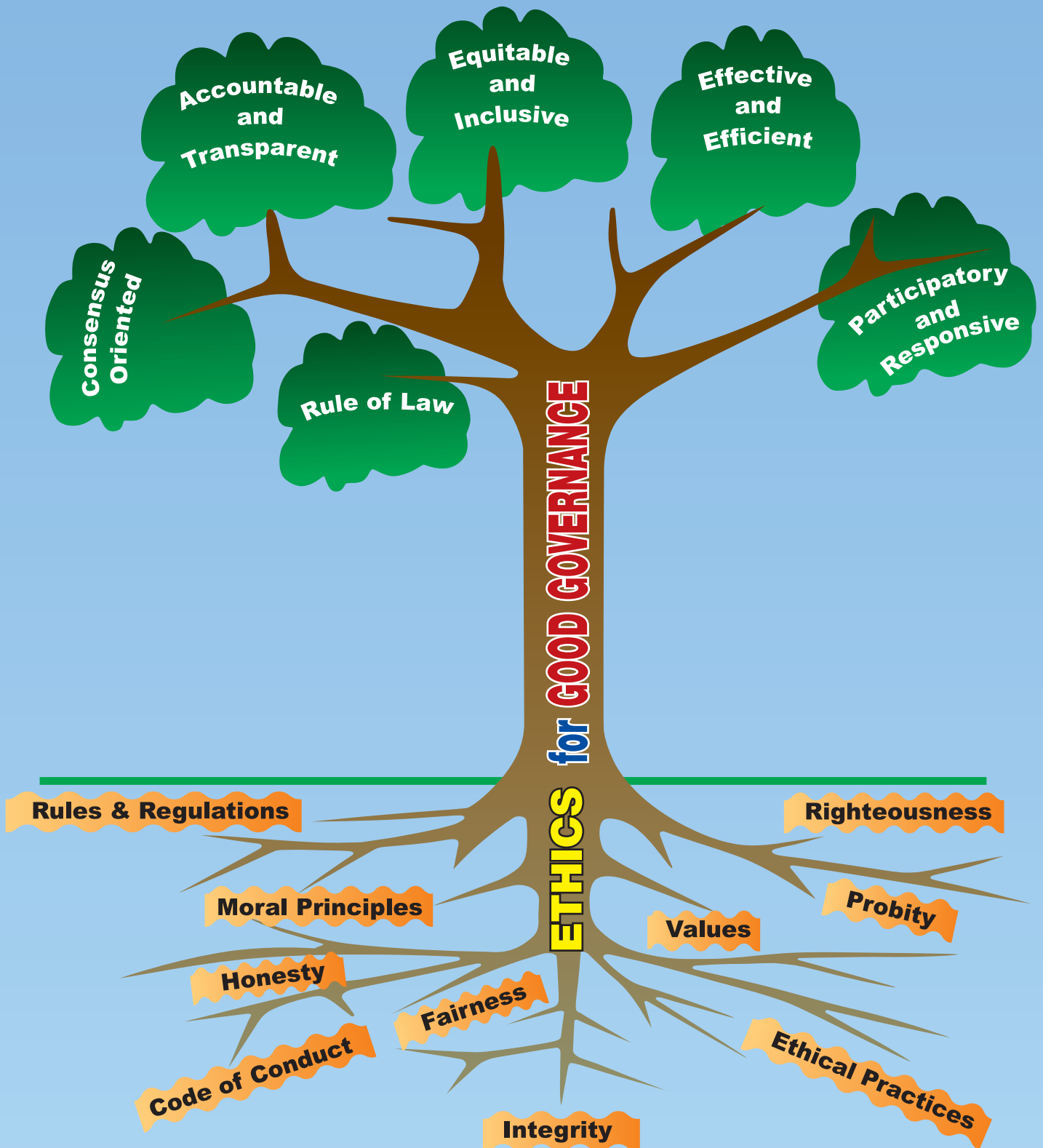




VIGEYE VANI

Quarterly Newsletter
Central Vigilance Commission
January - March 2018



**Ms. Sumitra Mahajan, Hon'ble Speaker, Lok Sabha
addressing & interacting during Lecture on 18.01.2018**





Guest Editorial



Nilam Sawhney
Secretary, CVC

The theme for this issue of Vigeye Vani is on ethics and governance. The question that first comes to my mind is, why should this be important for the Commission? Ethics is very important for governance because public servants are entrusted with discretionary power for the exercise of public authority. This power must be exercised for public good rather than for private gain. Corruption which may be plainly defined as the abuse of public power for private gain is antithetical to this definition. Good governance is very important for the social and economic development of our country and corruption is a hindrance in the achievement of this goal.

Thus the observance of ethics in the conduct of public servants is very important, and we in the Central Vigilance Commission believe that this is as important as the maintenance of the institutional and statutory mechanisms that regulate the conduct of public servants as well as the preventive measures undertaken by organisations to regulate the conduct of their employees to minimize corruption.

Eliminating corruption requires dedicated institutional mechanisms to identify and punish the corrupt, but these must necessarily be complemented by the need to deter wrongdoing and for the inculcation of ethical values in order to ensure that individuals as well as organisations act with integrity. This has been the reason for the Commission's emphasis on the importance of preventive vigilance in government organisations as well as the public outreach initiatives of the Commission.

How should we go about achieving this vision? It is my belief that we can achieve this when the vision of ethical conduct in governance is shared by all, rather than being a set of rules and regulations. Persuasion will be more effective than legislation of rules and guidelines by organisations. When

we see value in having ethical organisations and ethical action by persons working within these organisations, we will work towards this goal. The government, the public sector as well as private organisations and citizens must work for greater ethical conduct in governance, for individuals as well as for organisations. This is why the Commission seeks involvement of government organisations, the public sector as well as the public in this initiative. The visibility of ethics in public life is desired; thus the organisation of events held in the public space such as awareness gram sabhas, public functions, walkathons, human chains, mass media and social media campaigns etc. are important.

