

Handbook on DOS & DONTs



Vigilance Division
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
Anusandhan Bhawan, 2 Rafi Marg
NEW DELHI-110 001

October, 2011

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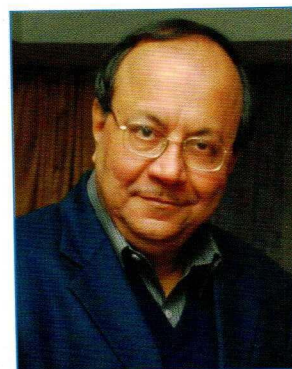
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MESSAGE

The Vigilance Division of CSIR has brought out the 'Handbook of Dos and Don'ts'. It is a good collection for both beginners, as well as professionals, in their activities to learn and to execute their duties. However, all these Dos and Don'ts are based on simple administrative principles, which should be practiced throughout the organization, that is, to have "... rationalized expenditure with equal opportunities to all, without sacrificing quality and maximizing usage of facilities in a transparent environment."

I believe that professional ethics and integrity are the keys to life-success. When an individual or an organization deviates from its ethos, the individual or the organization fails.

To take the new CSIR to higher heights, it is necessary that we build a system of trust around us. This monograph is a guide to building the system which is based on trust. Followed in letter and spirit, it has the potential to serve as a beacon showing the way to make every employee a model employee and the organization celebrated for its transparent procedures and the trust reposed in it by all stakeholders.

(Prof. Samir K. Brahmachari)

31 October 2011
New Delhi



FOREWORD

This year on the occasion of Vigilance Awareness Week, we have endeavoured to bring out a compilation, entitled '**Handbook on Dos and Don'ts**', for all officers and staff members of CSIR. The Handbook covers various aspects like general conduct, vigilance administration, disciplinary matters, canons of financial propriety, purchase procedure, stores management and works contract, etc. It is hoped that the guiding principles listed therein will enable employees to function both effectively and conscientiously as well as maintain probity in public life. I am sure that this Handbook will prove to be of immense use to all.

The 'Dos and Don'ts' fairly covers the entire gamut of rules and guidelines in force; but are by no means exhaustive. While these 'Dos and Don'ts' may serve as a handy reference for official transaction in various domains, for legal authenticity readers are advised to refer to original Rules and Circulars on the respective subject.

I express my gratitude to the Director-General, CSIR for his guidance in the matter. I also acknowledge the contribution of my staff for its compilation and of NISCAIR, New Delhi for printing out the same.

A handwritten signature in blue ink, appearing to read 'Anjali Tewari'.

Anjali Tewari, IRS
Chief Vigilance Officer, CSIR

New Delhi
October 20, 2011

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1

General Conduct

1. GENERAL CONDUCT

DOs

- Always remember that you are a public servant.
- Do remember that as an employee of the Organization you have to contribute your best through highest standards of integrity, dedication, commitment, competence and impartiality in a free, fair, fearless and dispassionate manner.
- Observe proper decorum in office.
- Keep your image both in public and in the Organization as that of an honest, just, reasonable, fair and friendly public servant.
- Act in a courteous manner in performance of your duties.
- Always adopt a sense of fair play and impartiality in disposing off cases. Be judicious in your approach.
- Good behavior is an important tool to success; behave with others the way you expect others to behave with you.
- Do conduct yourself in a manner, which enhances the image of the Organisation. This covers not only your actions in your official capacity and position, but also in private life and dealings.
- Always keep a good and clean conscience. Take a decision on what is right and stick to it. Record your reason for a particular advice or decision in the file as logically and as clearly as possible.
- Take prior permission from your controlling authority before leaving Headquarters.
- Keep your departmental Head/Sectional Head informed of your movements.
- Do admit a mistake committed by you gracefully without trying to pass on the responsibility on others.
- Carry out the work assigned by the superiors with specific or general instructions conscientiously and to the best of your ability.
- Do inform the Management, if any member of your family is engaged in a trade or business or owns or manages an insurance agency.
- Do avoid monetary transactions either directly or through members of your family, which places you under pecuniary obligation to any person with whom you have or are likely to have official dealings.
- Submit your bills in time after verifying them carefully. Any excuse at a future date for preferring a wrong claim on account of ignorance and passing the blame on others is not acceptable.
- Take care of the properties of the Office and official amenities as your own and avoid their misuse, like subletting of allotted house, misuse of vehicle, telephone etc. Remember, infringement or violation of any rule/law can result in departmental action, apart from other proceedings under the law violated.

- Always mention the date with signatures/initials. It may save you sometimes, from some possible future embarrassments.
- You may obtain prior sanction of the Competent Authority before accepting any fee for any work done by you for any public body or private person.
- Declare any movable property inherited, owned, acquired or held by you at the time of joining the service; and subsequent transaction in movable property in your own name/ in the name of your family members if value of such property exceeds two months basic pay may be declared within one month from the date of such transaction.
- Do obtain previous sanction of competent authority in case you enter into any transaction in movable/immovable property either in your own name or in the name of any member of your family if it is with a person with whom you have any official dealings.
- Do give intimation to the office of transactions in shares, debentures, securities, mutual funds schemes, etc. exceeding Rs.50,000/- in respect of Group A & B officers and Rs.25,000/- in respect of Group C & D in a calendar year.
- On occasions of socio/religious functions, gifts received from relatives and personal friends having no official dealings in conformity with the social/ religious practices, should be reported to the Competent Authority if the gift exceeds specified limits, i.e., Rs. 7000/- for Group A post, Rs.4000/- for Group B post, Rs. 2000/- for Group C post and Rs. 1000/- for Group D post. In any other case, an employee shall not accept any gift without the sanction of government if the value exceeds Rs. 1500/- in the case of Group A or B post and Rs. 500/- in the case of Group C or Group D post.
- An employee being a member of the Indian delegation or otherwise, may receive and retain gifts received from foreign dignitaries if the market value of such gifts received on one occasion does not exceed Rs.1000/-. In other cases, acceptance and retention of such gifts shall be regulated by instructions issued from time to time.
- A Council servant shall not accept any gift from any foreign firm which is either contracting with the Council or is one with which he/she had, has or is likely to have official dealings. Acceptance of gifts from any other firm shall be subject to relevant provisions of CCS(Conduct) Rules, 1964.
- Always take prompt action to redress the complaints or grievances of the people, wherever possible. If you have to say 'no' to somebody, say it very politely, but firmly. It is better to say 'no' and decide than to keep the matter pending.
- Do encourage your subordinates to do their best. Every human being craves to be appreciated. If you want to bring about effective change in shortest time, encouragement is the best tool.
- Make the working 'participative' within your area of work. Make every employee feel that he/she has an important role to play in developing an efficient work culture which will boost the morale of the employee.
- Create a positive and 'Vigilance friendly' environment in the organization through your own fair, transparent and timely actions.
- If certain items of work are performed in your units without any written instructions/procedural guidelines but on the basis of certain practices or case to case basis do streamline them through written procedures. It would help to understand duties and function properly and also in fixing individual responsibility.
- Be at work place during designated timings and punch your own attendance card regularly.
- Do intimate loss of identity card to concerned authorities promptly to avoid misuse.

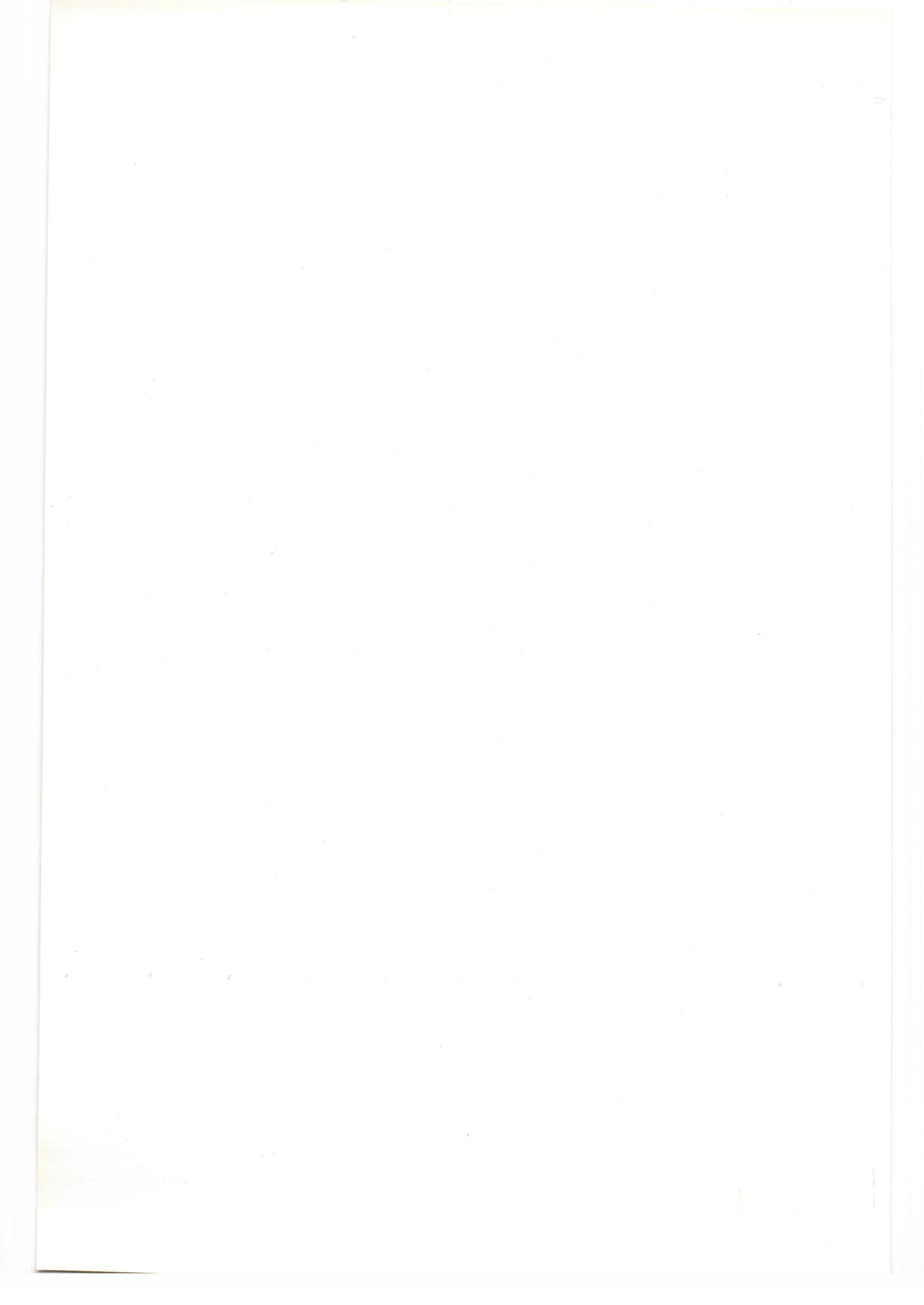
- Always avail leave with prior permission and submit leave application well in time.
- Do intimate any change in address and personal/family status to the office.
- Do ensure that applications put up to you are in the prescribed proforma and all columns are filled in properly before taking further action on them.
- Maintain proper discipline.
- Be always consistent with accountability to your superior officer.
- Always take decisions on merit. You are in a position of trust.
- Always use the working hours for discharging your duties efficiently.
- Remember always that your duties are to manage men, money, materials, machines and methods in an economic, efficient, effective and equitable manner.
- Always ensure that confidential documents are duly sealed, packed and no pre-despatch tampering is made.
- Give wide publicity to Rules and Procedures and in a manner which is simple and easy to understand.
- As a good citizen of a democracy, do your best to combat corrupt practices and willful violation of the laid down Rules, Procedures & Systems by your subordinates and colleagues.

