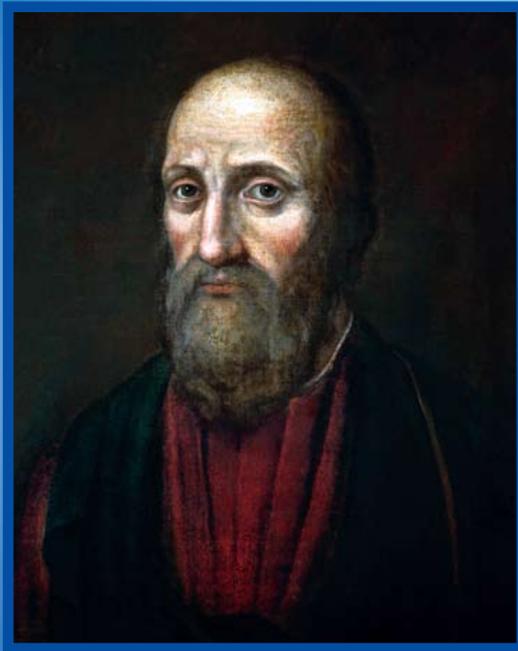


ऑयल इंडिया लिमिटेड

(भारत सरकार का उद्यम)

Oil India Limited

(A Government of India Enterprise)



*Good people do not need laws to
tell them to act responsibly.
While bad people will find
a way around the laws.*

-Plato-

InTouch

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From CVO's Desk...

Dear Friends,

It has been our endeavour in the Vigilance Department to look at the business processes of the Company and to advise the management for bringing about necessary improvements, wherever required. One aspect, which has really caught my attention during my last two years' tenure is the time overrun in different operational aspects of the Company. Whether it is raising of a Purchase Requisition (PR) or finalization of a procurement process or the implementation and execution of a project, everywhere we are missing the time lines. The recruitment process for executives as well as non-executives also gets inordinately delayed because of which we lose out on good human resource. As far as the recruitment of executives is concerned, no candidate is ready to wait for 2 to 3 years in these times.

Oil India Limited (OIL) is working in a globally competitive environment and therefore it is a must that we be nimble footed and quick in our action, adhering to time schedules. At a time when OIL is aggressively expanding its operations across different geographical regions of the world, it must have the capacity and capability to withstand the fierce competition existing in the industry.

It is our continuous effort to spread the message of vigilance across different spheres of the Company. We have been organizing orientation and training programmes for the same. We want the executives to take informed decisions with full transparency and accountability. As long as one works with a clear conscience in a free and fair manner, recording the reasons for the decisions taken, there is absolutely no reason for any apprehension of vigilance or any other agency.

From this issue of "INTOUCH", we are starting a new initiative in the form of a Crossword Competition. Every employee in the Company except the functionaries of Vigilance Department can participate in this. The idea behind this is to generate awareness in an interesting and engaging manner.

Take good care of your health, enjoy your work, remain vigilant and be happy!

(Amit Mohan Prasad)
Chief Vigilance Officer



Editorial

Vigilance is considered to be a managerial function and needs to be given utmost importance. Every individual of the organisation has to be vigilant and take it as his/ her prime duty to build a culture of transparency, honesty and integrity in the organisation. For this, there have to be continuous efforts towards system improvement, transparency through technology and zero tolerance for any malpractices.

To curb corruption, each and every employee of the organization should participate as a member of TEAM, committed to promoting good governance. While working to bring change for the better, it may be remembered that in TEAM, T could stand for Technology, E for Energy, A for Accountability and M for Mutual cooperation, with this ingredients put in, TEAM OIL can certainly realize its vision.

We have tried to bring out the journal which include informative articles, CVC circulars and Crossword Puzzle to make it interesting. Our endeavor will be to continuously explore ways to improve.

The editorial board profusely thanks Sri A.M. Prasad, CVO, OIL; whose continuous guidance has helped the various initiatives of Vigilance function, to come to the present shape, which includes 'InTouch' also.