Implementation of this strategy leads to another understated but very significant activity, viz. the outreach initiatives for the youth of the country. Understanding the importance of ethics and inculcation of ethical conduct in the next generation of citizens is some the most important work that public organisations can do to achieve our shared vision. This is why the Commission has been emphasizing the importance of vigilance awareness outreach activities for schools and colleges in recent years. Also, making the youth self aware of the importance of ethics in their lives will be far more effective than giving them a set of rules or guidelines to follow. They must bring their unique creativity to their own understanding of the value of honesty and on the ill effects of corruption on the country's development. This is why debates, skits, poster making contests, formation of integrity clubs etc. are asked for by the Commission.

The elimination of corruption from public life and the adherence to ethical conduct by individuals and organisations alike will make a better India.



Ethics for Good Governance



Deepak Kashyap
CVO/BSNL

In the Annual Performance Appraisal Report (APAR) of Indian civil servants/public sector executives, there are two columns as crucial yardsticks of his/her capacity for good governance: 'Health' and 'Integrity'. You fall short in either, if not both, and your career progression nosedives. Few realize though, that these two seemingly distinct attributes are intrinsically linked, and in fact flow largely from a single fountainhead: Ethics. Intriguingly, the word 'health' in Old English, means 'wholeness', and the word 'integrity', derived from Latin integer, also means 'wholeness'. No wonder, some of the world's greatest despots suffered from some morbid physical ailment or the other, with calamitous implications for human civilizations. Mussolini had an incurable syphilis. Hitler suffered from muscular tremors symptomatic of Parkinson's disease. And Stalin suffered from atherosclerosis of the brain-arteries.

Fewer still are those who realize that Ethics, in turn, flows from that most powerful attribute that single-handedly lifts mankind from the pulls of animal living: 'Spirituality'. The link – as we descend from the finer to the coarser – could in nutshell be put down as something like:

Spirituality → Ethics → Integrity → Health → Good Governance.

Power of Thought:

Paramhans Yogananda, who was revered no less by the West than by the East, quotes his legendary Guru, Swami Yuketeshwar Giri in his best-selling 'Autobiography of a Yogi' as

instructing him thus: "Man is a soul, and has a body. When he properly places his sense of identity, he leaves behind all compulsive patterns. So long as he remains confused in his ordinary state of spiritual amnesia, he will know the subtle fetters of environmental law."

Yogananda concludes by adding his own incisive observation thus:

"The deeper the Self-realization of a man, the more he influences the whole Universe by his subtle spiritual vibrations, and the less he himself is affected by the phenomenal flux."

Scientists at Institute of Noetic Sciences, the American non-profit para-psychological research institute, and elsewhere, have demonstrated that influence of intention on water can be detected in ice crystals formed from that water. Positive intentions produce well-formed, aesthetically appealing crystals and negative intentions yield poorly formed, asymmetric crystals. Research also shows that tentative and random thoughts are in some way linked to quantum physics: all sub-atomic particles are in a state of potentiality, and by the act of observation, any one state is actualized. Quantum physics reveals that the whole universe is actually a series of probabilities. Matter darts from one spot to another without moving through the intervening space. Information moves 'timelessly' across ends of the universe. Our mind shapes the reality that 'pops' out of an infinite 'cloud' of probability which essentially is energy entwined with consciousness.

Thus, all the options coexist in varying degrees of

probability. When we mentally pick one option, the other options cease to exist for us. It follows then, that our own layers of consciousness create our Reality, and by extension, our events and Destiny. This is as much true of a nation or a society as of an individual. More and more companies, institutions and nations, especially in the West, are therefore, turning to Yoga and spiritual practices such as pranayama, meditation and 'fire-walking' as management tools for ethical conduct, good governance and superior performance. Increasingly, organizations realize that the way to better management and greater efficiency lies not in predatory competition, stressed employees and exploitative environment, but in symbiotic collaboration, motivated workforce and empathic management.

The adage "nice guys finish last" is passé and winners are coming more often from among those for whom winning is not everything. Two of the 21st century's greatest achievers and managers in Bill Gates and Warren Buffet are also known for their simple living and ethical conduct, exemplified in their self-effacement and low-key charity. Mr. E. Sreedharan, the renowned 'Metroman' of India was among the first few top managers – that too in public sector – to recognize the essential linkage of ethics with spirituality on one hand and good governance on the other. While inculcating a new work culture in Delhi Metro Rail Corporation that later became symbolic of excellence and aspirational for all government departments/PSUs, he started by introducing regular yoga/mediation sessions for the office employees. And he realised that 'Ethics' in this context, is not confined to work ethics, but means much more that has intangible dimensions, but gives tangible results. So often in the Indian context, a civil servant is called upon to swim against the current and stand up against the high and mighty, should he be inclined to safeguard public interest. What would enable him/her to endure the inevitable trials and tribulations in

the process, is not strength of the flesh, but the force of spirit welling out of high morals and inner reserves.

Mirror Neurons:

Neurologists in recent times, through powerful brain-imaging techniques such as fMRI, have found "mirror neurons" that fire when a subject acts and also when it observes the same action performed by someone else. These neurons thus "mirror" the behavior of another, as though the observer were itself acting. Although preliminary studies involved monkeys, brain activity consistent with that of mirror neurons has since been found in cerebral cortex of humans as well. V.S. Ramachandran, Director of the Centre for Brain and Cognition in University of California, says: "we used to say, metaphorically, that 'I can feel another's pain'. But now we know that my mirror neurons can literally feel your pain. Mirror neurons dissolve the barrier between you and someone else." He calls them 'Gandhi neurons'. This actually provides a neurological basis for that noblest of human emotions and precursor to ethics: 'empathy'. Although all human beings are hardwired to empathy, individuals vary from being intensely empathetic to being almost lacking in empathy. The discovery of mirror neurons in humans holds exciting promise to not only diagnose individuals more likely to exhibit cruelty and 'inhuman' behavior through mapping of mirror neurons implicated in empathy, but also open up possibilities of raising empathy levels in individuals through neurological intervention simulating meditation.

