



**MOIL LIMITED**  
(A Government of India Enterprise)

# VIGILANCE VANI

MONTHLY NEWS LETTER OF VIGILANCE MOIL

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## Comprehensive guidelines on Complaint Handling Mechanism-Part 12

### Procedure adopted by Central Vigilance Commission on PIDPI Complaint:

- Complaints received under PIDPI Resolution are opened in a separate section, specially created for dealing with complaints from Whistle-Blowers. The section is called 'Confidential Section' and parallel files (separate file for each complaint) are created after concealing the name and address of the complainant.
- Pseudonymous/ Anonymous PIDPI complaints will be filed and no action will be taken. The complaints which have been addressed to other / several authorities are not treated as complaint under PIDPI Resolution and are forwarded by the Confidential Section to the Vigilance Section concerned of the Commission for taking necessary action under Complaint Handling Policy of the Commission.
- In respect of those complaints which are considered fit for processing under PIDPI Resolution, a letter is sent to the complainant to obtain (a) confirmation as to whether he / she has made the complaint or not and (b) a certificate that that he / she has not made similar / identical allegation of corruption / misuse of office to any other authorities to qualify as a Whistle Blower Complainant. Prescribed time limit for receiving the confirmation and the certificate from the Complainant is 30 days from the date of receipt of Commission's letter by the complainant. In case of no response within the prescribed time limit, a reminder is issued, giving additional two weeks' time to the complainant for sending confirmation and the certificate, to the Commission. If there is still no response from the complainant, the complaint is sent to the Branch concerned of the Commission for necessary action under Complaint Handling Policy of the Commission.

d. The Commission has decided to discontinue the practice of obtaining NOC from the Whistle Blower/complainant.

(Commission's Public Notice dated 30.07.2021)

e. After receiving necessary confirmation from the complainant, the complaint is placed before the Screening Committee for decision.

f. The Screening Committee is headed by the Secretary and the Additional Secretaries of the Commission are members. The Screening Committee examines all complaints and recommends complaints for Investigation and Report (I & R) / Necessary Action (NA) / Filing.

g. When a complaint is put up to the Screening Committee, if it is found that there are certain shortcomings due to which it does not fulfil the eligibility criteria, it will be returned to the complainant, clearly enumerating the reasons for not fulfilling the eligibility criteria. The complaint will then be closed in the Commission. Thereafter, the complainant has the option of either sending a fresh regular complaint to the Central Vigilance Commission under its Complaint Handling Policy or may again lodge a fresh complaint if desired under PIDPI Resolution after removal of the deficiencies.

(Commission's Public Notice dated 30.07.2021)

h. The complaints, where necessary action has been recommended by the Screening Committee, are referred to the Vigilance Branch concerned for further action. Complaints recommended for investigation and report is sent to the Vigilance Branch concerned of the Commission for further action after approval of the Commission. The Commission has prescribed a period of 12 weeks from the date of receipt of reference from the Commission, for the organizations to submit investigation report.

(Commission's Circular No. 12/09/18 dated 28.09.2018)

i. The complaints/ disclosures already categorized as Non-Public Interest Disclosure and Protection of Informers (Non-PIDPI) complaints/ cases where No Objection Certificate was received from the complainant before issuance of Public Notice dated 30.07.2021 will continue to be processed as per Commission's Public Notice dated 24.04.2019.

### **Advisory Issued to Management for systemic improvement by Vigilance**

#### **Intimation in regards to Loans taken/given exceeding prescribed limit:**

a. It has been observed during interaction with executives that employees are taking/giving loans which are exceeding their two months Basic pay. Therefore, it is advised to issue suitable instructions to ensure that intimation is submitted by employees who are taking/giving loan amount which is exceeding their two months Basic pay.

#### **Non utilization of assets :**

a. Proposals for combined work should be processed and executed simultaneously to avoid Non utilization of assets. There should be co-ordination between associating departments during the entire process.

b. Assets/facilities for which PO/WOs are placed should be effectively chased/followed up.

c. Assets/facilities supplied must be commissioned and put to its intended/effective use by taking timely decision, proper inter department co-ordination and follow up.

d. Suo-moto action may be taken by concerned officials to commission the facilities without waiting for complaint.

### **OMS calculation for preparing estimates of pure labour/labour intensive works:**

OMS is the sole parameter which decides manpower requirement and hence estimated rate per unit (tub pushing in this case) in pure labour/ labour intensive works. However, it is seen that no database is maintained at field level to calculate OMS in on-going works. Rather, it is simply presumed by both the committees at Mine and H.O. Level without any factual records to justify it.