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Letters to the Editor – ‘InTouch’

Dear Sir,

At the very beginning I would like to thank you all for the various initiatives initiated by your esteemed Department to bring awareness among the employees of the organization so that nobody suffers due to ignorance. Here I would like to bring to your notice that your Department may also better utilize the forum of Executive Trainee Development Program (ETDP) with a one day program where you may discuss various case studies related to our organization with the new entrants which hopefully help very much to mould the young ones. You may also think to bring expert from this field to make the event more interesting, if you wish. Though your Department already has a slot in that program, but perhaps usually it is utilized to bring awareness among the participants about the activities of your Department. You know that it is much easier to mould the younger one at the early stage and the platform will provide opportunity to the new entrants to be aware about the vigilance angle prior to taking over their responsibilities as officers and I request your Department through you to grab this opportunity with both hands for the betterment of the next generation of Oilindian.

Regards,

Bhupesh Choudhury
Sr. Manager (BP)
L&D Department

Dear Sir,

As we all are aware that Vigilance Department is an integral part of PSEs/Government Organizations and thus one should take full advantage of their presence by way of adhering to the “Do’s” & “Don’ts” prescribed by them at regular intervals through Journals and other forms of communications/workshops. Vigilance Department plays a vital role to maintain growth pace of an organization. Many of us are still under impression that Vigilance Department is mainly concentrated on post-mortem jobs, but there were many instances which vouched their pro-activeness in execution of certain acts at its best. On the contrary, there should be eye-opener training/workshop sessions for every personnel at certain frequency which could entail them to know Vigilance Department at a close distance and thus, we hope in the years to come we will be free from all sorts of pitfalls.

To conclude, we should strive forward, hand-in-hand, to achieve greater heights in our journey ahead.

“Progress is progress, when it is continuous”

Thanks & Regards

Uttam Paul
Manager Finance
Corporate Office



Manipulation – A Step Towards Corruption

Phanindra Kumar Devchoudhury.
Group General Manager (Commercial), (Retd.)

I have just completed 37 years of service in a PSU and during this long service span processed commercial contracts numbering probably more than a lakh, roughly estimated worth of which is not likely to be less than fifty thousand crores of rupees. All these contracts range from procuring a simple pin to a sophisticated drilling rig, providing services for grass cutting to a highly specialized well logging services, from contractors all over the world and in currencies like Pound Sterling, Dollar, Yen, Lira, Mark etc. All these are to cater to the need of regular operation as well as for a maiden offshore project in Bay of Bengal.

With this background, I can probably make a modest claim of having the authority to express my views on some of the issues pertaining to commercial transactions. One such issue is the corruption, though instead of using the word 'corruption', I would like to use the word 'manipulation favoring a contractor'. Manipulation is a bold definite step towards corruption, if not itself is the corruption, as any manipulation in commercial transaction is taken subsequently as a tacit go ahead signals by opportunists for violating rules and regulations and thus in the long run creates fertile ground for corruption.

Thirty seven years of my service also includes a period of six years of great enlightenment during which I was exposed to the learning of different styles of leaderships under the guidance of Mr. U. Sunderarajan, Ex-CMD of BPCL and Dr. I. G. Kannan, Ex-Director of ASCI, Hyderabad and was assigned the responsibility of creating a learning organization

where right type of leadership is practised. This helped me in seeing the commercial transactions, and for that matter, any activities in the organization in a different light. It also inspired me to assess the impact of leadership in the working environment which influences the behavior of the people and ultimately the activities and the results. Corruption or manipulation is also an activity influenced by an environment created mostly by leaders and their leadership styles apart from individual greed.

Thirty seven years of experience gave me an opportunity to observe the changing scenario of corruption over time. In my opinion, petty corruption was always there which is mainly dependent on the individual character of a person and opportunities available. Proper systems and procedures can largely curb such corruptions. But the concern over time is the corruption with influence of higher echelons. When manipulation favoring contractor is done on the influence of higher echelons of leadership, organization's ability to control corruption gets seriously compromised. This area now needs more focus in an organization since scams at higher levels in the recent years have not only created a high pitch social anger but also reportedly siphoned off public money to wrong hand endangering the future of organizations. I would like to dwell upon certain observations about leadership role in PSUs in corruption.

Mr. R. C. Bhargava, Managing Director and Chairman of Maruti Udyog Limited in his book 'Maruti Story' has hinted how the leaders in PSUs at times are in situation where they are compelled to compromise



the ethics because of political pressures as their future and image, even appointment, depends on the Ministry and bureaucrats. Even it is reported widely in media that election funds are generated through PSUs. P. C. Parakh has brought similar instances to the surface in his book 'Crusader or conspirator'. Under such an environment, it is only natural that many a leaders in PSUs lose their moral tooth and create a team of manipulators down below to respond appropriately to such need. HR policy and HR decision obviously has to play an important role in creating the 'Team of Manipulators'. Casualty is the ethical and working environment of the organization.