Each day, we are getting inundated with news of latest breakthroughs in Artificial Intelligence that would permit robots to match or surpass human intelligence. Exciting as it sounds, even scientists warn of its ominous implications. The idea of being able to scientifically substitute genes of lust, envy and aggression among humans with those of peace, love and

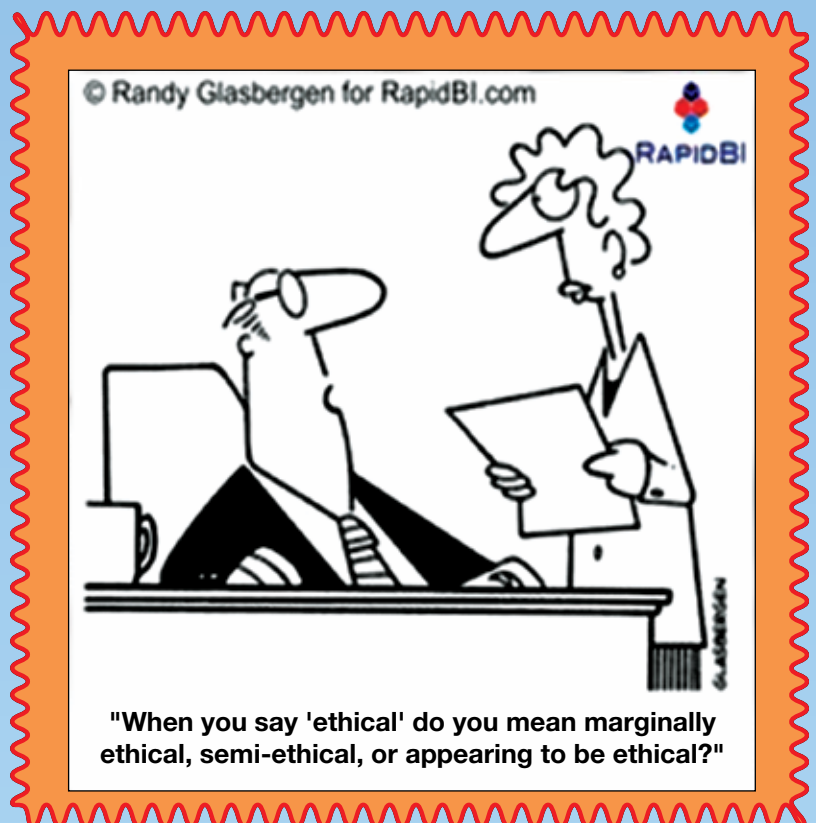
affection in quest of a better society, on the other hand, is reassuring, to say the least. Be it through meditation, or through neurological intervention: there is no denying that in an atmosphere of overall ethical decline, efficient administration cannot be secured through mere legislation or administrative supervision. The challenge for us, therefore, is not to “perform or perish”, but to “improve or perish”.

Contemporary India:

Talking specifically of the Indian context, the surge in scams, riots, rapes and wanton killings that we have been witnessing in the last few decades, are undoubtedly signs of ethical decline and erosion of proper governance. No amount of state-intervention, judicial activism or institutional surveillance – however well-meaning – is, apparently, having any effect on this juggernaut of self-destruction from the societal point of view. The crisis, if we introspect, is not external, but internal. The Universe, in an inscrutable way, has the uncanny knack of giving us back sooner or later, what we have thrown at it. The key to removing surrounding gloom is not in attacking darkness, but in spreading light. Somebody told me recently that in a land as close as Dubai, when two cars bump into each other, the first thing that the two men behind the wheels do is to come out and embrace each other with the expression that ‘God wanted the two souls to know each other well this way’. In my recent US visit, I found the Americans everywhere smiling indulgently at me – a perfect stranger – ‘forcing’ me to smile back at them as often. The need for policing and state-intervention in such societies diminishes manifold, opening up resources for more productive usage. Compare this with the road-rage that we see every day in metros like Delhi. Unsurprisingly, we need the courts,

the police and even the army, to settle our small disputes that, stoked by our own inner greed/aggression and outsiders’ vested interest, flare up in no time to devastate the whole country. An inner cleansing with ethical refinement is therefore, the best recipe for ‘minimum government and maximum governance’: the hallmark of good governance.

I would end with a contemporary quote from Kaushik Basu, former chief economist of the World Bank: “As we see one corruption scandal after another break in India, banks being looted, politics turning vile, with people being taught to hate others and guard only their own group interest, if we want to turn around the corner, it is not enough to just get our fiscal policies right, exchange-rate strategy right, and taxation policy streamlined. We also need to nurture certain individual morals. It is a failure in our education that we have missed out altogether on the importance of individual morality and values.”



What does it take to Create An Ethical, Value-based Organisation?



ATUL KUMAR
Chief Ethics Officer,
SBI

Corporate indiscretion, wrongdoing and deviance are perpetually the subject of media attention these days and all around us. Scarcely a day goes by without revelations of a new organisational failing. Organisations in every sector of society- in India as well as across the globe- are regularly disappointing and frustrating us so far as the ethical grandeur is concerned. It is often difficult to understand and comprehend much of what we see as the shadow or dark side of the organisational behaviour. It intrigues and puzzles how highly dedicated, conscientious and capable middle-rung executives or the brilliant, successful and powerful chief executives could go over the line and act in a manner as may potentially risk their jobs, their fortunes, their reputation, their families and their organisations. It defies logic.