DONTs

- Do not forget to do your duty as efficiently as you can.
- Do not adopt dilatory tactics or delay in disposal of work assigned.
- Do not be negligent or lack in devotion to duty. Barring bonafide mistakes or errors of judgment, if any employee exhibits lack of devotion to duty or negligence, he/she attracts provisions of Conduct Rules.
- Do not be arbitrary and illogical in your decisions. Take decisions that are justifiable in every aspect.
- Avoid getting influenced by personal likes and dislikes, whims and prejudices while disposing of cases.
- Do not engage or participate in any demonstration.
- Do not make attempt to flout or circumvent or short-circuit the Rules or Regulations to suit vested interests.
- Do not live beyond your means; it may be tempting, but dangerous.
- Do not make any unauthorized communication directly or indirectly or part with any information/trade secrets to any other employee or person to whom you are not authorized to communicate or to part with such information, or which may be detrimental to the interest of the Office.
- Do not act in a way, which may hinder the performance of the Office or damage its reputation.
- Do not submit joint representations in service matters.
- Do not take any obligation from anyone.
- Do not sign any document/ minutes on a back-date.
- Do not use your position/influence directly or indirectly for securing any employment or other benefit/advantage for yourself or anyone related to or known to you.
- Do not yield to temptation or run after petty gains; it does not pay ultimately.

- Do not enter into or contract a marriage if you already have a spouse or with a person having a spouse.
- Do not demand or give directly or indirectly any dowry, either in cash or in kind or both.
- Do not approach directly or indirectly any foreign Govt. or organization for financial assistance for visiting a foreign country for attending a course abroad without prior permission of office.
- Do not acquire or dispose of any immovable property either in your own name or in the name of any member of your family without prior knowledge of the Competent Authority.
- Do not forget to declare the immovable properties inherited, owned, acquired or held by you on lease or mortgage either in your own name or in the name of any member of your family every year by 31st January.
- No Government servant should speculate in any stock, share of other investment except occasional interest made through persons duly authorised and licensed or who have obtained a certificate of registration under the law.
- Do not forget to manage your private affairs as to avoid habitual indebtedness or insolvency.
- Do not fail to report to your Controlling/Competent Authority when you apply to be declared or are adjudged, or declared insolvent by any Court.
- Do report full facts of any legal proceeding initiated for recovery of any debt due or for adjudging as an insolvent.
- Do not take part in political activities : (i) do not be an office bearer of a political party / an Organization which takes part in politics; (ii) or, do not participate/assist in any manner in any movement / agitation / demonstration of political nature and (iii) do not canvas in any manner in any election to Legislature or Local Authority.
- Do not exceed your powers - financial and administrative.
- Do not give evidence in connection with any enquiry, other than judicial or departmental enquiry or enquiry before an authority appointed by Government, Parliament, or State Legislature, without previous permission of Competent Authority.
- Do not deal with any matter or give any contract to any Office/person in discharge of official duties, if any family member is employed in that Office/under that person except with the approval of Competent Authority.
- Do not forget to report any theft/pilferage and loss taking place within your area and any other irregularity you observe to the higher authorities.
- Do not make official outstation calls for longer duration. Be brief and concise.
- Do not indulge in activities, which are not permitted by the rules and regulations of the office.
- Do not give ambiguous orders; they tend to create confusion and chaos. Record the minutes of a meeting at the earliest possible. Circulate the minutes to all concerned positively within a week of the meeting. Delays in writing minutes of the negotiating committee, purchase committee, tender committee, recruitment/ promotion committee etc., give scope for suspicion of manipulation. Wherever possible the minutes of committee meetings should be recorded immediately at the conclusion of the meeting and signed by all the members, so that in case there is any point of ambiguity, the same could be clarified by the concerned members at the time of signing.
- Do not criticize policies or action of Government or the Office
- Do not leave Office without prior permission.

- Do not forget to follow proper channel for making application for employment elsewhere.
- Do not falsify, deface or destroy any official records/property.
- Do not interfere with the record of attendance.
- Do not abet or attempt any of the acts of misconduct.
- Do not hold any meeting in the Office or take part in the same without permission of the Competent Authority.
- Do not abet or take part in any demonstration/strike.
- Abide by any law in force relating to intoxicating drinks or drugs in any area you happen to be for the time being.
- Do not be under the influence of intoxicating drinks or drugs during the course of duty.
- Refrain from consuming any intoxicating drinks or drugs in public place.
- Do not appear in a public place in a state of intoxication.
- Do not employ any child below the age of 14 years to work. It is not only a violation of Conduct Rules but also an offence.



2

Vigilance Administration

2. VIGILANCE ADMINISTRATION

(i) GENERAL

DOs

- Every Government servant making a representation should do so in his own name.
- Do take approval of the specified Competent Authority for removing doubts relating to the interpretation of any provision of Rules/Standing Orders applicable.
- Do maintain proper records of movable and immovable properties at the time of acquiring them.
- Remember, habitual late attendance, willful insubordination or disobedience of any kind are deemed as serious misconduct liable to attract disciplinary action.
- Remember that fraud, dishonesty, drunkenness, fighting, riotous or indecent behaviour within the premises of the organization or outside are considered major misconducts.
- Always complete investigations within reasonable time.
- Vigilance Department is a friend of honest employees and extend your whole-hearted cooperation.
- Remember that prevention is better than cure and prevention of corruption is better than the post-corruption hunt for the guilty. To sensitize the public about corruption, it is desirable that all Organizations to display a standard notice board at the reception of the office, containing the following message in English and in the vernacular languages: "Do not pay bribes. If anybody of this office asks for bribe or if you have any information on corruption in this office or if you are a victim of corruption in this office, you can complain to the Head of this Department or the Chief Vigilance Officer and the Central Vigilance Commission (Name, complete address and telephone numbers have also to be mentioned against each)".

DONTs

- In case you have made any discovery or invention during the period while in service do not publish or cause it to be published, disclose or otherwise make known in any manner whatsoever such invention or process, except with the previous sanction of the Competent Authority.
- Do not engage directly or indirectly in any trade or business or undertaking any other employment, part time or whole time, without the previous sanction of the Competent Authority.
- Do not permit any member of the family to accept employment in any Office or firm with whom you have official dealings except with the previous sanction of the Competent Authority.
- Do not bid at auctions arranged by your own office.

- Do not ask or accept contributions to, or otherwise associate yourself with raising of funds or other collections in pursuance of any object without the previous sanction of the Competent Authority.
- Do not accept any award from private Organizations without previous sanction of the Competent Authority.
- Do not enter into negotiations to secure commercial employment while in service without prior permission.
- Do not engage in or incite others to join in strike/slowdown/union activities within Office.
- Do not refuse to work on any job when ordered.
- Do not do private/personal work within the premises during working hours.
- Do not engage in any employment while on leave or absence from duty.
- Do not engage or abet in abuses, any physical violence to any other workman or employee at any time or in the Office.
- Do not bring or attempt to bring any political or other outside influence to further your interest in respect of matters pertaining to your service.
- Do not hesitate to pinpoint and suggest improvement wherever you find cumbersome procedures, which may provide opportunities for corruption and malpractices.
- Do not be slack or indifferent towards any infringement of rules and regulations of the Office. Take immediate preventive or punitive action, as the situation demands.
- Do not forget that your vigilance can help the Office to stop pilferage, wastage of resources and other in fructuous activities, and thus, pave the way towards achievement of its goals.
- Do not hesitate to take firm action when cases of lack of integrity come to notice.
- Do not ever forget that all decisions should be in the interest of the Organization and taken on bonafide reasons. Minor mistakes can be overlooked, but arbitrariness should be avoided. Record the reasons for any procedural deviations.
- Do not miss to take note of any aspect of a subordinate's conduct, like style of living or lavish entertainment which may give rise to suspicion with respect to his/her integrity.
- Do not pass ambiguous orders which are liable to be misinterpreted and leave scope for irregularities.

