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VIGILANCE VANI

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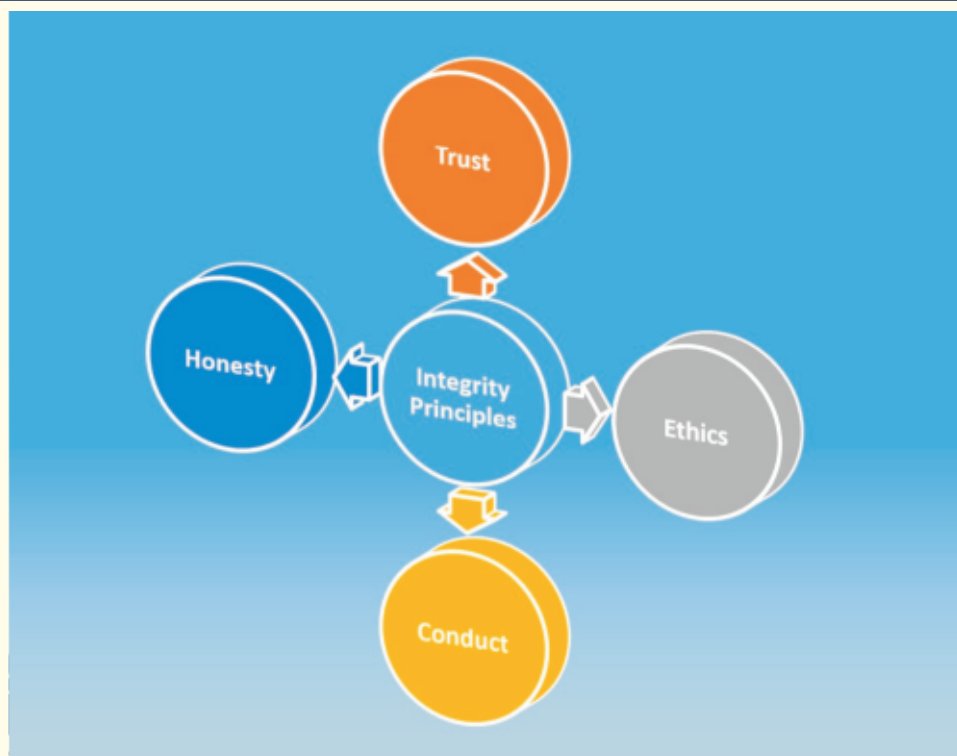
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Comprehensive guidelines on Complaint Handling Mechanism-Part 6

Action on Complaints received by CPSE, PSB, PSIC, etc.

- a. Initially, the decision about the existence of vigilance angle in a complaint may be taken by the CVO. The Disciplinary Authority (DA) may differ with the CVO within a period of 15 days, giving valid reasons. However, in case of difference of opinion between the CVO and the Disciplinary Authority (DA) regarding the existence of vigilance angle, the matter along with the investigation report on complaint would continue to be referred to the Commission for its first stage advice.

[Commission's Circular No. 07/04/15 (015-MSC-016) dated 27.04.2015]

- b. In exercise of its functions and powers, the Commission can call for a report in respect of any complaint having vigilance angle relating to an organisation covered under the Commission's jurisdiction. Wherever the Commission calls for 'investigation and report' on a complaint, the report of the investigation should normally be sent to the Commission. However, after investigation, if it is found that the officials involved in the case are not covered under Commission's jurisdiction, the matter may be dealt with by the CVO of the organisation concerned himself. However, action taken by the CVO may be intimated to the Commission in order to monitor compliance. Further, it is clarified that in so far as PIDPI complaints are concerned, the Commission has jurisdiction over all officials (irrespective of their level) of the organisation covered under the Commission's jurisdiction. Therefore, in respect of PIDPI Complaints, investigation report is to be sent to the Commission, for all categories of officials.

[Vigilance Manual 2021 Chapter-III, Para 3.6(d)]

Handling of Complaints against Board level officials

- a. A complaint involving a Board-level appointee, whether figuring alone or in association with others, is to be forwarded by the CVO of the CPSE, PSIC, PSB or PSFI etc, to the CVO of the administrative ministry. Under no circumstances, CVO of an organization should initiate action against the Board-level appointee of his organization. The CVO of the administrative ministry would initiate action on such complaints in accordance with the instructions given in Vigilance Manual 2021, Chapter-III, Para 3.5
- b. In cases where the Commission calls for investigation and report against a Board level appointee, the CVO of the administrative ministry shall initiate investigation and furnish report to the Commission in the prescribed format.

(Commission's Circular No. 06/03/11 dated 14.03.2011)

- c. If the CVO of an administrative ministry asks for a factual report against a Board level appointee from the CVO of the organisation concerned, the latter will send the same to the CVO of the Ministry/ Department, after endorsing a copy of the report to the CMD. The CVO of the Ministry/ Department may make a reference to the Commission after collecting all the relevant facts and following the prescribed procedure.

[Vigilance Manual 2021 Chapter-III, Para 3.7(c)]

- d. If a complaint against a Board level appointee is directly received by the CPSEs/PSBs/PSICs/PSFI etc., the CVO shall forward the same to the CVO of the administrative ministry for consideration.