It is important to create a working environment where individuals feel that they must perform effectively in the interest of the company and in the larger interest of the nation. People at the helm of affairs may have the right to demand servility but not abject obedience to meet their personal agenda. Creating such a leadership environment ultimately creates an unethical environment where sycophancy takes the front seat and the interest of the organization back. Such environments are breeding grounds of corruption. It is well known that transfer to insignificant post, making non-functional as OSD, withholding or delaying promotion, insulting and derogatory remarks at various forums are some of the 'rewards' kept reserved for individuals who are intellectually honest and who put the overall interest of the organization and the nation above personal desires. Unless it comes under the purview of vigilance to question such arbitrary 'rewards' reserved for the people having the courage of convictions or to question the process of creating the 'Team of Manipulators', more and more people particularly at senior level would slowly discontinue their fight against manipulation. Result is a fertile ground for corruption.

Corruption is like water. It percolates down but in different forms. Sometimes in the form of biased HR decisions, sometimes in the form of inappropriate leadership style diluting moral values, sometimes in the form of lures of foreign trips and other perquisites, sometimes in the form of demand for unquestioning loyalty and sometimes in the form of passport to the privileged group. Unquestioning loyalty is a convenient conduit through which seeds of corruption can be pushed down. There are people who are efficient enough to prove themselves more loyal than the king and these are normally the raw materials for forming the 'Team of Manipulators'. Rewarding such people only for the unquestioning loyalty, sidetracking those who are ready to take principled stand inspired by high sense of duty for long term and greater interest of the institution and the nation not only create a demoralizing environment, the organization also loses the people who can deliver good governance.

In any organization, people remain at the top for a short period. It is a human nature, if not weakness, to take care of the interest which matters during own tenure. As a result focus is always for the short term goals which need to be achieved even by means which may pollute the working environment in the long run making it a breeding ground for unethical behavior or result in chaos and demoralization. People at higher echelons of the organization nowadays do not retire and look for opportunities elsewhere. It is only therefore natural that interest of those who can provide post-superannuating placements takes precedence over the long term interest of the organization. Exploration of superannuating placements at the fag end of the career while at the top also erodes the ability of senior officers to maintain objectivity and impartiality in decision making towards the end of their service. From such



senior officers corruption percolates down polluting the water in the downstream.

Created urgency either intentionally or because of lack of competency for proper timely planning is another window through which corruption enters. Many senior officers in PSUs encourage a peculiar type of dynamism which ultimately leads to a chaotic condition sooner or later. Trespassing the limit of authority may at best earn personal popularity but should not be termed as dynamism; neither who functions with a respect to the laid down policy and framework be categorized as lacking commitment to the organization. Many a times, it is seen that in the name of dynamism or urgency things are done violating all the norms and procedures, which in the long run complicate the matter, delay the deliverables, incurs extra expenditure, quality of works suffer, infructuous works generated and creates an atmosphere which is polluted and chaotic. Corruption breeds slowly in such environment. Right concept, right and timely action, detailed study, careful analysis, high level competency as well as methodical planning and execution cannot be substituted by haphazard activities in the name of urgency and dynamism. Spending public money to enrich contractors in the name of illusory efficiency and created urgency needs to be discouraged if we want to reduce the level of corruption in an organization.

Nowadays, business processes have become so complex that it is almost impossible for an outsider to understand how such processes are manipulated for benefit of individuals or contractors. A simple apparently innocent change in the process can drain

crores of rupees of public money to contractors. But insider knows how such manipulation takes place but their mouths are shut by conduct rules. If the conduct rules are changed suitably allowing insiders to make public such manipulation with proper facts, lot of corruption which takes place at high level under the cover of confidentiality would stop. After RTI, next movement in the direction of transparency may be amendment of conduct rules allowing insider to bring out facts for larger interest of the nation. In this connection, I would like to quote few lines from Mr. P. C. Parakh "...no rules of conduct can be cited to prevent a citizen in a free society from raising his views on issues which affects his obligations to fellow citizens, his rights, self-respect and dignity and authority of the government. The conduct rules have to change along with the changing needs and values of society. In a democratic society, they cannot be regimented and shut the mouth of a person against the larger interest of the people."