(ii) RECRUITMENT

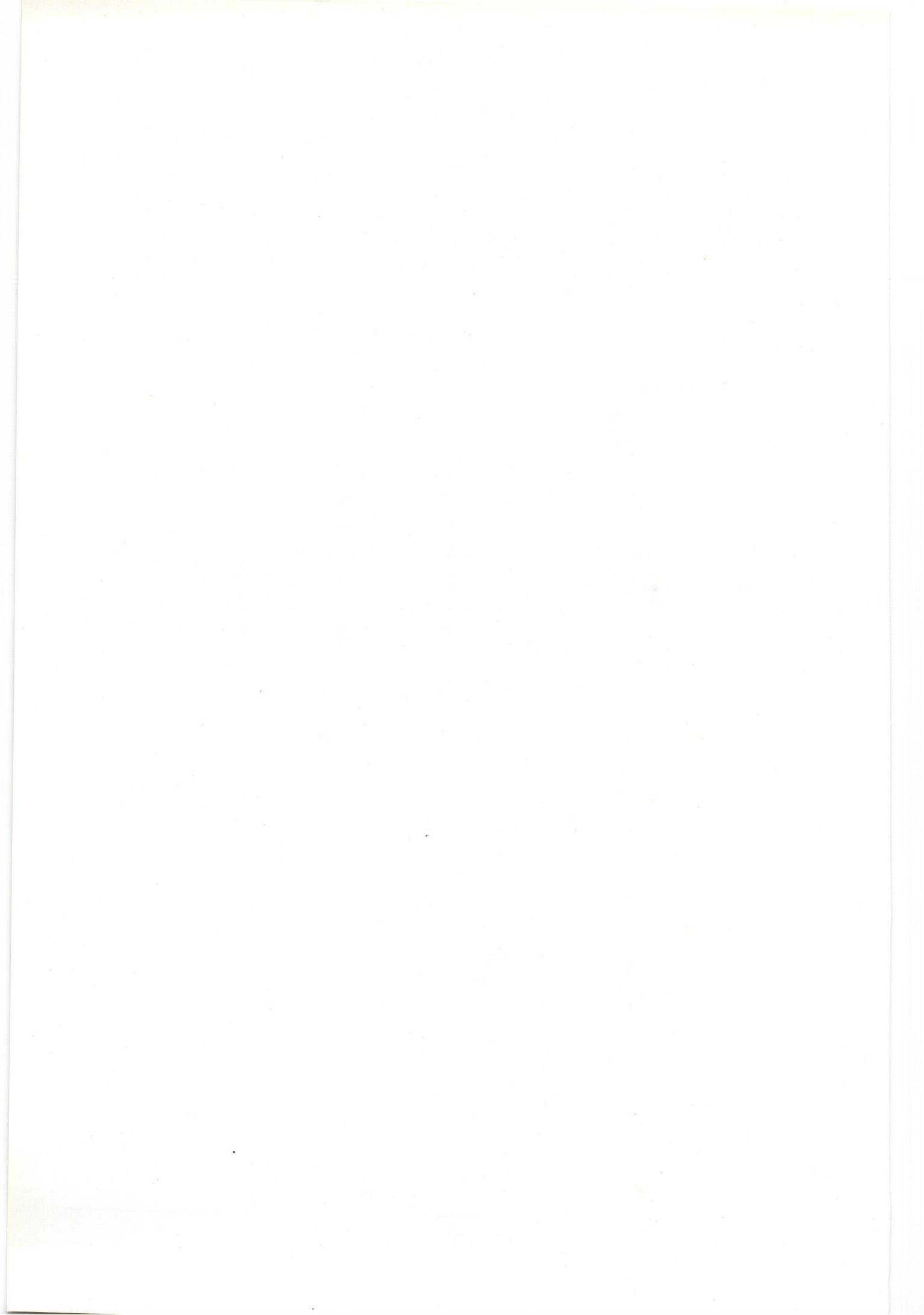
DOs

- Always give sufficient publicity to employment notice for recruitment.
- Observe due secrecy of question papers.
- Do ensure that the advertisement appearing in the newspapers on behalf of the Organization for any vacancy contains complete information viz., number of vacancy(ies), place of vacancy, required qualification, experience, mode of applying etc. to avoid any confusion or manipulation at a later date.
- Do ensure proper custody of answer scripts so as to obviate any scope for tampering.
- Ensure that the Interview Board/Selection Committee is constituted are per Recruitment Rules.
- Ensure proper marking in the typing/ dictation test by counter-checking instances of ignoring mistakes so as to favour certain candidates.

- The interview letters, appointment letters should be invariably sent through registered post(A/D) so as to maintain proper record.
- Panel of qualified candidates should be prepared strictly on merit and as per laid down rules.
- In addition to all the related documents/records already being maintained as per retention schedule prescribed under relevant rules/instructions, the original work sheets on which marks have been recorded by each member of the Selection/Assessment committee should be maintained for a minimum period of one year after the meeting of the Committees.
- Names of shortlisted and selected candidates in the order of merit are to be displayed on notice board for information.
- Always verify the caste certificates, experience certificates and qualification certificates in advance rather than postponing it to a later date after selection of the candidates.
- Instructions regarding medical fitness and verification of character and antecedents of selected candidates should be followed without fail.

DONTs

- Do not mismanage the record of the applications received against an employment notice.
- Do not manipulate marks in the answer sheets so as to favour certain candidates.
- Do not pre-date an application received late to accept it against an employment notice.
- Do not prepare an unnecessarily long and disproportionate panel of the selected candidates.
- Do not allow the validity of the Selection list/Panel to expire without filling the vacancies.
- Do not forget to give prior intimation to the Competent Authority in writing, in case any person related to you is a candidate for any post in the Office. Do not involve yourself in any manner in the process of selection including membership of or association with the Screening/Selection Committee.



3

Disciplinary Proceedings

3. DISCIPLINARY PROCEEDINGS

(A) SUSPENSION

DOs

- Do check the authority competent to place an employee under suspension before issuing the order of suspension.
- Except in cases in which an employee is deemed to have been placed under suspension an order of suspension normally takes effect only from the date on which it is made or subsequently and not retrospectively.
- Do remember that an employee who is detained in custody whether on a criminal charge or otherwise, for a period exceeding 48 hours or in the event of conviction if he/she is sentenced to a term of imprisonment for a period exceeding 48 hours he/she is deemed to have been placed under suspension with effect from the date of such detention or date of his conviction. Period of 48 hours shall be calculated from commencement of imprisonment and intermittent periods of imprisonment shall be accounted for.
- Do remember that while suspension is not a disciplinary action, it can be seen by staff as indicative of guilt. Hence, it should be resorted to only for good and sound reasons. It must not be for a longer duration than is absolutely necessary.
- An order of suspension made or deemed to have been made under the rules shall be reviewed by the Review Committee constituted for the purpose before expiry of ninety days from the effective date of suspension.
- An order of suspension made or deemed to have been made shall not be valid after a period of ninety days unless extended after review.
- No such review of suspension shall be necessary in case of deemed suspension if the employee continues to be under detention at the time of completion of ninety days and the ninety days period in such cases will count from the date the employee detained in custody is released from detention or the date on which the fact of his release from detention is intimated, whichever is later.
- Do ensure timely payment of subsistence allowance so that suspended employee does not face financial difficulties.
- Review the subsistence allowance payable to the employee, after first three months of suspension, by increasing or decreasing it by a suitable amount not exceeding 50% of the initial subsistence allowance.

DONTs

- Do not suspend an employee in a casual manner or on flimsy grounds and where no public interest is likely to be served.

- Do not allow a suspended employee access into the office during the period of suspension which might give him opportunity to tamper with records/evidence and influence/incite witnesses/others.
- Do not forget to obtain a non-employment certificate from the suspended employee under FR 53(2) every month before payment of subsistence allowance.
- An employee under suspension should not leave the station without prior sanction/permission of the Competent Authority.

(B) DISCIPLINARY AUTHORITY(DA)

DOs

- Conduct a preliminary enquiry/investigation to ascertain the facts of an alleged misconduct.
- Take a decision whether further departmental action is required to be taken or not.
- Frame the charges properly on the basis of evidence gathered.
- Do ensure that charges are definite and include full particulars with regard to the date, time, place, persons and incident (of misconduct).
- Avoid petty charges and multiplication of charges.
- Do not give reference of the report of preliminary enquiry or FFC report or confidential documents in the charge-sheet.
- Mention the particular rule violated by the employee.
- Sign the charge-sheet and ensure that it is served to the Charged Officer (CO).
- Appoint an Inquiry Officer (IO) if the charges are not accepted by the CO.
- Do appoint a person as an IO who is impartial and unbiased.
- Do check/examine if the IO has correctly evaluated the evidence adduced before him and his findings are logical and based on such evidence.
- The standard of proof required in a disciplinary inquiry is preponderance of probability and not proof beyond a reasonable doubt.
- Supply a copy of the IO's report to the CO as well as your reasons of disagreement and second stage advice of CVC, if any.
- Disciplinary proceedings should not be stayed except under orders of a Court of competent jurisdiction or under the written orders of the Disciplinary Authority
- Issue speaking order imposing the penalty clearly mentioning the grounds for proving the misconduct.
- If the CO intends to appeal against an order imposing any penalty upon him, he/she may prefer his appeal to the Appellate Authority within forty five days from the date of communication of the order.

DONTs

- Do not issue charge-sheet on flimsy grounds.
- Do not mention past bad conduct and proposed punishment in the charge-sheet.
- Do not appoint the complainant or a witness as an IO.
- Do not rely on any outside evidence or material, not brought out earlier in the inquiry.

(C) INQUIRY OFFICER (IO)/INQUIRING AUTHORITY (IA)

DOs

- Do check your order of appointment as IO and ensure that following documents have been received along with your order of appointment:
 - (i) A copy of the articles of charge and the statement of imputations of misconduct or misbehaviour
 - (ii) A copy of written statement of defence submitted by the CO
 - (iii) A list of documents by which, and a list of witnesses by whom the articles of charge are proposed to be sustained.
 - (iv) Copies of the statement of witnesses, if any, recorded in the course of preliminary enquiry/investigation.
 - (v) A copy of the order appointing the Presenting Officer (PO).
- Do send notices of preliminary hearing in the prescribed form.
- Find out if the CO wishes to admit any of the charges in the preliminary hearing.
- Ask the CO whether he/she requires any Defense Assistant to present the case on his behalf.
- As soon as the CO informs the name of his Defence Assistant, do intimate the same to his Controlling Officer.
- Do ask the CO to inspect the listed documents. Decide the relevance of defence documents and witnesses quickly.
- Send the requisition for the additional documents to the authority who is the custodian of such documents.
- Prepare Daily Order Sheet and record the daily transaction of business therein and record the reasons in the Daily Order Sheet for disallowing the defence documents/witnesses.
- Send notices to the witnesses in the prescribed form. Where they are public servants, requests should be sent to the Head of the Department/office to ensure the attendance of the concerned witnesses.
- Hold regular hearing on day-to-day basis.
- Obtain a certificate from the defense assistance that he/she is not having more than the permissible number of cases at hand in which he/she is rendering defence assistance.
- Reject requests for adjournments etc. which will obstruct or delay the proceedings, but always record reasons for such rejections in the DOS.
- Record the questions disallowed by you during the cross-examination.
- Record depositions of witnesses during the inquiry and their signatures obtained thereon.
- Ask the CO to state his defence orally or in writing after the case of the DA is closed. If it is given orally, it must be recorded and signature of CO obtained on it.
- If the CO has not offered himself as a witness, IO must question him generally on the circumstances appearing against him at the end of the prosecution and defence case.
- Reject any request for permission to introduce new evidence or recall any witness merely to fill up any gap in the evidence.
- Give a copy of the written brief of the PO to the CO.
- During the inquiry proceedings, the CO pleads/admits his guilt, you have discretion to accept the plea and record your findings or to continue the case to its conclusion.

- Hold the inquiry proceedings in abeyance if CO's representation alleging bias against you is pending with the DA.
- Submit the inquiry report to the DA along with all original records within six months from the date of appointment of the IO/PO.

DONTs

- Do not continue with the proceedings if a representation of the CO alleging bias against the IO is pending consideration with the DA.
- Do not summon the report of preliminary enquiry/investigation, file dealing with the disciplinary case, advice of the CVC.
- Do not allow leading questions during examination-in-chief. Such questions may be permitted in cross-examination. However, do not allow suggestive questions, i.e., questions which contain the answer, to be asked by the PO/Defence Assistant.
- Do not allow 'new evidence' to fill the gaps. If there is an inherent lacuna in the evidence already recorded.
- Do not allow the PO to introduce any new point during examination of a witness unless he/she has convinced you of its necessity and taken prior permission.
- Do not put any question yourself to a witness or the CO from your personal knowledge.
- Remember not to permit the conduct of a witness to be the subject matter of examination or cross-examination.
- Do not include anything extraneous into your report but confine yourself to the facts of the matter, as brought out in the evidence.
- Do not recommend the penalty to be imposed in the inquiry report.

(D) PRESENTING OFFICER (PO)

DOs

- Do remember that the main function of the PO is to produce facts/evidence before the IO and to examine and cross-examine the witnesses produced during the inquiry.
- Study all the original records of the case based on which the charges are framed and acquaint yourself with complete facts of the case thoroughly including all the elements of misconduct committed by the CO.
- Do correlate each item of oral or documentary evidence to the statement of imputation of misconduct
- Always protect the witness from any unfair treatment during examination-in-chief/cross-examination
- Try to anticipate what the CO is likely to admit and omit the evidence intended to prove admitted facts or which is superfluous.
- Do assist the IO during preliminary hearing to sort out the preliminaries.
- Do supply copies of documents in support of the charges and allow inspection of the originals to the CO when so directed by the IO.
- Do produce the listed documents before the IO in the beginning of the regular hearing so that they are brought on record.

