NWO-CM-I Cell, BSNL Corporate office 1st Floor, Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi-110 001.



To.

The Chief General Manager All Telecom Circle / Districts

Sub: Outsourcing of Maintenance/other works - reg.

Reference is invited towards Minutes of Structured Meeting held between CMD BSNL & CVO BSNL followed by discussion between GM (Vigilance) BSNL CO and PGM (Pers.) BSNL CO on 27.10.2020 (Copy attached).

2. Kindly refer point 6(iii) of attached minutes wherein direction with reference to Outsourcing of Maintenance/other works were issued which inter-alia states that all Circles are requested for adherence to various labour laws prescribed for tender regarding Outsourcing of maintenance /other works and follow the guidelines issued by BSNL CO. No deviation should be allowed at local level in the guidelines.

Payment for the subsequent month should be released to the agency/vendor after the EPF & other statutory dues of workers have been paid for the previous month and all labour laws are compiled.

3. In view of above, you are requested to follow the guidelines on the subject in true spirit.

This issues with the approval of competent authority.

Encl: A/a

AGM (NWO-CM-1)

Copy to: CVO, BSNL - for kind information pl.

O/o Chief Vigilance Officer, Eastern Court Complex, Ground Floor, Near MTNL Sanchar Haat, Janpath, New Delhi- 110001 Tel. 011-23734340, Fax: 011-23734300, Email: cvo@bsnl.co.in BSNLTG

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1102/2021

भारत संचार निगम लिमिटेड (भारत संस्कार का उपक्रम)

BHARAT SANCHAR NIGAM LIMITED OlopGNICO: MINERASINO-CHI

Minutes of Structured Meeting held on 27.10.2020

Due to present COVID situation, structured meeting was conducted through audio conferencing between CMD BSNL and CVO BSNL on 27.10.2020. Subsequently, discussions have been held between GM (Vigilance) BSNLCO and PGM (Pers.) BSNLCO on the following agenda issues.

1

Withdrawal of Guidelines issued vide PGM (Pers.) letter no. 400-140/Pers.i dated 16.08.2019

A Structured Meeting was held on 07.08.2019. As per the established practice, minutes of meeting are issued by the unit who organize the meeting But before the issuance of minutes of said meeting by the vigilance wing, Guidelines related to safe custody of original documents & files were issued vide PGM (Pers.) letter no. 400-140/Pers.I dated 16.08.2019 without consulting the vigilance cell which is rebroduced below:

'In disciplinary cases, CGM should ensure that the papers/ documents which are required for investigation by the vigilance branch shall be handed over in original to the concerned vigilance officer and in return, vigilance officer will certify copies of each and every paper of those original documents and hand over the certified copy to the concerned unit for their record and safe custody."

However, the issue of certified copies of each and every paper of original documents by vigilance officer was never discussed in the said meeting dated 07.08.2019.

The above said guidelines dated 16.08.2019 issued by PGM (Pers.) were to be But these have not been withdrawn. withdrawn so far despite DO letters dated 20.08,2019 and 13.01.2020 issued by CVO, BSNL to CMD, BSNL.

Action taken status/Decision

In this regard, CVC circular no. 2/2/07 dated 23.02.2007 along with Para 4.4 (a) of vigilance manual regarding seizure of records was discussed which provides that

"If the allegations contain information which can be verified from any document or file or any other Departmental records, the enquiry / vigilance officer should, without loss of time, secure such records, etc., for personal inspection. If any of the papers examined is found to contain evidence supporting the allegations, such papers should be taken over by him for retention by the vigilance Department to guard against the possibility of available evidence being tampered with. If the papers in question are required for any current action, it may be considered whether the purpose would not be served by substituting authenticated copies of the relevant portions of the records; the original being retained by the enquiry officer in his custody. If that is not considered feasible for any reason, the officer requiring the documents or papers in question for current action should be made responsible for their safe custody after retaining authenticated copies for the purpose of investigation"

In view of the above mentioned guidelines of CVC, the instructions issued by Personnel section vide letter dated 16.08.2019 need to be revised.

Action by: Director (HR) / PGM (Personnel)

Registered & Corporate Office: Bharat Sanchar Bhawan, Harish Chandra Mathur Lane, Janpath, New Delhi-110 001

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Manpower in Vigilance: Filling up of vacant posts of Vigilance Heads in BSNL Circles/ Units

Presently, posts of vigilance heads in Bihar, Gujarat, HP, ITPC, J& K, NE-II, STP & STR, Telengana, UKND and WB are lying vacant. Panel of officers for each post may be sent to corporate vigilance cell immediately by calling volunteers. While sending the said panel, options may also be called from the officers posted in the other circles. Above matter regarding posting from other circles was also discussed in Structured meeting dated 07.08.2019, however in this regard, no circular was issued.