Future of PSU or for that matter any organization will depend upon the way how it is managed by the leaders. Call of the moment is to have leaders who are capable, have proper leadership styles and most importantly should be a man of character. Only such leaders will be able to achieve the desired goal of the organization through proper way expected of a PSU leader and not through manipulation. Manipulation favoring contractor has to be stopped not only to arrest draining of public money, but also for stability of working environment in organization as well as in the interest of social and political stability of the country at large. Vigilance and other such agencies have a great role to play in this regard.



Right to Information (RTI) - A Tool for Good Governance

The information provided through this write up on RTI Act 2005 is based on the knowledge gathered while attending a Workshop on RTI Act 2005. Forwarded for publication with the intention to share knowledge for a fare understanding on the Act for the Readers of InTouch.

Atindra Roychoudhury
CM(Technical)
Corporate Office

Transparency and Accountability are two basic premises on which democracy thrives. In a democratic country, public authorities are accountable to the citizens in general for every rupee spent by them, for every decision taken by them. Every citizen of India has the fundamental right to know where and how the taxpayer's money is being spent by the public authorities, how the decisions are taken and how the schemes are being implemented.

The right to information is implicit in the Constitution of India. However, the colonial past of our country left the legacy of a dominant culture of secrecy and resolute denial of access to Information to the citizen. With the pioneering efforts of organisations like MKSS (Mazdoor Kisan Shakti Sangathan) led by bureaucrat turned social worker Aruna Roy, Nikhil Dey, a young man who abandoned his studies in the USA in search for meaningful rural social activism and Shankar Singh, a local, movement enthusiast for Right to Information, sprouted in harsh weather and living condition of the state of Rajasthan in the early nineties.

Finally, RTI Act saw the light of the day in the year 2005. Prior to introduction of the Act, most of the times, public officials took shelter under the colonial Official Secrecy Act of 1923 to restrict citizens from accessing their right to information.

The Act starts with the preamble

“An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority.”

It further states that:

“Democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed.”

And today, if we visit the link in the official website of PMO (<http://pmindia.nic.in/transparency.php>), we can see our Honourable Prime Minister's commitment to transparency in Governance.

However, due to lack of adequate knowledge of the Act and the general apprehension of getting unduly harassed by people misusing the act, it is observed that officials of public offices, including the PSUs tend to develop a negative sentiment towards the Act. It is true that like any other rights endowed by our constitution on its citizens, there is no dearth of people who misutilise these rights to carry out their vested



interest. However, we must be able to see the larger public interest and benefits behind this foggy screen of mis-utilisation, which eventually will disappear as the day progresses.

Let us straightway look at the perceived benefits of adhering to the essence of the RTI Act for our organisation i.e. OIL :

1. Better Operational Environment through Enhanced Transparency: As it was stated earlier, transparency in public transactions is one of the fundamentals of Good Governance in democracy. In a World Bank study, it was found that countries with high level of Transparency Index like the Scandinavian countries, New Zealand, Australia etc. have very low level of corruption and high GDP.

In a public sector company like OIL whose workplace is not limited by four walls and who has to deal with people at large on day to day basis for carrying out its operations, transparency of its policies and procedures, decisions will enhance confidence level of the people of its operational areas on the company. Many of the environmental problems faced by OIL while carrying out its operations are results of mistrust developed by people based on inadequate information. Therefore, a higher level of Transparency is required to erode off these years of mistrust.

With a view to ensuring maximum disclosure of information regarding rules, regulations and reports including decision making processes, RTI Act demands that every public authority ***maintains all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under the Act.*** The public authorities are therefore expected to make pro-active disclosures through publication of relevant documents, including

web-based dissemination of information. Besides, the public authorities are also required to ***provide as much information suo motu to the public at regular intervals through various means of communication, including internet, so that the public have minimum resort to the use of this Act to obtain information.***

OIL, by complying to the act will thus benefit in the form of confidence building amongst the people of its operational areas and hence leading to fewer disruptions of operations due to environmental problem.

2. Promotion of Citizen Corporate Partnership: OIL is considered as one amongst the best corporates with effective CSR policies. As part of its various CSR programmes, OIL invests a considerable sum of money. The RTI Act provides a framework for promotion of Citizen-Corporate partnership in designing and implementation of CSR programmes for improving quality of life, which calls for increasing people's options for higher earnings, better education and health care, a cleaner environment and a richer cultural life.