- Before departmental witnesses are examined in the inquiry, try to meet them in advance to enable them to recount/recollect their earlier testimony recorded at the time of investigation.
- Do remember the points which are generally raised by the defence like malafide, natural justice etc.
- Do acquire a comprehensive knowledge of departmental policies and procedures.
- Do lead in a logical manner the oral evidence before the IO in support of the charge.
- During the enquiry do note down points which are required to be covered during cross-examination/re-examination. This will also help you in preparing the brief at the end.
- Whenever a prosecution witness is not cooperative or changes his earlier stand, do not forget to request the IO to declare such witness as hostile and seek permission to cross-examine that witness.
- Conduct yourself in a manner that CO has no reason to feel that you have any undue influence on the IO.
- Do prepare your written brief linking all the evidence so far produced vis-à-vis the charges by assuming the possible arguments/line of defence of the other side. Remember your brief will be given to the other side and you will have no opportunity to rebut arguments given in their brief.

DONTs

- Do not try to get adjournments
- Do not examine your witnesses on issues not relevant to the charges.
- Do not expect the CO to disprove the charges so long as the burden of proving the charges is not discharged by you.
- Do not put leading questions to your witnesses during examination-in-chief.
- Do not delay submission of your written brief to the IO.

4

Prevention of Sexual Harassment at Workplace



4. PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

DOS

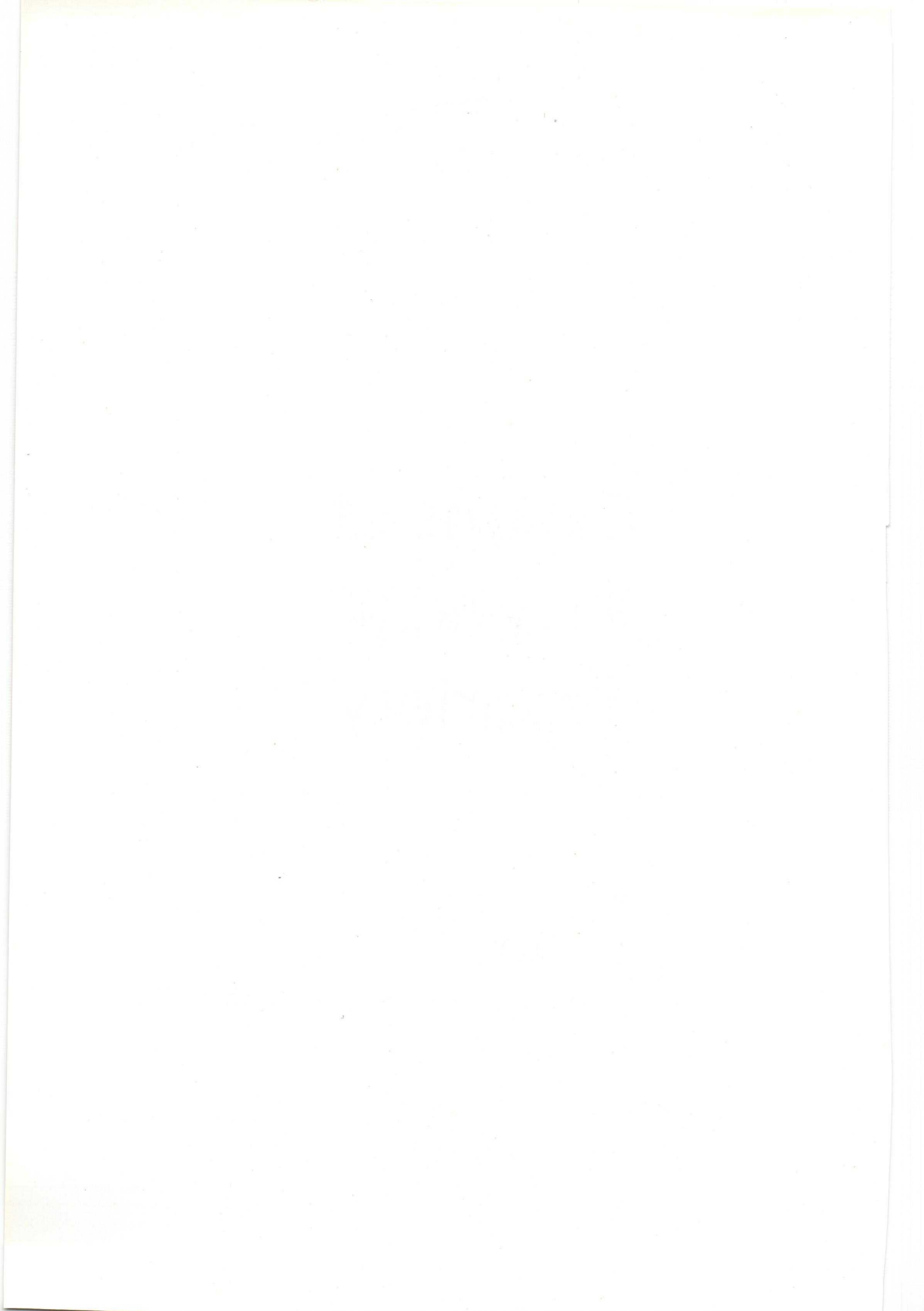
- Always endeavour to create and sustain environment conducive for work.
- Observe the Government's policies regarding prevention of crime against women.
- Do remember that all of us have a collective responsibility to protect Human Rights and eradicate behaviour, which is unacceptable and discriminatory.
- Ensure adequate personal security for employees especially women.
- Ensure that women employees are not placed at disadvantageous position in connection with their employment.
- Take appropriate steps to prevent sexual harassment of women at work place.
- Take all steps necessary and reasonable to assist the affected person in terms of support and preventive action where sexual harassment occurs as a result of an act or omission by any third party or outsider.
- The victims of sexual harassment have the option either to seek transfer of the perpetrator or their own transfer.
- Ensure that your office has a 'Complaints Committee', to deal with cases of harassment of Women Employees. Anybody having a complaint can approach it.
- Show due courtesies towards female employees and colleagues.

DONTs

- Do not indulge in any act of sexual harassment of any woman at her work place.
- Do not indulge in physical contact and advance directly or indirectly, towards woman employees. It would amount to sexual harassment.
- Do not pass sexually coloured remarks on woman employees.
- No employee should show or attempt to show directly or by implication pornography.
- Do not indulge in any unwelcome physical, verbal or non-verbal conduct of a sexual nature with any woman employee. Any such behaviour amounts to sexual harassment of a woman employee.
- Do not make a false complaint of harassment. That will adversely affect the credibility of the complainant in particular and the dignity of women in general.

5

Canons of Financial Propriety



5. CANONS OF FINANCIAL PROPRIETY

DOs

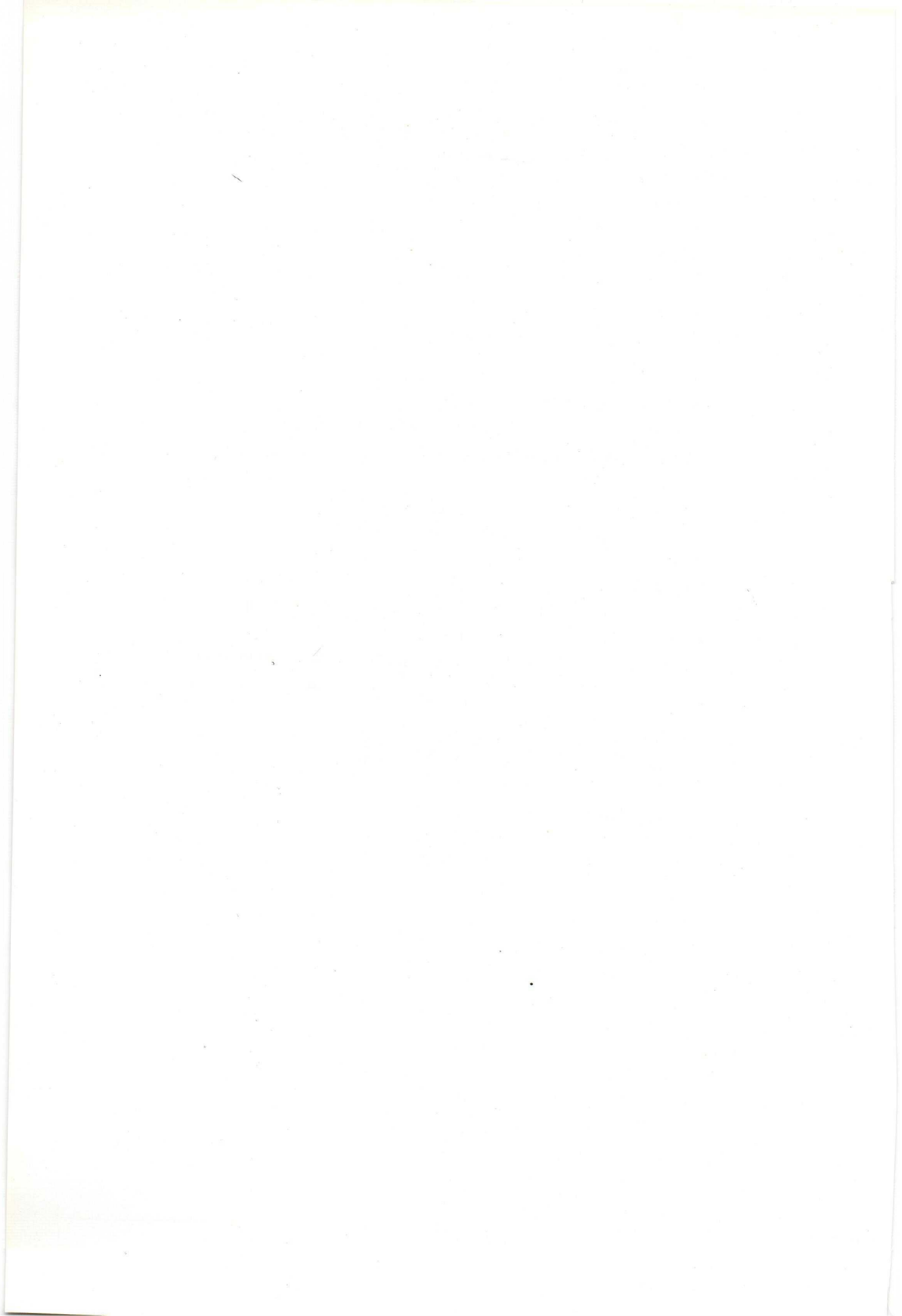
- Every employee should spend the public money most frugally in the same way as a person of ordinary prudence would do concerning his own money.
- Always follow the recognized accounting systems and rules for recording all transactions accurately.
- Comply with the provisions of the Office for preparation of the Accounts.
- Do clear the bills of parties expeditiously as per the terms of the Purchase Orders/ Contracts/ Agreements.
- Do ensure that the supporting documents are attached with the claim form and the Competent Authority approves the bills/claim form.
- Do review the expenditure incurred on various heads periodically with the object of effecting reduction in the expenditure and to ensure that the expenditure is within the approved budgetary limits.
- Do standard costing for each product to compare it with the actual cost sheet and highlight variances.
- Do ensure that procurement cost does not exceed the amount worked out as per the standard costing
- Do ensure compliance to the purchase procedure while clearing the purchase proposals.
- Do ensure that the purchase proposal indicates current stock position of the material proposed to be procured and that it is as per the approved production programme.
- Do ensure deductions of Income Tax at source as per the Income Tax Act.
- Do deposit the (a)Income Tax, (b) Sales Tax, (c) PF etc., deducted at source within stipulated time.
- Do submit the Income Tax, Sales Tax, Wealth tax etc. returns within time to avoid action under those Acts for such delays.
- Do obtain proper receipts for the money deposited by you.
- Do check the money received from the Cashier before you leave the window.
- Do follow the cash timings strictly to avoid inconvenience.
- Do clear all payments within the reasonable time.
- Do accord priority to payments of urgent and time-bound nature, e.g., electricity and water supply bills etc.
- Do ensure proper budget entry/booking for all commitments.
- Do verify the savings made by the employees for claiming tax rebate with actual proof of savings.
- Amount of allowances, such as travelling allowances granted to meet expenditure of particular type should be so regulated that allowances do not become a source of profit to the recipient.