How can this behaviour be explained? Why such accomplished executives fail to understand the long term negative ramifications of their actions? Does it happen just because of excessive greed, hubris, ambition, pressure from high-ups or the psychological aberrations? Or it is due to the phenomenon of a few bad apples? It is hard to accept that the people pursuing their careers right from the start with uprightness, integrity and honour suddenly decide to wander to the dark edges and start off committing wrongs. Perhaps, the inconvenient truth is that it is human predisposition that tends to hold such effortless factors responsible for engendering the organisational wrongdoings whereas the transgressions take place for want of an ethical

compass to guide the behaviour of people. We are living in an increasingly volatile, complex, uncertain and ambiguous environment in which it is knotty to decide what the right thing to do is. Further, if an attempt is made to deep dive into the nature of infractions in the corporate and banking space, it is noticeable that the failure of the managers or leaders to see the potential consequences of their choices- both personal and professional- is ostensibly inconsistent with the same personality and psychological traits that have brought them to the top and c-suite. Research shows that, in most of the cases, such infractions transpire inadvertently and stem generally from a lack of recognising or appreciating the possible consequences of certain actions. This is an intuitive, self-deceptive and unconscious mechanism-known as ethical fading- through which even morally competent people are led to disregard the ethical consequences of a choice while facing the challenges of working in an intensively competitive financial world.

How can we encounter this ethical challenge and nurture a governance dynamics that promotes ethical behaviour in an organisation? Or for that matter, what does it take to create an ethical, value based organisation—workplaces where individuals treat each other with respect, behave with sincerity, take pride in their work, care about one another, foster accountability, keep promises, report wrongdoings and place the public interest over individual and organizational self-interest? It requires

substantial time, resources, and commitment, which is not a small challenge. However, we must not forget that the search for excellence begins with ethics and the same is worthy of our effort. There is mounting evidence that in addition to the personal values of the employees, the organisational environment including the leadership, practices and ethical climate play a critical role in encouraging ethical conduct. The forces that are created in organizational situations- deriving from ethics- are consequential and powerful because they operate below the surface outside our awareness. More importantly, we need to understand these forces not only because of their invisible power but also because they enable us to create a frame of reference that synchronises with the organisational values. Every time a person chooses between alternatives, the choice is based on the assumptions that lie at the heart of a moral template we choose for ourselves. This template is tutored in the values that provide us with a frame for principled reasoning and ethical decisions. Experts agree that, in an organisational context, an ethical environment must have three drivers that work together to encourage ethical behaviour. Ethical leadership, Ethical practices and Ethical climate.

What is the ethical leadership? It is about shaping the right kind of behaviours. In the face of dilemma, it is about doing the right thing. We can see the behaviour that results but not the values underneath that cause that behaviour. Values are the latent forces playing an enormous role to drive our behaviour. They exert influence over our attitudes and our attitudes influence our ethical behaviour. This connection between values, attitudes, and behaviour forms an ethical behavioural chain. In this process, it is important to recognise that first step of the ethical leadership to set the

ethical tone from the top to mould the desired employee behaviours in the organization. A leader's behaviour or response in any given situation affects the future organizational behaviour in similar situations and thus strengthens or weakens its aggregate ethical content. For example, in case a star performer cheats on the expenses account and the leader ignores the cheating under the influence of high performance, the tendency to cheat would get strengthened among the employees. Organizational stakeholders, especially employees, desire to be led by those who have a moral operating system rooted in espoused values. Over time, this system serves as a model of ethics for the organization at all levels. Here, it is critical that the individual leader's response matches with his or her championed values, ethically anchored practices and stated behavioural standards. In ethics, actions speak louder than words and create a buzz at middle or junior levels. Consistent value-centered responses serve to build an ethical organizational behaviour. Established behavioural standards also help highlight those areas that a leader- based on the current ethical condition of the organisation- wants to underscore as important in establishing a pattern of ethical behaviours.

As regards the second driver viz. ethical practices, a comprehensive ethics programme is needed to upgrade the ethical conduct of the organisational members. The basic elements of ethics programme calls for a consideration of the organisation's fundamental principles and philosophies, compatibility with the structures, systems and policies, and satisfaction of the ethical priorities of top leadership. Built on these essentials, an ethics programme can be developed with the following constituents: (i) A Formal Code of Ethics (ii) Formation of an Ethics Committee (iii) Appointment of an Ethics

Officer (iv) Ethics Communication System (v) Ethics Training Programme (vi) System for Monitoring & Managing Consequences. Here, the Code of Ethics refers to declare formally the acceptable range of behaviours and actions for an organisation. It comprises of a written set of guidelines that executives and other employees must adhere to. A Board-level Ethics Committee must be established to supervise how morally business carries out its operations and also to demonstrate that ethical matters receive due seriousness. Then, the job of managing the ethics programme might be assigned to a dedicated individual selected for the purpose. Other dimension like Ethics Communication and Training Systems are significant too as Ethics is all about communication and education. Further, a suitable structure for consequences management should be put in place for the transgressors.

Having determined the current ethical condition of an organisation, after sharing the Code with the employees and establishing an ethical stance with the visible buy-in of the top leadership, targeted ethicalisation processes must be set in through undernoted six organisation-wide practices:

- (1) **Recruitment and Selection:** Using ethical hiring practices: Hiring employees with strong ethical values; Emphasizing ethics when recruiting new employees.
- (2) **Orientation and Training:** Imparting ethics training; Sensitising about strict adherence with the Code of Ethics; Ensuring the learnings are applied when performing jobs; Discussing ethical issues with new employees as a part of their initial orientation; Communicating core values to newcomers and others (core values serve as enduring guiding principles and, to shape behaviour, values must be continually reinforced through

training, public meetings, corporate videos, brochures and other means.)