The principle of partnership is derived from the fact that people are not only the ultimate beneficiaries of development, but also the agents of change. The stakeholders' participation leads to better projects and more dynamic development. Under the RTI regime, citizens' participation has been promoted through

- (a) access to information and involvement of affected groups/communities in design and implementation of projects;
- (b) empowerment of local government bodies at village level through the involvement and cooperation with NGOs/self help groups.

The pro-active disclosure of information has enabled



the beneficiaries, mainly through NGOs, to assume a central role in design and execution of OIL's CSR projects. RTI has instilled a wider sense of ownership in the development activities.

3. Greater Accountability: Autonomy and Accountability goes hand in hand. OIL being one of the Navratna PSUs of Govt. of India, the Board of OIL has been given lot of powers to take adequate decisions for running the company. The Board of OIL, in turn has sub delegated its powers down the level through its DOP (Delegation of Powers). Accordingly decision making is de-centralised across the levels.

The RTI provides people with the mechanism to access information, which they can use to hold the government to account or to seek explanation as to why decisions have been taken, by whom and with what consequences or outcomes. In addition, every public authority is required ***'to provide reasons for its administrative or quasi-judicial decisions to the affected persons'*** u/s 4(1)(d) of the Act. There is therefore no scope for any arbitrary decision. The quality of decision making is bound to improve, as now the decision makers are under the scanner of people. Until the implementation of the RTI Act, it was mostly impossible for an ordinary person to seek the details of a decision making process. It was, therefore, not possible to hold a free and frank discussion on issues of common concern of people. Such an era of darkness is now over with introduction of the RTI Act 2005.

4. Reduction in Corruption: From the above paragraphs, it is clear that RTI Act 2005 is a tool for enhancing Transparency and Accountability in OIL. And with increase in Transparency and Accountability, Corruption is bound to decrease, as they are contradictory to each other. Reduction of corruption leads to better utilisation of resources employed by

a company. The end result –Enhanced Efficiency, Profitability and Trust by its stakeholders.

With all the above benefits, it is also true that there will be people, groups who would like to take advantage of the Act for fulfilling their personal agenda.

However, the Act with its provisions under Sections 8 (1) (a) to 8 (1)(j) and 9 has provided provisions for exemption of disclosure of information, provided such non-disclosure is not against the Larger Public Interest. Also, it's worth mentioning that the onus of proving that the information requested is in the Larger Public Interest is on the information seeker and not with the CPIO (Central Public Information Officer) of the company.

Some of the important exemptions which I feel are very relevant for OIL are given below:

- 8(d) Information including commercial confidence, trade secrets or intellectual property, the disclosure of which will harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;
- 8(e) Information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;
- 8(j) Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the CPIO or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.



We also must remember that RTI Act 2005 is not a tool for Grievance Redressal. It is only a tool for seeking information. The definition of information as per the Section 2 (f) of the Act is as follows:

“‘information’ means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force;”

The above definition makes it amply clear that, under the Act, the public authority is required to provide information requested, which are:

- Already available with the public authority at the time of receipt of the request.

- Available in a format as mentioned in the above definition.

The public authority is not required to create information on a RTI request. They need to only provide access to information which already exists in the format requested. In case, the information requested is part of an existing document possessed by it and part of which cannot be disclosed under exemptions provided or are not requested, such information should be blocked out from the document and then the document is to be provided to the information seeker. The public authority need not recompile the information as requested. It is very important to understand the above concept before providing information.

(to be continued in next issue)

***We are each responsible for all of our experiences
Every thought we think is creating our future
The point of power is always in the present moment
It's only a thought, and a thought can be changed
Resentment, criticism, and guilt are the most damaging patterns
When we really love ourselves, everything in our life works***

-Louise L. Hay



An Award winning essay of Vigilance Awareness Week

Right To Information Is An Effective Tool To Curb Corruption

Nida Jahan, Class -IX

D/o Mr. Naushad Ahmad

Corruption is the use of black money to add note on the contribution in doing various jobs. People take bribes from others and agree to do any job for them. Money has taken an important place in one's life. Without Money, it is harder to live any life. Corruption determines the people, government and status of a country. In India corruption has been increasing since the last decade. Malpractices have become very important in our government. There were many corrupt people in our country. Even to win certain election, the government is doing malpractices. The main root of corruption is that people don't know its results. People take bribes and do murder cases, theft etc. for others just only for money. People have become greedy of money. Any work can be done with the help of money. In Today's life corruption has taken an important place in our country. People must know the relevant information while going to curb corruption.