- Do select the lowest evaluated, technically and commercially responsive bid, meeting qualifying requirements.
- In case you are authorised to make an advance for official purpose in emergency in absence of the Competent Authority, it must be regularised at the first opportunity by getting the approval of the Competent Authority in writing, as soon as he/she returns to office.
- Do maintain the Cash Book on day-today basis.
- Always communicate the award of Contract promptly.
- Do follow the principle of the 'value for money' (VFM).
- Do make payments keeping in mind the Contract Agreement entered.
- Always receive/pay correct and fair amount.
- Do adopt Office's policy of competitive tendering wherever possible.
- Do follow eligibility criteria notified in the requisition.
- Do adopt Office's policy of competitive tendering wherever possible. Do not give the impression of showing partiality towards any firm/agency.
- Give a 'certificate of dependence' only about those of your family members who come under the definition of dependent' as per rules.
- Always prefer Transport Allowance (TA) claim as per the actual mode of travelling.
- Do give true declaration of dependants for availing medical, Leave Travel Concession (LTC) benefits etc.
- Always consider whether any indiscreet or anti-social behaviour by an employee could affect the Office's reputation or an individual's ability to discharge his or her duties (e.g. making that person vulnerable to special pressures from outside).
- Before passing personal claims preferred by the employees they should be properly scrutinized.

DONTs

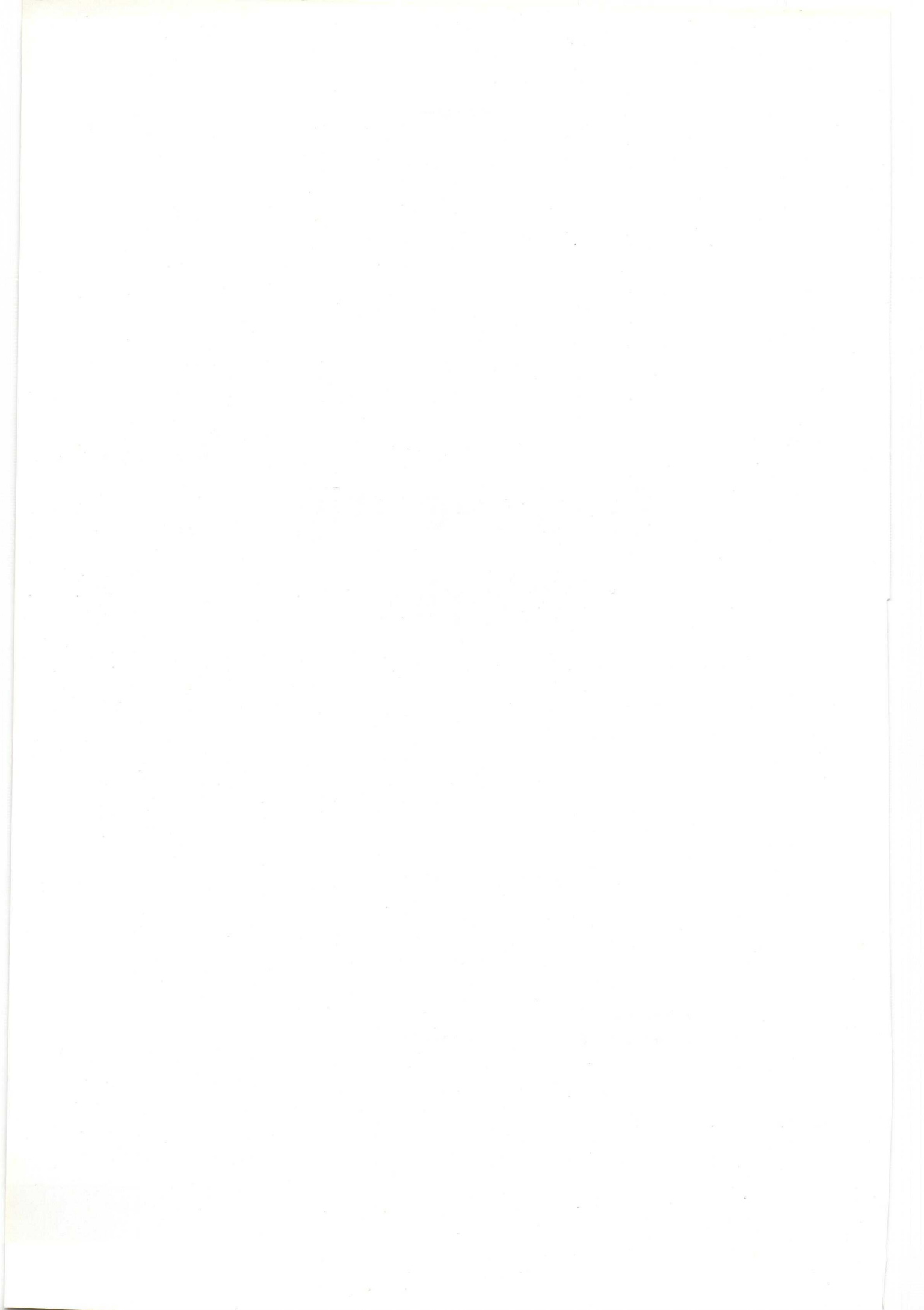
- Do not sanction any advance until and unless the employee does not clear the advance given earlier.
- Do not process any payment, which is not in accordance with the rules of the Office.
- Do not act on any verbal instructions with regard to release of any advance payments.
- Do not process any payment not approved by the Competent Authority.
- Do not process payment/expenditure over and above the amount budgeted for unless authorized by the Competent Authority.
- Do not keep cash in the cash box/chest in excess of the amount for which insurance cover is obtained.
- Do not disclose/part with any information relating to the financial matters to any outside agency.
- Expenditure should not prima facie be more than the occasion demands.
- No authority should exercise powers of sanctioning expenditure to pass an order which will directly or indirectly be to its own advantage.
- Public moneys should not be utilised for the benefit of a particular person
- Do not use official assets for unlawful purposes or for personal gains, nor disclose without authority or misuse electronic data.

- Do not commit an illegal or unethical act, or instruct or encourage another employee to do so. The known laws and regulations of the countries, in which we operate or in which we have any contractual association, should always be observed
- Never go beyond the provisions of a Contract/Purchase Order during execution of work or procurement of material.
- Do not accept hospitality outside normal business criteria.
- Never give preferences to bills of particular Contractors/Suppliers over the others.
- Do not defer the recoveries due from contractors/employees on account of Advances, PF, Conveyance, Festival Advance etc.
- Do not offer bid documents to parties which are not capable of carrying out the job in time with quality.
- Do not ever make a claim for any allowance or facility provided by the Office like LTC or T.A. bills etc. by making a wrong certificate.
- Never make financial sanctions more than you are officially authorised.
- Never forget that any departmental advance made from the Office's coffers must be got adjusted within specified period.
- Do not leave the cash-counter without counting the payment.
- Do not release any payment till the required form for the same has reached you, duly filled-in in all respects.
- Do not miss to report all detected irregularities to superior authorities promptly.
- Never keep the money collected from the employees or from other agencies with you but deposit it with the Finance Department promptly.
- Do not prolong the processing of tenders. These must be finalized within reasonable period.
- Never delay refunding Security Deposit/Earnest Money Deposits (EMD) to unsuccessful tenders.
- Do not forget to intimate to the Competent Authority, as soon as a 'dependent family member' does not remain dependent on you because of employment, marriage or otherwise.
- Do not prefer false personal claims, such as medical; hotel, leave travel concession (LTC), local conveyance, daily Allowance, transportation of personal effects on transfer etc., for petty gains. Such acts being intentional in nature may entail stringent action.



6

Engineering Works



6. ENGINEERING WORKS

DOs

- Do prepare preliminary estimates based on plinth area or length of road, preliminary survey and drawings and various other factors like geographical, location etc.
- Do prepare detailed estimates from detailed drawings / sketches with proper dimension, detailed specifications and calculations with a provision of contingencies etc. as per scope of work of the approved preliminary estimates (duly approved by the competent authority).
- Do try to include items with standard specifications preferably as per CPWD norms only. However if it is necessary to take market rate items, reason for taking such items in the estimate should be recorded. Market rate of items will be taken with proper verification of rates as per their specification and brand etc. with necessary supporting documents from the company or authorised dealer/shop.
- Do take rates for estimation from standard schedule of rates CPWD (DSR) with proper cost index and enclose a copy of cost index in the file.
- Do include in the analysis of rates of non-scheduled market based items the basic price of materials, any discount offered by company or dealer, vat/local taxes, labour charges, transportation charges, sundries, water charges, contractor's profit etc. as applicable at the time of conception of the project for preparation of realistic market rate items with supporting details.
- Do prepare the estimate in a realistic and objective manner. The scope of work covered in the estimate should invariably be mentioned.
- Do try to avoid rich specification while preparing market rate items in the estimate.
- Do ensure that complete set of tender documents clearly include various conditions of contracts such as General Conditions of Contract (GCC), Special Conditions of Contract (SCC) or Additional Conditions of Contract (ACC) and Technical Specifications (TS), drawings etc. in the NIT.
- Do take approval of NIT along with complete set of tender documents from Competent Authority, before issuing Notice Inviting Tender.
- Do ensure that Administrative Approval, Technical Sanction, Expenditure Sanction and budget allocation for the work are available before inviting NIT.
- Do check the dates of sale, submission, and opening of tender with respect of working days in order to avoid unnecessary corrigendum/addendum at a later date.
- Do clearly define works of similar nature in the tender documents and NIT.
- Do provide all the necessary information related to the tender i.e. date of its sale, date of submission date of opening of bids, estimated cost, EMD, place of work, cost of tender, similar experience, conditions and basis of tender etc.
- Do float NIT in press in English/Hindi and in local languages of the District. Also display the necessary details of the tenders on the website of the organization for wide publicity. Also

give website address of the organisation in the press notice. Do keep proof of publication in the form of printouts/newspaper cuttings of NIT details on record.