[Vigilance Manual 2021 Chapter-III. Para 3.7(d)]

- e. In the case of PSEs and PSBs, sometimes, it is found that there is a spate of complains against individuals whose names are being considered/ finalized for Board Level appointments. Similarly, when an official is due for promotion, sometimes old complaints are taken cognizance of and investigation is started against the official. In order to avoid unnecessary harassment to the officials, against whom frivolous complaints are received at the time of their promotion, selection or empanelment, the Commission has decided that for the purpose of giving vigilance clearance in such cases: -

- i. As a rule, complaints /cases which are more than 5 years old and against which no action has been taken till then, should not be taken into cognizance. However, the limit of 5 years will not apply to cases of fraud and other criminal offences; and
- ii. No cognizance should be taken of any complaint which is received up to 6 months prior to the initiation of selection process for Board level officials.

(Commission 's Office Order No. 57/8/04 dated 31.08.2004)

Handling of Complaints against CVO, VO, etc.

- a. Any complaints against the CVO should be immediately referred to the Commission and the Commission would decide the further course of action thereon. However, the complaints against the other vigilance functionaries shall be looked into by the CVO personally and further action would be taken as per prescribed procedure.

Gist of recent circular published during the Year, 2022

Circular No:	Subject:	Details:
13/04/22 Dt: 12.04.2022	Time Extension for providing further information/clarification by the CVO, as sought by CVC - reg.	<ul style="list-style-type: none">The Commission has desired that in those cases, where further information/clarification has been sought from the authorities concerned and for some reasons, it is not possible to provide the desired information/clarification within the 30 days' time period, the Chief Vigilance Officer/authority concerned in the respective organisation must seek extension of time from the Commission for providing the required information. The reasons for the delay/seeking extra time for providing information/clarification and the time period within which the information/clarification would be submitted to the Commission, should also be specifically mentioned in the communication being sent to the Commission for this purpose.
14/07/22 Dt:11.07.2022	Updation of Manual on Procurement of Goods, Services, Works and Consultancy, etc.	<ul style="list-style-type: none">For the sake of uniformity and to avoid multiplicity of authorities for issuance of guidelines on procurement related issues, DoE in collaboration with CVC has now updated (i) Manual on Procurement of Goods, (ii) Manual on Procurement of Works (iii) Manual on Procurement of Consultancy & Other Services, wherein all the CVC guidelines on public procurement have been merged. These updated Manuals of D/o Expenditure have been uploaded on the website of CVC and all the earlier guidelines of CVC on public procurement have been withdrawn. All the Organisations are required to update/align their procurement guidelines/manuals in line with the above Manuals of D/o Expenditure and upload them on their website at the earliest for easy access of their officials and other stakeholders.

Advisory Issued to Management for systemic improvement by Vigilance in the month of July, 2022

Payment of Underground Allowance (UGA) at Ukwa Mine:

1. Recovery of excess payment to be done from Executive, Non-Executive and Piece rated worker (PRW) based on the actual records for performing duty in U/G area as it is not possible for Executive, Non-executive and PRW to work in underground area without issue of cap lamp.
2. Counselling of Executive, Non-Executive and PRW may be done who have made false claim and U/G Manager who certified U/G attendance for Non-executive and PRW. Suitable advisory to be issued to all Mines bringing false claim of UGA to the knowledge of all executive, Non-executive and PRW. Failure to compliance would render disciplinary action in future.

MODUS OPERANDI OF FINANCIAL FRAUDSTERS - Part 4

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:

SIM SWAP / SIM CLONING

Fraudster: "Hello Sir, I am calling from ABC telecom company. We are offering you a SIM card upgrade for better internet connectivity and more data."

Raju: "What should I do to avail this benefit?"

Fraudster: "You must share with us basic details like your Aadhaar Card number and unique 20-digit SIM card number. Thereafter, you will get a text. Reply 'I' to activate the offer."

Raju: "Okay."

Raju: "What has happened to my mobile! There is no network, and I am not able to make calls, send messages, etc."

Fraudster: uses the new SIM to retrieve the username for the banking application by using options like forgot username, reset password etc. and transfer all the money to his account.

After a few minutes, when Raju received emails showing cash debits from his bank account, he checked his bank account balance. He noticed that some unauthorized debits were made from his account for which no SMSs were received on his registered mobile number as the SIM was compromised to transfer funds, shop online, etc.

Do's:

- ✓ Verify the status of the SIM card with your Telecom Service Provider when in doubt instead of believing unknown callers.
- ✓ Report the incident to the nearest Cyber Crime Police Station and National Cyber Crime Reporting Portal at <https://cybercrime.gov.in>

Don'ts:

- ✗ Don't share confidential details like Aadhaar number and SIM number with unknown callers.

VIGILANCE DEPARTMENT, MOIL LIMITED
"MOIL BHAWAN", 1A, KATOL ROAD,
NAGPUR-440013. PBX :0712-2806100
Website : www.moil.nic.in CIN : L99999MH1962GOI012398

Toll free No. : 18002333606

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Any suggestion(s) /feedback may be mailed to cvo@moil.nic.in