Right To Information is an effective tool to curb corruption. People must have the right to information. It will help our country to remove corruption. If there will be not corruption in our country then I am sure that soon our country will also become a developed country.

Anna Hazare has taken steps to remove corruption. He is also against corruption. We all must have the right to information and then we all can help our nation to remove corruption. The people of India must think before taking any bribe on doing malpractices. People must be alert about what is corruption, its evil root cause and how to stop it. They should be aware of everything and should take steps against the people doing corruption. We all must have some information about things going in our government. Right to information plays a very important role to remove corruption. If people will have information then they will know the root cause of corruption. Our country will become a peaceful place to live if there is no corruption.

I would like to conclude that corruption should be removed from its root. Corruption will grow again if we will only remove the upward parts, we must remove it from its evil roots. We should never take bribes and should never do any malpractices and the very important thing to remove is that people must have the right to information to remove corruption Right To Information is an effective tool to remove corruption. All people in the nation must have the right to information.

Thank you.



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सं./No..... 003/DSP/3

19th May, 2014

दिनांक / Dated.....

Circular No. 02/05/2014

Subject: Need for self-contained speaking and reasoned order to be issued by the authorities exercising disciplinary powers.

Attention is invited to the Commission's office order No. 51/9/03 dated 15.09.2003, officer order No. 14/2/04 dated 26.02.2004 and circular No. 02/01/09 dated 15.01.2009, wherein it was clarified that Disciplinary Authorities (DAs) should issue a self-contained, speaking and reasoned order which must indicate, inter-alia, due application of mind by the authority issuing the order.

2. The Commission has observed that inspite of the above said instructions, the orders issued in disciplinary matters by the Disciplinary Authorities concerned are sometimes not in the form of a speaking and reasoned order indicating due application of mind. The Commission would, therefore, again advice all administrative authorities to ensure that officials exercising disciplinary powers conferred under the applicable statutory rules/CDA Rules etc. governing the public servants concerned in the CPSUs/PSBs/Ministries/Departments/Organizations to issue the orders which are self-contained, speaking and reasoned indicating due application of mind by them especially when they differ with the advice/recommendations of CVO or Inquiry Officer or the Commission as the case may be giving cogent reasons thereof.

3. Instances have also come to the notice of the Commission wherein the orders passed by Disciplinary Authorities only indicate their designation in the organization and the name of the officer is not indicated in the orders issued. Commission would, therefore, advice that in all such orders issued in disciplinary matters, the name and designation should also be clearly indicated.

4. Heads of Departments/Organizations and CVOs should ensure that all the Disciplinary Authorities in their organization(s) strictly follow the above guidelines of the Commission in future.

(J. Vinod Kumar)
Officer on Special Duty

All Secretaries in Ministries/Departments to the Government of India
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सं. / No. 98/ORD/1(viii)

दिनांक / Dated 29th April, 2014

Circular No.01/04/14

Sub: Short-comings in bid documents

Ref: Commission's circular No.33/7/03 dated 9th July, 2003

The Commission has been impressing upon all Organisations to ensure transparency and fairplay in all procurements/contracts. One of the concern relates to the short-comings in framing of NITs and bid documents which results in ambiguity and scope for interpretation differently during processing and award of contracts by the organisations.

2. The Commission had vide its Office Order No.33/7/03 dated 9th July, 2003, advised that whatever pre-qualification, evaluation/exclusion criteria, etc. which the organization wants to adopt should be made explicit at the time of inviting tenders so that basic concept of transparency and interests of equity and fairness are satisfied. The acceptance/rejection of any bid should not be arbitrary but on justified grounds as per the laid down specifications, evaluation/exclusion criteria leaving no room for complaints as after all, the bidders spend a lot of time and energy besides financial cost initially in preparing the bids and, thereafter, in following up with the organizations for submitting various clarifications and presentations.