- Do provide sufficient time to the bidder as per CPWD Works Manual, between date of publication and date of receipt of tender, for collection, preparation and submission of the bid.
- Do verify the eligibility criteria before issue of tender documents as per NIT conditions and record suitable reason(s) for non-issue of tender documents.
- Do ensure that eligibility criteria and scope of work for specialized job/work are clearly defined in the NIT with the approval of competent authority so that specialized firms/agencies dealing with such work can apply.
- Do open the tender in the presence of members of Tender Opening Committee (TOC) and representatives of bidders, if present.
- Do ensure that the TOC carefully follows all the guidelines stated in CPWD Works Manual for opening of tenders/bids.
- Do avoid post-tender negotiations with L-1 except in certain exceptional situations. Negotiation will be held with L-1 only. Go for re-tender in case L-1 backs out.
- Do ensure that evaluation of tenders is completed timely so that the work is awarded by the Competent Authority within their validity period.
- Do establish the reasonability of rates quoted by the tenderer on the basis of estimated rates and the prevailing market rates before acceptance of the offer.
- Do ensure that the agreement is well bound/tied, sealed, serially page numbered, signed by both the parties and well secured.
- Do ensure that the agreement is executed within stipulated time frame.
- Do take Bank Guarantee (BG) in relevant format as given in the tender document and verify the authenticity of such BG from the issuing bank, confidentially and independently from the organization side, if required.
- Do take timely action for revalidation/encashment of BGs.
- Do ensure good workmanship by proper and regular supervision of work by the contractor's engineer and departmental staff.
- Do keep proper account of cement, steel and other materials issued to the contractors at the site of work.
- Do ensure inspection and quality control checks on materials supplied by the contractor before these are used at site in work. Necessary approved samples of materials and records be kept and maintained till work is finalized.
- Do record measurements/advance payments on machine numbered measurement books only, duly issued by the office.
- Do carry out prescribed levels of checks of measurements entered in Measurement Books with particular attention to the hidden measurements before submission of R/A bills.
- Do ensure deduction of prescribed shrinkage/voids in earthwork/aggregates/manure etc. as per CPWD guidelines/mode of measurement for payments purposes.
- Do ensure that before releasing payment to the contractor all the necessary deductions have been made.
- Do always keep in mind that a contractor always reads in between the lines of the contract clauses and one should be careful in dealing with the contract and the contractor.

- Do also take care that all the necessary safety precautions/measures are taken at site by the contractor during execution of works to avoid any mishap.

DONTs

- Do not split the indent/demand /scope of work to bring the tender value within the power of the lower level sanctioning authority.
- Do not prepare vague estimates without adequate details as this may either result in huge deviations in quantities or saving in quantities or creation of extra/ substituted items.
- Do not take rates without supporting documents for preparation of estimate.
- Do not take quantities on lump-sum basis while preparing the detailed estimate.
- Do not forget to issue any corrigendum for incomplete publication, typing mistake, extension of date and time or any other information individually to the contractors /firms/agencies by various means and also to publish in newspaper, and display on web site of the organization and Notice Boards.
- Do not relax the NIT conditions/criteria after publishing of NIT.
- Do not extend date of submission or opening without any genuine reason.
- Do not accept unsealed tender.
- Do not accept tender without E.M.D. or proof of its submission along with tender.
- Do not accept tender received after due date and time to maintain the sanctity of tender system.
- Do not reject any tender without any proper reason as it is necessary to record clear and logical reason(s) for all cases of rejection.
- Do not entertain any post tender correspondence once the tenders are opened.
- Do not forget to nominate the Engineer-in-charge and supporting officer for handling post contract management.
- Do not permit departmental staff to carry out the work assigned to contractor.
- Do not handover BG to supplier/contractor to get it extended or verified by bank but these may be sent to banks directly through speed/registered post only.
- Do not wait till last moment for extension of contract in such a case; BG should be encashed well in advance i.e., before expiry of the validity of the BG.
- Do not permit use of substandard materials.
- Do not endorse test check of measurement without putting dated initials against individual identifiable items of works.
- Do not delay the rightful payment of executed works as per the contract to the agency to avoid unnecessary arbitration/court cases.
- Do not forget to serially number each page of the correspondence and note sheet of the file.
- Do not operate non-scheduled/extra items where it is possible to execute work as per scheduled items.
- Do not operate non-scheduled/extra items without sanction of the competent authority. In exceptional cases where it has to be done, maintain necessary site records.
- Do not take illegal electric connections for the works.
- Do not pass contractor's bill of works if not supported by signature of Engineer-in-charge and contractor's representative.

- Do not allow variations in quantities/ deviations beyond permissible limits without ensuring that tenders are not vitiated.
- Do not accept materials if the same does not conform to specifications/drawings.
- Do not ignore if any additional tax or levy is imposed by statutes after date of receipt of tenders. Ensure that the contractor/firm necessarily and properly pays such taxes /levies and the same be reimbursed as per rules on producing proof of payment with the approval of competent authority.
- Do not forget to record delays on the part of contractor and recover Liquidated Damages as per relevant provision of contract.
- Do not forget to make all the mandatory registers for record purposes like cement register, steel register, hindrance register, site order book, etc. for handling post contract management.

7

Purchase Procedure

7. PURCHASE PROCEDURE

Basics

- Do always remember that equity, fairplay and transparency are the corner stones of public procurement.
- Do the procurement conforming to **canons of financial propriety** ensuring speed, efficiency and economy (1.1.0).
- Do adhere to the **scope** and the **exclusion** of the Rules and the Purchase Manual (1.2.0).
- Do record the detailed considerations leading to a decision in precise terms at each stage of procurement (1.4.1-iv).

Budget Provision

- Do not process any indent unless there is specific budget provision for the same. However, an indent can be taken up for administrative processing, even without specific budget provision with the approval of the Sanctioning Authority.
- Do not finally place any order without clear availability of budget/funds.

Prioritization

- Do have a **Prioritization Committee** constituted in the beginning of every financial year to assess the requirement of equipment, machinery, plant and infrastructure requirement and draw up a **Priority List**.

Indents & Specification

- Do accept only electronic/typewritten indents. Additions/alterations/cutting/overwriting, if at all, must be initialed.
- Do not allow splitting of indent to circumvent the provisions of the manual.
- Do not include superfluous, non-essential features in the specification or non-standard specification that results in unwarranted expenditure (1.4.1.1-i-b).

Purchase Committees

- Do always ensure procedural compliance as a member of the Purchase Committee.
- Do note that Member Purchase and Member Finance are not required to attend meetings of Technical Sub-committee for finalization of specification, Pre Indent Conference (PIC) or subsequent technical evaluation (cls. 3.5.2).
- Do ensure that quorum is always met in convening the Purchase Committee meetings.

- Do place the matter to the Director for final decision in the event of any dissent in the Purchase Committee.

Modes of Tendering

- Do take utmost care in categorizing indents as R&D or Non-R&D. Indenter shall be responsible for wrong categorization in an attempt to circumvent rules (cls. 1.1.8 & 4.2.9)
- Do have the routine stock replenishment items first identified by the Purchase Committee for conclusion of Rate Contract. (cls. 3.2.2 Z& 3.2.3).

Emergency Purchases

- Do record plausible reasons for processing an indent under Emergency Mode
- Do restrict emergency purchases to the minimum and only the deserving cases

Procurements not requiring concurrence of Finance or PC

- Do ensure that adequate fund for the purpose is available, duly sanctioned by the Competent Authority and the prescribed ceilings are not exceeded.

Limited Tender Enquiry (LTE)

- Do ensure that Enquiry letters are sent by Speed Post or Registered Post or Courier besides other electronic means. It must not be sent by ordinary post.
- Do record reasons as per cls. 4.7.3 (ii) of the Manual for resorting to LTE i.r.o indents worth more than Rs. 25 lakhs. In such cases LTE must also be hosted in the website. Any response received from bidders other than those to whom it was sent should also be considered (cls. 4.7.3-v).
- Do ensure that LTEs are sent to parties of comparable reputation and market share to ensure proper competition.
- Do adhere to Tender time limits. Do positively record plausible reasons in case the time limit is exceeded in specific cases. (cls. 4.7.4)

Proprietary Purchase

- Do ensure that the item certified as proprietary is actually a proprietary item. It must satisfy the two criteria of **uniqueness** and **essentiality**.

Pre-indent Conference (PIC)

- Do arrange for Pre Indent Conference (PIC) if the item to be purchased is of complex technology and much knowledge about it is not available.

Two Bid Tenders

- Do adopt two bid system of tendering if the estimated cost is above **Rs. 25 lakhs**.
- Do not reject tenders received in a single envelop in response to a two bid tender. Do consider the same at the risk and liability of the bidder. TOC shall separate the price bid and keep the same in a sealed envelope without disclosing the price (cls. 4.11.4).

Pre-Bid Conference (PBC)

- Do indicate date, time and place of PBC in the Bid document. Date of PBC should be sufficiently ahead of the last date of submission of tender/tender opening date.
- Do clearly stipulate that bids can be submitted/ received only after the PBC.
- Do minute and circulate the queries raised in the PBC and the clarifications thereto amongst all respondents including those who are known to have purchased the tender documents but not attended the PBC.
- Do intimate the changes made to the Bidding document and specifications to all concerned in writing besides hosting in the website.

Preferential Purchase Policy

- Do remember that the Price Preference Policy for PSU's has been discontinued since 31.03.08.

Purchase from Kendriya Bhandar/NCCF/Co-operatives

- Do note that the Purchase Committee alone can decide whether to purchase directly from Kendriya Bhandar/NCCF/Co-operatives (recognized by Govt of India) and that to within the range of Rs 1 – 5 Lakhs only. Beyond that range Competent Authority alone shall decide.

Equipment Purchase from OEMs/Authorised Agents etc

- Do ensure that Equipments are normally purchased only from OEMs or authorized agents/dealers (4.13.5).
- Do not purchase equipments from sub-agents of authorized agents/dealers **unless** their credentials are verified.
- Do not insist on DGS&D registration of Indian agents saves in case of items in the restricted list of EXIM policy.
- Do ensure that where more than one agent is available, the one specifically authorized shall be considered.
- Do ensure that either the Indian agent or the foreign principal (any one) participates in a tender; but not both. When both participate preference shall be given to the principal

Procurement of Scientific & Technical Services

- Do ensure that **Consultants** are appointed as per GOI instructions
- Do float an EOI if the estimated cost of services is about Rs. 25 lakhs
- Do give a pointer advertisement in one national daily, besides hosting in official website
- Do issue Request For Proposal (RFP) with clear-cut Terms of Reference (TOR) to shortlisted consultants
- Do appoint a Consultancy Evaluation Committee (CEC) to evaluate the proposals
- Do invariably consult FA, CSIR in case of outsourcing of consultancy/technical services on nomination basis (cls. 4.13.9-g)

Bid Security (BS)

- Do ensure that Bid Security is asked for in case estimated cost of tender is **above Rs. 25 lakhs**.
- Do clearly pre-stipulate in the tender that Director may wave off BS in case of highly reputed firms.
- Do ensure that the BS is fixed by PC or T&PC in lump sum @ 2 to 5% of the estimated cost.
- Do ensure that BS is valid for **45 days** beyond the validity of the bid.
- Do remember that BS is acceptable by way of Bank Guarantee to avoid the hassles of exchange rate fluctuation.
- Do remember that, unless otherwise waived off by CA, non-submission of BS shall constitute a material deviation entailing summary rejection of the bid.
- Do not reject a Bid if a bidder intimates in writing that BS is kept in the Price Bid by mistake: the bid may be considered provisionally (5.1.8)
- Do ensure that the BS of unsuccessful bidders is returned within 30 days from the award of contract.