- (3) **Rewards, Performance Evaluations and Punishments:** Rewarding ethical behaviour; Evaluating based on processes as well as the results; Avoiding bottom line mentality; Measuring ethical behaviours; Disciplining employees who violate ethical standards.
- (4) **Escalation of Concerns and Protection for Whistle blowers:** Guiding employees to raise concerns if some wrong is observed; establishing a robust mechanism to guard the interests of the whistle blowers; creating an atmosphere where employees feel free to speak up and discuss ethical issues.
- (5) **Accountability and Responsibility:** Holding employees accountable for their actions; Taking responsibility for the outcomes of one's own actions.
- (6) **Decision-making:** Taking ethical issues into account when making decisions; discussing ethical concerns at meetings.

The aforementioned ethical drivers are the catalytic factors that play a particularly significant role in creating a conducive and enabling ethical environment. Without them, any effort is likely to fail. Ethical drivers empower employees, create a sense of shared mission and values, enrich employee commitment and improve their productivity.

Ethical climate means the moral atmosphere of the work environment or the shared perceptions of what is ethically correct behaviour and how ethical issues should be handled in the organisation. It also refers to general perception the organisational employees have about how much ethical the organisation is. In an ethical climate, employees continually endeavour to maintain higher ethical standards and rarely

feel pressured to achieve business objectives at the cost of principles. But here again, one critical precaution is to be taken and the ethical hotspots in the organisation managed proactively. Otherwise, good people may do bad things. Marketing, finance/accounting and human resources are three important organisational activities that put organisations at risk. In these hotspots, several ethical derailers like misaligned incentives, hyper-competitiveness, poor accountability regime, pressure from seniors etc keep on hovering. In such situations the employees find themselves in ethical quandaries because situations are marked by multiple dimensions. We live in a world that is not black and white. Rather, it is coloured by subtle shades of grey. Situations are complex and a multiplicity of options is a rule rather than the exception. In this landscape, focusing on ethical climate is vital because a systematic approach to building and nurturing a moral infra- structure that emphasises the importance of ethical considerations in daily work life is engendered solely by the ethical climate of an organisation.

In Indian public sector space, State Bank of India has taken a seminal initiative by creating an independent ethics function in the organisation headed by a Chief Ethics Officer. It has envisaged integrating ethics with its organisational fabric as a forward-looking measure in the face of challenges coming from the

fast-changing socio-cultural dynamics and demographics of India. A host of earlier discussed initiatives have been set up with an active involvement of the top leadership to fortify its ethical content. Never the less, ethics is always a work-in-progress, but proviso the rank and file of an organisation recognises the need to be sensitive to ethical concerns, the productivity of the entire organisation rises and positive outcomes such as increased credibility, higher level of trust and improved relationships with the key stakeholders take the organisation to the next level. High moral standards and outstanding performance go hand in hand. Organisations that strive to be ethical and value based are more successful and sustainable in long term. Timeless truth is that ethics proves to be wonderful harbinger of growth and development, if and only if, the organisations have a value-based governance culture that inspires moral action and rewards ethical behaviour.



Ethics For Good Governance



Sharat Chandra Tiwari
CVO, MOIL Ltd.,
Nagpur

Ethics comes from Greek “Ethos” and means Good and Bad, right and wrong. It is part of classic philosophy and a way to develop best possible behavior in a social group.

Governance means managing public affairs. It describes the process to take or implement decisions. It also involves management of public resources and guarantees human rights.

Good Governance ensures that all the processes and activities are without corruption, institutions conducting such affairs are transparent, participatory, efficient, work in consensus, accountable and equitable. It also ensures that there are frameworks or guidelines in situations when there are no specific rules or where matters are unclear.

Ethics and Good Governance are basic and universal principles. It is a necessity to strengthen autonomy and transparency.

India is ranked 81 amongst 180 nations in Corruption Perception Index 2017, with score of 40 points out of 100 while New Zealand tops with 89 points as least corrupt nation. Such scores reflect perception of degree of corruption as observed by corporate people, risk analytics and general public. This is done by Transparency International from the expert assessment and opinion surveys conducted. It therefore asks us as to which way our governance must head to scale it up in such surveys and perceptions.

There have been numerous summits arranged and attended by highest echelons of administration all over the globe to improve such perceptions about our country. Efforts are made continuously to bolster growth,

invite investments and develop the nation into a robust system and in such a scenario, international perception works as a catalyst. The threat to ethical standards leads to moral crisis. Moral crisis in any nation clouds the difference between what is right and what is wrong. It somehow starts justifying wrong means for achieving desired ends.

Our Constitution resolves to constitute the nation as Sovereign, Socialist, Secular, Democratic Republic and secure to all Justice, Liberty, Equality and Fraternity. In fact these are the ethics based on which a big nation like India has been conceived to exist. There are further elaborations in fundamental Rights (Article III) and Directive Principles (Article IV) as to how basic rights of citizen must be supreme and how states have to function and make laws to ensure that a social order is in place in which justice, social, economic and political welfare shall be ensured to its entire citizen. The approach to ethics and good governance are therefore inherent in our Constitution which has been effective since years (1950).

Often the issues surrounding ethics and good governance are toned down or devalued by perceptions. If governance is not good and is accepted as a system, it promotes corruption. It comes from lack of specificity which encourages having different interpretation to different people as per their convenience. Ethics knows no boundary. It is universally common and applicable and it helps to eradicate the menace which is the reason of failure in good governance. The United States of America passed the Foreign Corrupt Practice Act to bring down corruption. There are many

countries where corruption is almost legalized by making such laws which makes public authority beyond reach of law. Ethics reflect the kind of social environment we live in.

Governance is derived from the society its people make. Therefore sound ethical values are basic to any society; all its sectors including governance shall be ethical. Good ethics must mean good governance and also good business. At the same time it is very important that there must be top down approach in every institution. There has to be means for low tolerance for unethical behavior and tone has to be set at the top. In a big country like India, there are many agencies which are involved in governance; all need to have ethical conduct. There may be police, administration, Judiciary, public servants. Ethical values are to be imbibed in each vertical as it is not possible to police the policing work, police the administration, police the Judiciary or police the public servants. We must have a system where a person violating law or not payment his tax is considered as outcast.