Based on scrutiny of records in a certain case, it is found that actual manpower deployment is 27.85% less than that assumed during estimate stage on the basis of presumed OMS and 38.60% of the actual deployment. This indicates that presumed OMS is on much lower side which leads to higher rates per unit and hence inflated estimates.

The estimated rate is the vital element for getting competitive offers and for establishing reasonableness of the rates being offered.

Therefore, it is recommended that OMS must be derived on the basis of actual deployment in field in successfully executed contracts instead of presumption as being done in the instant case and all other cases. Suitable database must be maintained in the field based on actual records rather than presuming this vital parameter which has predominant effect on the estimate.

### **Purchase of SDE 25mm & 40mm at Moil Mines:**

- a. CIL Purchase Clause 17.2 of Chapter 17 procurement of Explosives and their Accessories should be included in purchase manual of MOIL to avoid loss due to non-supply of material by vender.
- b. Parallel to call password protected mail for risk purchasing the clause 6.7 (i) All envelopes containing the tenders shall be properly sealed /stapled. ii) The envelope containing the tenders must be super scribed with the Tender No. and date and time of opening.) of purchase manual should also be followed.

### **Caution!!**

- a. It has come to the notice that there are instances in which people are claiming false UG/Hardship Allowance.
- b. As false claim like T.A claims, reimbursement claims, etc reflect adversely on the integrity of officer/staff and comes under the purview of Vigilance as per CVC guidelines. This may be brought to the notice of all the staff as part of preventive Vigilance.
- c. Employees claiming false UG/Hardship Allowance etc. are liable for punishment and punitive action will be taken against defaulting officials.



**Inspection by VOs, MOIL at Gumgaon Mine**



# MODUS OPERANDI OF FINANCIAL FRAUDSTERS-Part 9

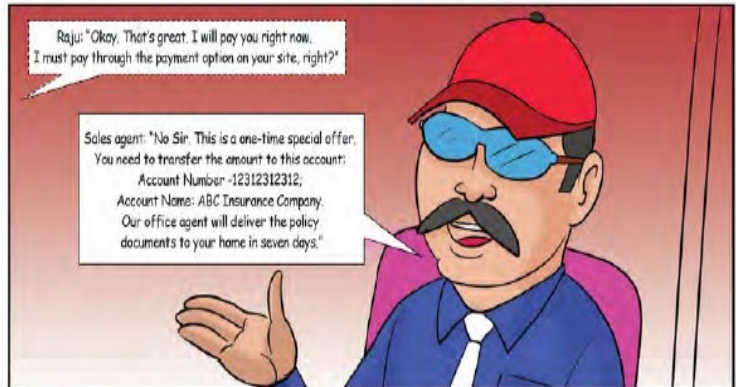
Reserve Bank of India has taken initiative by publishing a booklet on modus operandi of financial fraudsters for consumer awareness. To prevent MOIL employees from such fraudsters in their professional and Personal capacity while making financial transactions and their activities in social media, it is reproduced below:

## Fake Account Number

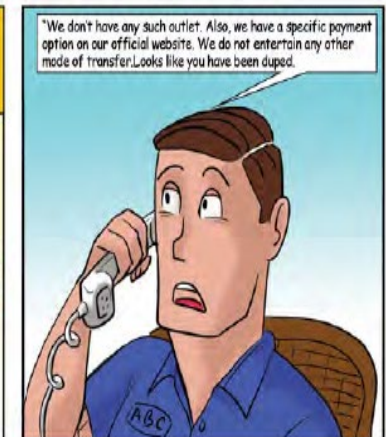
Raju was planning to buy a family insurance policy for himself and his family. On his way back home from the office, he saw a small stall in the name of ABC Insurance company



- Do's**
- ✓ Cross-check an organization's credentials on a known database to see if they are genuine.
  - ✓ Always approach registered offices for availing products.
  - ✓ Funds are transferred solely based on account number.
  - ✓ Fraudsters may give a genuine company name but give their own account number, always verify the account number with the company before making a payment.
  - ✓ Report the incident to the nearest Cyber Crime Police Station and National Cyber Crime Reporting Portal at <https://cybercrime.gov.in>



The next day Raju noticed that the outlet was gone. Even after 10 days, he did not receive any documents. Raju called the ABC insurance company.



- Don'ts:**
- ✗ Do not pay anybody without verifying the authenticity of the company.

VIGILANCE DEPARTMENT, MOIL LIMITED

"MOIL BHAWAN", 1A, KATOL ROAD,  
NAGPUR-440013, PBX:0712-2806100

Website: [www.moil.nic.in](http://www.moil.nic.in) CIN: L99999MH1962GOI012398

Toll free No: 18002333606

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