Performance Security (PS)

- Do obtain the PS normally within **21 days** after award of contract. The Sanctioning Authority can ,however, extend the time limit for submission of PS
- Do take PS where order value is above **Rs. 25 lakhs**
- Do ensure that PS is valid for **60 days** beyond the warranty period
- Do remember that quantum of PS can be **10% or more**
- Do note that Director can increase, decrease or waive off PS in exceptional cases recording reasons.
- Do note that PS can be by way of Stand by LC. However, the same is not mentioned for BS
- Do ensure that BS is kept valid till PS is received
- Do note that if PS is not received even during the extended period; LTE needs to be floated amongst the respondents **save the defaulting firm**.
- Do ensure that PS is returned within **60 days** from completion of all contractual obligations under the contract.

Tender Document

- Do remember that the cost of tender document shall be **Rs. 300/-** only inclusive of all taxes and levies.
- Do ensure that tender documents are available for sale or download preferably up to one day prior to the date of opening of tender.
- Do ensure that Eligibility Criteria, Disqualification Criteria, Summary rejection criteria and what constitutes material deviation are clearly stipulated in the tender.

Receipt & Opening of Tender

- Do not reject tenders received in open condition (Fax/email etc.) if no bid security is applicable to the tender. It can be accepted at the risk and liability of the bidder.
- Do ensure that names and designations of at least two officers, who will receive the tenders, are prominently mentioned in the tender documents.
- Do ensure that separate advance notice is given to all qualified respondents before the opening of price bids. No such notice is required in single Tender cases.
- Do remember that TOC shall open all tenders irrespective of response.
- Do note that TOC need not open bids received in responses to Single Tender Enquiry/Proprietary Tenders/Emergency Tenders. Purchase section can receive and process such bids even received through Fax/email etc in such cases. There is no issue of late/delayed tender in such cases.
- Do ensure that Price Bids are signed by TOC and kept in a separate box under lock and seal.
- Do remember that TOC needs to do the tender opening and accounting of bids very meticulously. All cuttings, overwriting, alterations, application of white fluid, blank quotes and variations in words & figures etc are encircled and signed by members of TOC.

Evaluation of Tenders

- Do ensure that no new condition is brought in at the stage of evaluation; no condition of tender is overlooked either.
- Do remember that in preliminary examination, the bids are checked for compliances to the basic requirements, failing which those are to be declared as unresponsive and ignored. These basic requirements are the Rejection Criteria, for non-compliance of which the bids shall be summarily rejected *ab initio*. No further clarification need be sought as such non-compliances constitute **material deviation**.
- Do seek clarifications on minor deviations /infirmities which do not constitute material deviation.
- Do seek such clarifications only through registered post/speed post with a reasonable time deadline for response.
- Do ensure that Arithmetic errors, discrepancies in words and figures, variations in original and copy bid etc. are dealt with as per stipulations in the tender document.
- Do convey such discrepancies along with the interpretation to the bidder with a deadline to confirm acceptance failing which the bid shall be ignored.

- Do record the reasons of unresponsiveness of disqualified bids.
- Do remember that the reasons of technical disqualification must be communicated to the party with one week time to respond. In case no response is received the price bid has to be returned. In case response is received the same has to be considered on merit.
- Do ensure that for conversion of currencies, Bank's selling rate as on date of opening of price bid is taken for price comparison (cls. 8.7.1).
- Do remember that Exchange rates as given in leading news papers as also in leading websites can also be considered.
- Do ensure that the basket of items (equivalent to the tendered specification) i.r.o each of the responsive bidders needs to be finalized and frozen at the stage of technical evaluation itself. The basket of items shall include all those items, quoted either as main or optional or accessories or spares, which would exactly match the indented schedule of items/ specification. After price bid opening, comparison of cost shall be made of respective basket of items as frozen at the technical evaluation stage.
- Do remember that poor response cases need not be cancelled for retender routinely. Each case needs to be considered carefully as per cls. 8.8.8 and decisions taken after recording reasons.
- Do remember that proper reasons are recorded and approval of the Competent Authority is taken before cancelling any tender.

Reasonableness of Price

- Do remember that being L-1 is only the **necessary condition** for award of tender. The L-1 price also must be reasonable to meet the **sufficiency condition** for placement of order.
- Do not place order even on L-1 firm unless the quoted L-1 price is also certified to be reasonable after due diligence.

Negotiations

- Do not normally resort to any negotiation. If at all, in **exceptional situation**, negotiation may be held only with L-1.
- Do remember that the **exceptional situations** under which negotiation can be held are (i) where there is limited source of supply (ii) where purchase is on single tender or proprietary basis (iii) where there is chance of cartelization or (iv) when there is a emergency (the requirement of only essential minimum quantities that may meet the contingency can be purchased through negotiation).
- Do remember that counter offer (i.e asking the firm to supply at a price offered by the buyer), amounts to negotiation, Hence to be avoided.

Tender Validity and Extension of Validity

- Do make all efforts to finalize award of contract during tender validity period.
- Do ensure that extension of tender validity if any, in exceptional situations, needs to be done before the expiry of the original validity.

- Do remember that, while asking for extension of bid validity, all responsive bidders need to accept the request for extension of the validity. If anyone refuses to do so then there is no way the tender can be finalized.
- Do ensure extension of validity of Bid Security along with extension of bid validity.
- Do not at all change the terms and conditions of the bid while extending bid validity.
- Do ask for the **Order Acceptance** by way of returning the duplicate copy of PO, duly signed & stamped by the vendor, within **15 days** of placement of order. However, if the contract is signed across the table order acceptance is not required (8.12-12).
- Do ensure that all contracts/POs valuing more than Rs. 25 lakhs are web hosted in the official website.
- Do remember that all contracts above Rs. 25 lakhs are to be signed on stamp paper of appropriate denomination.
- Do exclude the firm from a Limited Re-Tender whose default has necessitated fresh Ltd Re-Tender amongst the responsive bidders of the previous/cancelled tender (Open or otherwise) .

Integrity Pact

- Integrity pact may be signed and Independent External Monitors (IEMs) may be appointed in all purchases worth more than Rs. 3 cr. **at the discretion of the Director.**

Contract Management

- Do continuously monitor the timely compliance of different contract milestones such as order confirmation/acknowledgement, submission of PS, issuance of LOI, signing of contract, opening of LC, dispatch of materials, inspection, installation/commissioning, obligations during warranty and extension of validity of PS (if any) etc.
- Do release all rightful payments of the supplier including the balance residual amounts and Performance Security expeditiously on fulfillment of contractual obligations.
- Do not weed out any purchase file until after 5 years from the date of order. Thereafter also files can be weeded out only if there is no Audit, Vigilance or legal case pending.
- Do not renew a contract year after year beyond the tendered contract period just on the ground of satisfactory performance; instead float a fresh tender.

Rate Contract

- Do ensure that RC is done on fixed price basis or fixed discount on Net Dealer Price (NDP) basis.
- Do ensure that the period of RC should not normally exceed one year.
- Do establish Reasonableness of Price through due diligence while finalizing RC for proprietary items.
- Do obtain rates for RCs i.r.o Chemicals Glassware, Plasticwares and Computer consumables etc. from manufacturers only.

- Do not insist on having local dealers etc. where an efficient supply chain exists and the manufacturer is willing to supply directly.
- Do not ask for any Bid Security or Performance Security in RC.
- Do not forget to include Fall Clause in RC.
- Do ensure equitable distribution of orders amongst RC firms and do devise suitable mechanism for the same (10.1.10).
- Do host the details of RC on the official website (10.1.11).
- Do take specific approval of the Director while concluding parallel RC with L-2 or L-3 etc. firms at varied rates. Do also ensure reasonableness of price variance.
- Do not normally extend RC for a period exceeding three months. While so extending it must be ensured that there is no downward trend in prices.

Inspection of Goods

- Do ensure that Inspection is completed by the Indenter within **10 days** of receipt of advice from Stores. In any case ensure that inspection is completed within the validity period of insurance.
- Do clearly stipulate in the contract/order that any delay on the part of the Indian Agent shall be viewed seriously and that they shall be directly responsible for any loss due to delay on their part.
- Do ensure that, once the inspection is complete and the IO has certified the Inspection Report/Bills, Stores sends the Bills to purchase duly stock entered within 3 working days. Likewise Purchase shall send the bill to Accounts in 4 working days and Accounts shall release payments in 5 working days.

Advance Payments/OB

- Do take specific approval of the Director when advance payment for Maintenance Contract is to be given for more than one year period.
- Do take the concurrence of the Finance and approval of the Director for any special payment terms (12.6.1).
- Do carry out OB adjustment based on physical receipt of material/equipment and entry in Daily Receipt Register (DRR). Store shall immediately forward a copy of the *Challan*/Bill with DRR/AAR entries to Purchase. Purchase shall render OB adjustment on that basis.
- Do keep all Original Bank Guarantees, FDR, and Standby LCs towards EMD (BS) / PS etc separately under lock with a responsible officer. Do keep only photocopies in the concerned files. Do put in place proper computerized management of such valuables with regard to their timely extension, redemption and return.
- Do expeditiously deposit the DDs/BCs received towards EMD (BS)/PS etc in Finance for onward submission in Bank.
- Do tally the text of the BG with the prescribed format immediately on receipt.
- Do always reconfirm the genuineness of BGs from the issuing Banks as there have been many cases of fake BGs being submitted by firms.

Buy Back Purchase

- Do obtain specific approval of the Director for buy back purchases.
- Do always stipulate the Purchaser's right either to trade or not to trade the old item if buy back is intended.
- Do ask for Buy-back price separately in the tender.