We need to realize how ethics can be incorporated in our system. Countries over the world have been continuously involved in formulating their system which discourages un-ethical practices. We need to see the practices adopted by developed nations and other countries to handle corruption. First and foremost the need is to identify tangible parameters of promoting ethics in work life.

In our country efforts have been made to inculcate ethics in work culture with:

1. Right to Public Service Acts in many states which envisages service delivery in a transparent, efficient and time bound manner.
2. Standardization of works manuals in every organization which envisages that business of any institutions must be conducted in accordance with the specific laid down principles without

abuse of power, position, following the natural justice and thereby achieving the objectives set.

3. Declaration of assets by political units before participation in election activity.
4. Leveraging of technology for enhancement of transparency in various processes of the organization.
5. Standardization of conduct rules to ensure that officials work with honesty, transparency and in a just manner.
6. Citizens Charter is implemented for different works to make people aware of time bound completion and availability of services.
7. Right to Information for sharing any information with general public which contains decisions taken for benefit of people and is in public interest.
8. Vigilance Commission acts as nodal agency to advise Government/ Institutions for various means to be adopted for preventive vigilance and punitive actions in case of default on vigilance front.
9. Audit wings to ensure that pilferage / leakage/ misuse of public resources, lapses in procedures are identified and corrective action taken for enhancing efficiency, transparency and participation.

There are many more initiatives taken by different organizations suited to their working and structure with underlining motto of increasing transparency, participation and decreasing discretionary working.

Public sector units have a plethora of prescribed requirements emanating from legislation, government policies, business competition, international environment, company's internal policies and regional factors. All these contribute in formulating and adopting ethical practices for its short term and long term objectives.

The ethics framework may be designed in such a way that it:

1. Is equally applicable to all stake holder i.e Officials, Executive, Vendors, and Contractor etc.
2. Effectively clarifies its applicability at all levels.
3. Defines the Organization objective and is correlated with process of behavior and decision making
4. Has provisions for detection of unethical conduct and subsequent actions required without ambiguity.
5. Has a provision for review so that newer adaptations are effected with minimal disturbance to system.
6. Must be accessible to all layers of stakeholders.
7. Must encourage and have provision to share maximum information in public domain.
8. Reflect transparency in performance appraisals to ensure the deserving and fitting authority is placed suitably.
9. Enhance capability of work force by regular review, training to match with organization commitment for growth and objectives.
10. Has the procedures for establishing breach of conduct and disciplinary actions with principles of equality, natural justice duly incorporated in processes itself.
11. Encourages individual dignity, moral integrity, accountability, respect of minorities, no conflict of interest
12. Has provision for consensus building on moral values despite differences in culture, habits, life style etc
13. Has provisions which comply with local laws of the land

The list can be exhaustive by detailing out the basic innate qualities of an organization, in a human being or a nation. All the parameters which are essential to an Ethical Framework must basically be

- a. General
- b. Universal
- c. Publically acceptable
- d. Have Judicious Priorities
- e. Have an element of finality

Such holistic framework may work as model code of conduct and shall surely go beyond the common obstacles to good governance like corruption, inefficiency, ambiguity, delays in decision making and its implementation.

A concept of national integrity system is very well founded in our Constitution which promotes democracy and sovereignty. Democracy asks for responsible conduct and accountability from public servants, political elite to the general people who have mandated them to serve. We have Legislature, Executive and Judiciary as three branches of national tree. All three need to uphold their boundaries and at the same time ensure that common good for greatest number of people is delivered. Ethical standards can be derived from duties and Directive Principles. A national integrity system setting out ethical standard shall help people judge the conduct of all three streams of functionaries. This will enable good governance and promote general welfare of the community.



“ As human beings, our greatness lies not so much in being able to remake the world - that is the myth of the atomic age - as in being able to remake ourselves ”

- Mahatma Gandhi

Doctrine of Contra-Proferentem in Public Procurement



Mukesh Saxena
Technical Examiner,
CVC

Contra Proferentem doctrine also known as 'ambiguity doctrine' provides that if a clause in a contract agreement is ambiguous it would be interpreted against the party who framed it. It is usually applied in disputes involving standardized contracts with non-negotiable terms and conditions.

In view of the fact that the public procurement tenders are invariably made unconditional with non-negotiable terms, framing of tender provisions in a clear, explicit and unambiguous manner becomes essential. As such, an unavoidable responsibility lies on the part of framers, checkers and approvers of the tender document to ensure that its various provisions are apparently clear, non-conflicting and unequivocal. Further, the tender document should be comprehensive taking care of all probable eventualities.

To achieve the intended purpose, it should be ensured that the hidden or implied meanings to tender clauses are avoided; the conditions are practical and factually correct; conditions having financial implication are categorically mentioned; technical specifications and mode of

measurements are duly stated; all probable contingent events are taken care of; order of precedence of various sections of the tender is specified; and disputes of repetitive nature are duly addressed. In addition, a provision of pre-bid conference/meeting with the intending bidders may be kept to address their concerns, clarify doubts and remove ambiguities, if any.

In addition to the above, this doctrine has got vigilance perspective also. In cases, where ambiguous provisions in the contract are interpreted in favour of contractors, especially when such an interpretation has resulted into passing of undue benefits to the contractor or has caused loss of public money; vigilance examiners would, invariably, first ascertain whether the ambiguity has been intentionally kept by the framer or approver of the tender / contract document. It is only after ensuring that there was none; the examiner would look into the possible malafide in wrongful interpretation of contract provision. Hence, diligent drafting of tender documents would not only reduce likelihood of disputes but would alleviate vigilance scrutiny also.

“Where do the evils like corruption arise from? It comes from the never-ending greed. The fight for corruption-free ethical society will have to be fought against this greed and replace it with 'what can I give' spirit”.