Further, to save time and money, it is proposed that henceforth while sending the panel of officers for posting in vigilance cell, circles should not send the certified copies of APARs of the last 5 years. The circles may send the details like grading of the concerned officer, brief of his duties/ responsibilities/ achievements along with the recommendations of the circles head.

(As per Annexure attached)

Action taken status/Decision

Panel for MP, J& K, UKND, HP & NE-II have been received. Being large circle, panel for Bihar & Gujarat may also be sent on priority.

Action by: PGM (Personnel)

3.

Premature transfer of Officers of Vigilance Cell

Para 3(i) of CVC circular dated 28.03.2006 states as below:

"All personnel in Vigilance cell will be posted only in consultation with and the concurrence of the CVOs. They will be for an initial period of three years extendable upto five years. Any premature reversion before the expiry of such tenure will only be with the concurrence of CVO. The CVO shall bring to the notice of the commission any deviation from the above."

However, recently Sh. J.3. Chavan GM(Vig.) Maharashtra circle, who has not yet completed his initial tenure in Vigilance Cell, has been transferred from MH circle to NE-II circle vide Pers. Cell letter dated 05.03.2020 without taking concurrence of CVO BSNL.

Action taken status/Decision

Orders for retention of J.B. Chavan GM(Vig.) Maharashtra circle has been issued by Personnel section and in future, CVO, BSNL office shall be consulted by Personnel cell before issuance of transfer order of vigilance officers before completion of tenure.

For those Vigilance heads, whose tenure is completed or going to complete soon, panel may be sent to this office before issuance of transfer orders.

Action by : PGM (Personnel)

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Action taken status/Decision

In this regard, CGMTs have been requested by Vigilance cell to issue necessary instructions to Inquiry officers to expedite the completion of

If required, DO letters under the signature of Director (HR) BSNL shall be issued.

Action by: CVO/Director (HR)

5.

Lenient view being taken by DAs while imposing the penalty	
In this regard a letter dated 09.08.2019 was issued by CMD BSNL, however, it is observed by CVO BSNL/DoT that penalty imposed by the disciplinary authority are still not commensurate with the gravity of misconduct by the delinquent officers.	DoT vide No. 68-25/2020-vig-n 02.12.2020. Further this office has issued a letter dated 09.12.2020 to all Disciplinary

6.

Systemic Improvement

Case regarding excess billing of Wings No. 7579301278 in the name of Mr. Shahrukh Khan R/o Khurja, Distt. Bulandshahar.

A case of excess billing/outstanding of Rs. 1,28,58,268/- in the month of September, 2019 for Wings NGN connection 7579301278 was investigated and It is found that most of the calls have been made to Seychelles, Antarctica(Aus Territory), Maldives, Tokelau, Diego Garcia, Switzerland etc. and it is observed that this huge amount was due to No limit/Threshold in the software. There is need to suitably modify software with automatic cut-off/warning when bill limit is reached.

Guarantee/Experience certificate (ii) Bank submitted by bidders

Complaints have been received regarding submission of fake bank guarantee or experience

Action taken status/Decision

The issues were discussed and the actions in this regard is to be taken by the concerned unit.

(i) Action by GM (IT-CFA)

(ii) Action by GM (MM)

certificate by the bidders in the tenders floated by BSNL. In this regard, action as per the prevailing guidelines should be taken by the concerned authority. The guidelines/provisions of procurement manual may reiterated/issued by the management to all concerned.

(iii) Outsourcing of Maintenance /otherworks:

tenders regarding outsourcing maintenance / other works, adherence to various labour laws shall be prescribed.

The guidelines issued in this regard by BSNL Corporate office should be strictly followed by Circles/SSAs and no deviation should be allowed at local level in the guidelines.

Payment for the subsequent month should be released to the agency/vendor after the EPF & other statutory dues of workers have been paid for the previous month and all labour laws are complied.

(iii) Action by GM (NWP-CFA) and GM (NWP-CM)

Additional Points- Information sought by CVC for VAW-2020:

As per CVC instructions, certain information were sought from different units of BSNL CO New Delhi, relating to Vigilance Awareness Week observed in BSNL from 27.10.2020 to 02.11.2020. In this regard, it is intimated that reports from all sections of BSNLCO have been received and compliance report along with activity report of VAW-2020 already submitted to CVC by this-office.

The meeting ended with thanks to the chair.

Dated 29.01.2021

File No. 24-3/2020-VA

Copy to:

2. All Directors, BSNL Board. 157- (CM)

PGM (Pers.) BSNLCO. 3.

GM (IT-CFA) / GM (MM) / GM (NWP-CFA) / GM (NWP-CM), BSNLCO. 5.