3. The above instructions are reiterated for compliance by all Ministries/Departments/ Organisations.

(J Vinod Kumar)
Officer on Special Duty

To

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GOVERNMENT OF INDIA
CENTRAL VIGILANCE COMMISSION

सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi 110023

दिनांक / Dated.....
20th January, 2010

- (i) The Secretaries of all Ministries/Departments of Government of India
- (ii) The Chief Secretaries to All Union Territories
- (iii) The Comptroller & Auditor General of India
- (iv) The Chairman, Union Public Service Commission
- (v) The Chief Executives of all PSEs/Public Sector Banks/Insurance Companies/Autonomous Organisations/Societies.
- (vi) The Chief Vigilance Officers in the Ministries/Departments/PSEs/Public Sector Banks/Insurance Companies/Autonomous Organisations/Societies
- (vii) President's, Secretariat/Vice-President's Secretariat/Lok Sabha Secretariat/Rajya Sabha Secretariat/PMO

CIRCULAR No.01/01/10

Attention is invited to the Commission's circular No. 4/3/07 dated 3.3.07 on the issue of "Tendering Process – Negotiations with L1".

In the said circular it has, among other things, been stated "As post tender negotiations could often be a source of corruption, it is directed that there should be no post tender negotiations with L1, except in certain exceptional situations". It has come to Commission's notice that this has been interpreted to mean that there is a ban on post tender negotiations with L-1 only and there could be post tender negotiations with other than L1 i.e. L2, L3 etc. This is not correct.

It is clarified to all concerned that - there should normally be no post tender negotiations. If at all negotiations are warranted under exceptional circumstances, then it can be with L1 (Lowest tenderer) only if the tender pertains to the award of work/supply orders etc. where the Government or the Government company has to make payment. However, if the tender is for sale of material by the Government or the Govt. company, the post tender negotiations are not to be held except with H1 (i.e. Highest tenderer) if required.

2. All other instructions as contained in the circular of 3.3.2007 remain unchanged.

3. These instructions issue with the approval of the Commission and may please be noted for immediate compliance.

Ramachandran
(V. Ramachandran)
Chief Technical Examiner



CROSSWORD COMPETITION

AS A NEW INITIATIVE OF INTOUCH, WE ARE PUBLISHING A CROSSWORD PUZZLE IN THIS ISSUE. WE EXPECT, PARTICIPATING IN THE CONTEST WILL ENHANCE OUR AWARENESS, MOSTLY TOWARDS THE ACTIVITIES OF OIL.