– A. P. J. Abdul Kalam

- ❖ Shri K.V. Chowdary, Central Vigilance Commissioner, interacted with delegates during the valedictory function of three-day all India vigilance officers' conference organized to mark the first anniversary of Vigilance Study Circle, Visakhapatnam on 10.02.2018. He advocated for strong whistle-blower mechanism in government and private organizations for prevention of corruption and malpractices.



- ❖ Shri K.V. Chowdary, Central Vigilance Commissioner, inaugurated 5th Anniversary Celebrations of Vigilance Study Circle, Kerala on 23.02.2018. In his inaugural address he stressed the importance of Preventive Vigilance and elaborated on the finer details of Integrity and ethics involved in the functioning of every public servant.



- ❖ Dr. Tejendra Mohan Bhasin, Vigilance Commissioner, addressed probationers of Indian Defence Accounts Services (IDAS) on the subject "Public Servant and Vigilance Awareness" at National Academy of Defence Financial Management (NADFM), Pune on 11.01.2018.

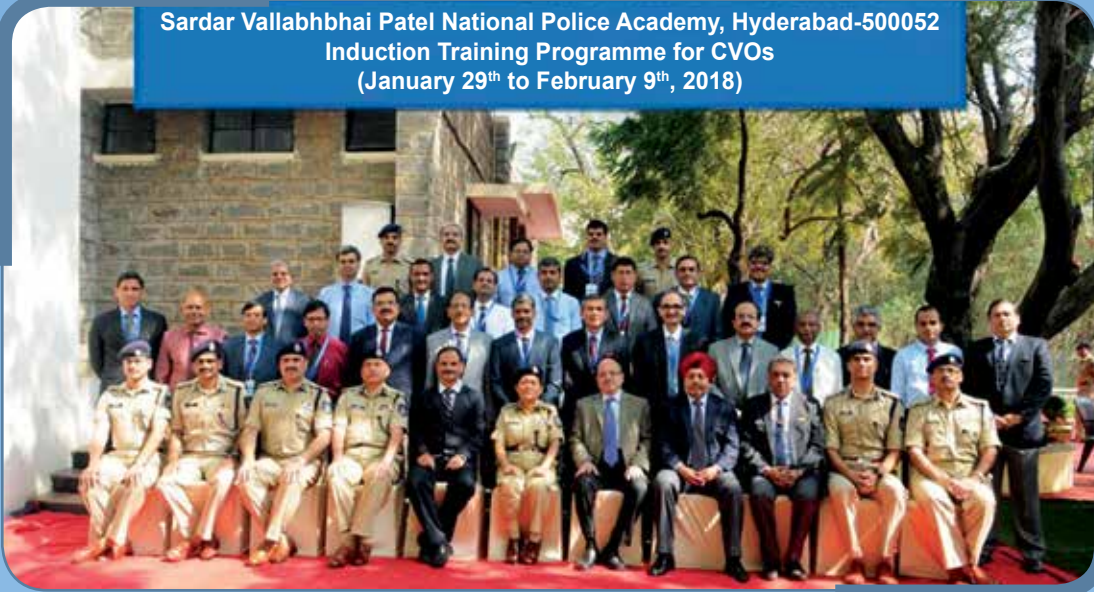


- ❖ A delegation from the Jindal Global University interacted with senior officers of the Commission on 27.03.2018.



- ❖ An Induction Training Programme for "Chief Vigilance Officers" was organised at Sardar Vallabhbhai Patel National Police Academy, Hyderabad from January 29 to February 09, 2018. The training programme provides an opportunity to the newly appointed CVOs to get in depth knowledge on the role and function of the Central Vigilance Commission and its field arms i.e the CVOs, relevant Acts and Rules.

Sardar Vallabhbhai Patel National Police Academy, Hyderabad-500052
Induction Training Programme for CVOs
(January 29th to February 9th, 2018)



- ❖ Dr T.M. Bhasin, Vigilance Commissioner, CVC delivered “Key note address on Vigilance in Financial Sector” in Induction Training Programme for “Chief Vigilance Officers” at Sardar Vallabhbhai Patel National Police Academy, Hyderabad on 02.02.2018.



- ❖ Shri K.V. Chowdary, Central Vigilance Commissioner was chief guest for valediction at Sardar Vallabhbhai Patel National Police Academy, Hyderabad on 09.02.2018.



❖ The workshops organized by the Commission in this quarter are as under:

Sr. No.	Training Programme	Duration
1	Workshop on "Drafting of Chargesheet" for CVOs at ISTM, New Delhi	22.01.2018 to 23.01.2018
2	Workshop on "Vigilance Administration" at ISTM, New Delhi for officers other than CVOs in Vigilance Dept.	15.01.2018 to 19.01.2018
3	Workshop on "Vigilance Administration" at ISTM, New Delhi for officers other than CVOs in Vigilance Dept.	19.03.2018 to 23.03.2018

INSTITUTE OF SECRETARIAT TRAINING & MANAGEMENT, NEW DELHI
Training Programme on Vigilance Administration
(15th to 19th Jan., 2018)

सचिवालय प्रशिक्षण तथा प्रबन्ध संस्थान



3rd Standing Row Left to Right: Rajesh Kumar Singh, Manoj Kumar, Jitendra Singh Tomar, G. Sriram, Sham Sunder Garg, Surendra Kumar Yadav, Kripa Shankar Singh, Gautam Kumar Dey, Mayukh Chatterjee, Nataraj S N, Satheesh Kumar I, Shiba Prasad Mohapatra, Ashok V, Dinesh Kumar Goyal, Upendra Rao, Shashibhusan Behara, Rajeshwar Prasad Patel.

2nd Standing Row Left to Right: Sudhakar Bantwal, Thilagaran S, Rajeevaran K, Binay Kumar Sinha, Himanshu Kumar, Balasubramanian A D, Sateesh Kumar Rai, Himansu Sekhar Rout, A S Rajkumar, Suresh Pal, Shivaji Gupta, Jyoti Ranjan Rout.

1st Sitting Row Left to Right: Vadali Rambabu, J Vinod Kumar, Col Sanjay Kumar Sharma (Addl. Director), Dr. Sanita H Khurana (Director), K Govindaraju, Praveen Prakash Ambashtha, U S Chattopadhyay.

Course Director
Praveen Prakash Ambashtha (Deputy Director)

INSTITUTE OF SECRETARIAT TRAINING & MANAGEMENT, NEW DELHI
CVC Sponsored Workshop for CVOs on Drafting of Charge Sheet
(22nd & 23rd January, 2018)

सचिवालय प्रशिक्षण तथा प्रबन्ध संस्थान



3rd Standing Row Left to Right: Major V S Rana, Selvaraj K, S S Pendharkar, V V S Sreenivas, Mujib Pasha Shaik, G S Narang, A K Joshi, V Sundaresan, Sanjay Jain, K Venkateshchalepathy, S K Parida, S K Nagpal, Deepak Chaturvedi, B P Sharma, Munawar Khurshood, Santanu Saha.

2nd Standing Row Left to Right: M V S N Murthy, D P Naidu, B Sivakumar, D B Singh, A K Kaodyan, U K Kedia, K Vidyasagar, Ghansham Bansal, A K Ghildyal, Anil Kumar Mittal, Anun Kumar Verma, Aravind Annamalai, Manish Bhimta, Sanjay Banga, Sharat Chandra Tiwari.

1st Sitting Row Left to Right: U S Chattopadhyay, Praveen Prakash Ambashtha, K Govindaraju, Dr. Sanita H Khurana (Director), Mukesh Chaturvedi, Col Sanjay Kumar Sharma (Addl. Director), Vadali Rambabu.

Course Director
Praveen Prakash Ambashtha (Deputy Director)

- ❖ In this quarter the Commission invited following eminent persons to deliver lectures and interact with audience under its Knowledge Management Programme. The lectures were webcast live by NIC to a wider audience worldwide. These lectures can be accessed at the Commission’s website www.cvc.gov.in

Eminent Speaker	Topic	Date
Ms. Sumitra Mahajan, Hon’ble Speaker, Lok Sabha	“My Experiences as a Representative of People”	18.01.2018
Dr. Rathin Roy, Director, NIPFP (National Institute of Public Finance and Policy)	“Why Fiscal Rectitude Matters”	27.02.2018
Dr. Ajay Bhushan Pandey, CEO, UIDAI	“Aadhar-Tool for Empowerment and Transparency”	26.03.2018



Dr. Rathin Roy, Director, NIPFP addressing the gathering on 27.02.2018



Dr. Ajay Bhushan Pandey, CEO, UIDAI interacting with audience on 26.03.2018

Farewell Corner



Shri Rajiv, Vigilance Commissioner demitted office on 26.02.2018 after completion of tenure.



Shri SPN Singh, Additional Secretary, CVC was relieved from the Commission on 06.02.2018 after completion of tenure.



Shri Praveen Sinha, Additional Secretary, CVC was relieved from the Commission on 19.03.2018 following his appointment as Joint Director of the Central Bureau of Investigation (CBI).



Shri Premanshu Biswas, Director, CVC was relieved from the Commission on 23.01.2018 after completion of tenure.

Shri Munna Lal, MTS, CVC superannuated from the Commission on 31.01.2018.



We wish them all the best

Welcome Corner



Shri Atul Singh, joined as Additional Secretary, Central Vigilance Commission on 19.03.2018



Shri P. Daniel, joined as Additional Secretary, Central Vigilance Commission on 23.03.2018

Members of the Editorial Board:

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Shri Hemant Kumar,
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Disclaimer: The views expressed in the articles etc. are those of the authors and do not necessarily reflect the policy or position of the Commission. In order to ensure brevity and readability, some articles may be abridged.

Commission bidding farewell to Shri Rajiv, Vigilance Commissioner on 26.02.2018



Have You Taken Integrity Pledge ?
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The graphic features the Central Vigilance Commission logo at the top left and the National Informatics Centre logo at the top right. The central text reads 'केन्द्रीय सतर्कता आयोग' and 'CENTRAL VIGILANCE COMMISSION'. Below this is the slogan 'मेरा लक्ष्य - भ्रष्टाचार मुक्त भारत' and 'MY VISION - CORRUPTION FREE INDIA'. The main heading is 'सत्यनिष्ठा प्रतिज्ञा' and 'INTEGRITY PLEDGE'. It offers two options: 'एक नागरिक के रूप में AS A CITIZEN' and 'एक संगठन के रूप में AS AN ORGANIZATION'. A flowchart shows three steps: 'व्यक्तिगत विवरण दर्ज करें/एंट्री करें ENTER BASIC DETAILS', 'प्रतिज्ञा की भाषा चुनें/सेलेक्ट प्रिज्जि लैंग्वेज SELECT PLEDGE LANGUAGE', and 'पढ़ें और प्रतिज्ञा करें/रीड अँड टैक्स प्रिज्जि रीड अँड टैक्स प्रिज्जि READ & TAKE PLEDGE'. A note states: 'यदि प्रतिज्ञा पहले ही ले चुके हैं तो वचनबद्धता का प्रमाण-पत्र प्राप्त करें | If already taken Pledge, Get the Certificate of Commitment'. At the bottom, it provides options to 'प्रमाणपत्र अपने ई-मेल/मोबाइल पर भेजें | Send certificate to your Email/Mobile' or 'प्रमाणपत्र डाउनलोड करें | Download Certificate'. Statistics show 4,810,060 citizens and 68,428 organizations. The footer includes the NIC logo and copyright information: '© Content owned, updated and maintained by the Central Vigilance Commission. Pledge platform is designed, developed and hosted by National Informatics Centre, Ministry of Electronics & Information Technology, Government of India.'

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