Rules for the competition are as under

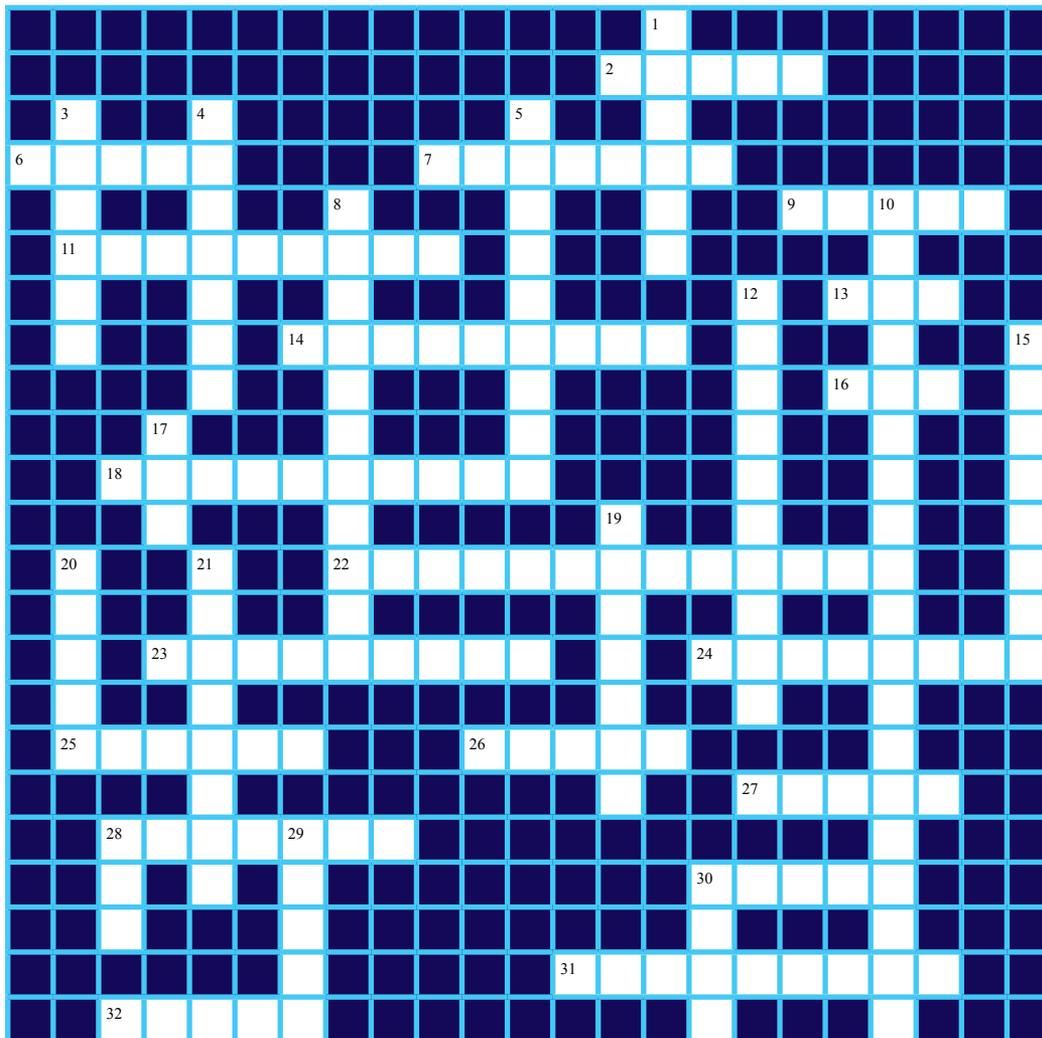
- The crossword competition is open for all executives & unionised employees of OIL, except those working in Vigilance Department.
- Participants are to find out maximum words, as per the clues, mostly related with the activities of OIL.
- Words are to be filled up both horizontally and vertically (across & down)
- Participants can take a photo copy of the grid, fill up the grid and send to Head-Vigilance(Noida) or e-mail to any of the following email ids:

prakashdeka@oilindia.in
rajumoni_saikia@oilindia.in

- Each entry has to be sent with details of name, department, designation, OIL id no. and place of posting along with mobile no.
- Prize Winners will be selected on the basis of number of correct words and will be suitably rewarded.
- Last date of submission of entry : 31.8.2014



CROSSWORD

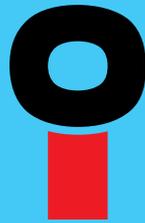


Across

2. threshold value, in Lakhs, for E-tendering (5)
6. enquiry committee members in case of category "A" accident (5)
7. OIL block resembling energy (7)
9. a sand stone formation (5)
11. authority having jurisdiction to review cases (9)
13. to be most careful during formulation of a tender (1, 1, 1)
14. word intricately related to "transport" (9)
16. empowering decision making at various levels (1, 1, 1)
18. awarding contract in rare and exceptional cases (10)
22. Exploration (13)
23. OIL's first land 3D seismic survey carried out (9)
24. substantiation (8)
25. place where an energy project of OIL was commissioned in 2013 (6)
26. conviction/confidence/faith (5)
27. last Saturday of this month, switching of the light around the world (5)
28. a form of minor penalty (7)
30. name of an award (5)
31. pact aimed at preventing corruption in public domain (9)
32. colour, when a LPG leak occurs (5)

Down

1. OIL's CSR project to impart Computer education and promote adult literacy (6)
3. a musical instrument of Mizoram (6)
4. resistance/ protection (7)
5. first discovery in an NELP block as an operator by OIL (9)
8. independent India's first oil discovery (11)
10. can be forfeited for non execution (11, 8)
12. precautionary (10)
15. instrument used for reflection field technique for geo-physical studies (8)
17. technique for increasing the amount of crude oil from an oil field (1, 1, 1)
19. onlooker/bystander (7)
20. an act of deception (5)
21. an option of displaying in web in case of poor response of bid in limited tendering (8)
28. at the apex of vigilance (1, 1, 1)
29. unwarranted/unjustified (5)
30. the most transparent system (4)



ऑयल इंडिया लिमिटेड

(भारत सरकार का उद्यम)

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(A Government of India Enterprise)

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Editors, InTouch