Maintenance Contracts

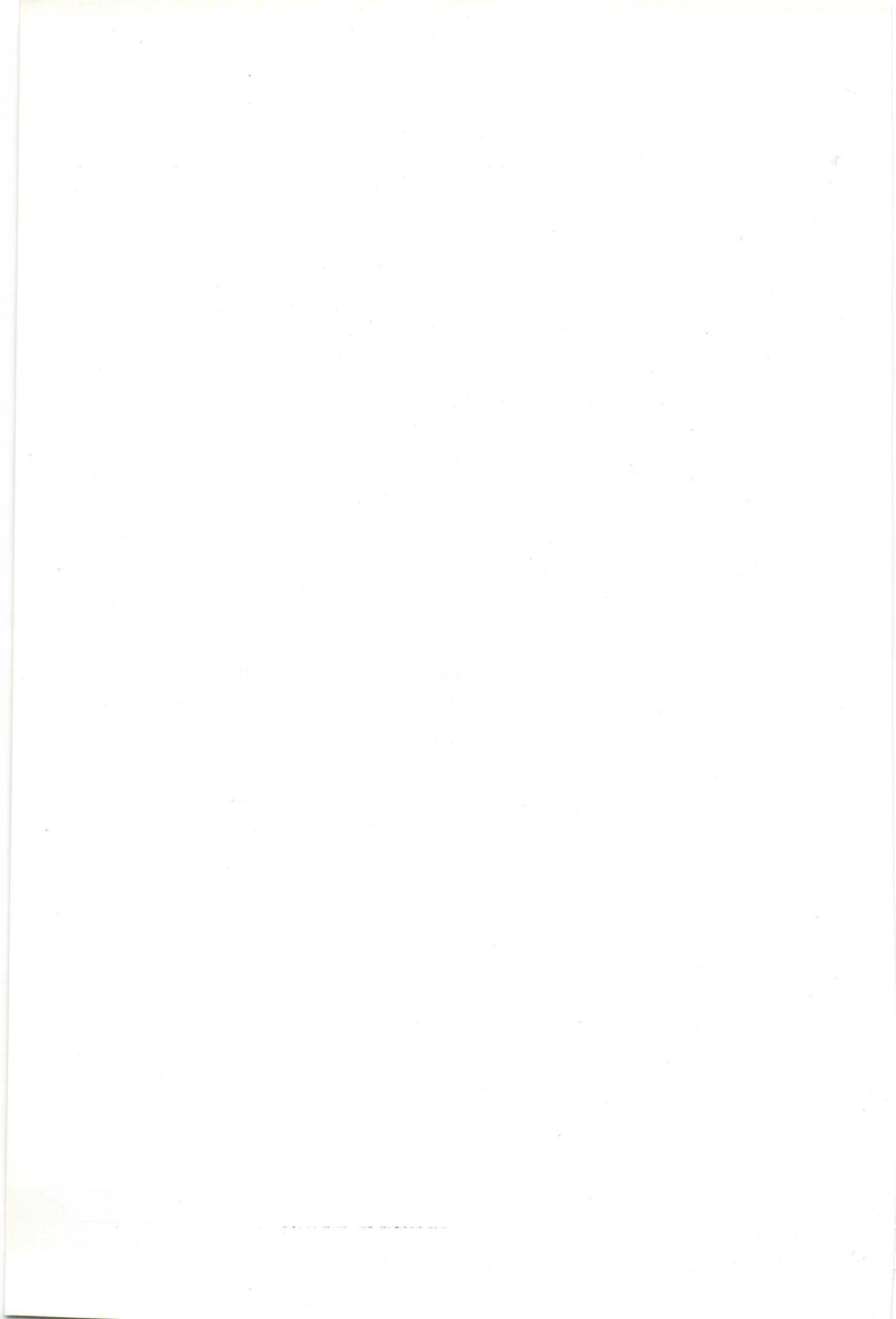
- Do clearly stipulate in the tender in advance whether the maintenance (AMC) cost shall be taken into calculation for determining the L-1, if so for how many years. Do not decide this issue after opening of price bid.
- Do incorporate a suitable clause fashioned after Fall Clause in a second or third party maintenance contract.

Banning & Suspension of Business

- Do keep proper record of the firms Banned/ Suspended/ Blacklisted and do not enter into any business with such firms.

Operation of the Procedure

- Do note that the new Rules & Manual have come into effect from 1st April 2009.
- Do remember that any reference on interpretation/clarification on the procedure need be referred to JSA, CSIR.
- Do remember only DG, CSIR is the final decision making authority regarding interpretation or matters not covered in the procedure
- Do remember that DG, CSIR alone can relax any of the provisions of the procedure.



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Stores Management

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8. STORES MANAGEMENT

Receipt of Stores

- Do note that the Receipt Section is the first point of interface with the supplies made by the vendor and is the most crucial function of Stores.
- Do ensure that the materials are received under acknowledgement with “**subject to inspection**” stamp affixed on the challan.
- Do further ensure that any visible shortage, damage, breakage noticed *prima facie* is also recorded on the challan and the same is immediately conveyed to the supplier and Purchase Department.
- Do ensure that the receipt of goods is promptly notified to Indentor and Purchase by the next day of receipt.
- In case of insured consignments or where specific inspection procedure has been stipulated in the P.O. requiring presence of the suppliers representative do follow the said instructions and intimate the insurance/supplier by fax/phone/email to send their representative for unpacking of the consignment and joint inspection.
- Do maintain all prescribed registers as stipulated in the Stores Procedure.
- Do promptly clear the consignments coming by Rail, Road Carrier Air or sea so as to avoid payment of demurrage/wharfage.

Clearance of Foreign Consignments

- Do appoint a single professional agent for both Freight Consolidation and Clearing so as to avoid co-ordination problem and delay in consignment clearance.
- Do ensure that the Freight Consolidator cum Clearing Agent has all necessary licenses in its own name. The necessary licenses are CHA License and License for consolidation.
- Do also ensure that the agent is a professional one with an established name in the field of logistics and is a member of such professional bodies as IATA/FIATA.
- Do pre-stipulate the essential eligibility conditions in the tender itself e.g. (i) the necessary licenses (CHA, consolidation), IATA/FIATA membership and list of clients etc. in order to ensure that the C&F Agent finally contracted is a professionally competent and reliable one.
- Do also ensure that other parameters stipulated in the Stores Procedure in regard to appointment of C&F agent is well taken care of in the tenders and contract while finalizing the same.
- Do make it a condition for the C&F agent that in the event of taking any open delivery of consignment, he/she shall ensure the presence of representative of the Airlines, Airport Authority, Customs, the Indian Agent and the Insurance Surveyor.
- Do make it incumbent upon the C&F agent to realize the differential amount of Customs Duty arising out of short supply/delivery.

Clearance of Indigenous Consignments

- Do ensure while receiving consignments against Railway Receipts (RR), Goods Receipts (GR), Post Parcel (PP), or Air Consignment Notes (ACN), whether the consignment is on "Freight Paid" or "Freight to Pay" basis.
- Do also check whether the consignment is at owner's risk or carrier's risk and other terms as specified in the order.
- Do not accept any consignment with clear unconditional terms. Do always record that consignment is being **"received in good condition, subject to inspection, counting and final acceptance"**.
- Do also record in writing any visible damage, shortage or difference in weight noticed at the time of taking delivery.
- Do insist on taking open delivery of consignment in case any tampering or damage to the consignment is suspected. Do so in the presence of the representative of the transporter, user scientist and supplier (if available). Do also record the same in the delivery book of the transporter and take certificate to that effect.

Procedure for Receipt of Stores

- Do note that under no circumstances an unconditional acknowledgement will be given to the vendor. The prescribed line for acknowledgement is **"Received in good condition, subject to inspection, counting and final acceptance"**.
- Do ensure that all items received in a day are entered in the Daily Receipt Register. Besides, the supply position (full or part supply) shall also be updated in the Stores Copy of the PO.
- Do receive materials without any Challan against a **Stores Receipt Voucher (SRV)** prepared by Stores under the signature of the SO (S&P)/SPO in charge of Stores.
- Do note that DRR shall have all information i.r.o. all incoming goods including the status of installation and commissioning.
- Do, however, note that all purchases without quotation (read Cash Purchase) and without PO shall not be entered in DRR but shall be entered in the Centralized Register of Local Purchases.
- Do note that stock entry of received items shall be done item wise and not as "assorted" after due inspection.
- Do note that the items cash purchased shall first be seen physically and recorded as such on the Cash Memo by the SO (Stores)/SPO before the same is entered in the register and stock entry done.

Inspection of Stores

- Do note that in the absence of Indentor it shall be the responsibility of the HOD/HOS or the Project Leader to carry out inspection of the supplied items.
- Do ensure that wherever final inspection is likely to take time a preliminary visual inspection may be got done immediately for the purpose of making timely claims in insurance, if any.

Issue of Stores

- Do note that **only a regular employee not below the rank of an officer** is entitled to draw stores on Issue Slips. Exception may, however, be done by Director as per rules.
- Do ensure that Issue Slip is always countersigned by HOD/HOS/PL as the case may be.
- Do note that Labs./Instts. have choice whether to adopt Personal Inventory System or Divisional Inventory System with the approval of MC only.
- Do exercise control on excessive issue by curtailing the demand where necessary.
- Do not accept Issue slips which are incomplete or mutilated or bear cutting & overwriting etc.
- Do ensure timely issue/consumption of items with short self-life or expiry date like medicine etc.

Disposal of Stores

- Do ensure timely disposal of Surplus Store, Obsolete Stores, Unserviceable Store, Scrap and Empties.
- Do note that stocks lying in Stores for more than 5 yrs are automatically treated as surplus unless there is any good reason to treat them otherwise.
- Do ensure that a Standing Disposal Committee (SDC) is constituted by the Director in accordance with the stipulations in Procedure for Disposal of Stores.
- Do ensure that the SDC meets at least twice in a year.
- Do note that the function of the committee is four fold; viz. (i) to inspect the materials and declare them as surplus, obsolete and unserviceable (ii) to decide the mode of disposal and (iii) to fix the reserve price and (iv) to ensure that only the items as per disposal list are lifted out.

Inspection/Recommendation And Approval

- Do remember that while inspecting stores, SDC shall also look into cases from the angle of possible negligence, mischief or frauds on the part of any individual in rendering any item surplus, obsolete or unserviceable etc.
- Do note that no item shall be declared as Surplus, Obsolete or unserviceable and disposal process started unless and until the Director of the Lab. has finally declared the items as such in writing and specifically ordered for disposal. SDC is only the recommending authority and Director alone is the Competent Authority to declare items as surplus, obsolete or unserviceable and order for their disposal.

Mode of Disposal

- Do ensure that the modes of disposal are chosen from amongst the six prescribed modes such as (i) gifting to educational institutes (ii) transfer to other CSIR Labs. (iii) Public auction (iv) limited tendering and (v) press tender and (ix) e-auction

Gifts to Educational Institutions

- Do not gift/donate unserviceable items to educational institutions. Only functional surplus or obsolete items can be gifted.
- Do note that surplus and obsolete items can be gifted only to '**recognized educational institutions**' on "as is where is basis".
- Do give preference to schools situated within the campus of CSIR labs., Central/State Govt. Schools and Training Institutes.
- Do comply with FEMA/Exchange Control/Manual (ECM) of RBI while gifting imported items.
- Do obtain an acknowledgement of receipt of goods from the receiving organization.
- Do further note that as per Serial Circular No. 272 obsolete and surplus **computers** can be donated to **Govt. schools only**, if so decided by SDC, by following the guidelines stipulated therein.
- Do draw up obsolescence plan for computers and offer obsolete but functional computers for donation to **Govt. schools** at least twice a year on suitable occasions like Technology Day, Lab's Foundation Day etc.
- Do obtain the approval of Director before donating.
- Do write to Directorate of Education of the state(s) first by giving **45 days** time to respond. In case no response is received Labs. Shall be free to approach Govt. Schools directly.
- Do follow the terms and conditions as agreed between CSIR and donor agencies like UNDP/UNESCO etc. while disposing of items received from such agencies.

Transfer to Other CSIR Labs.

- Do not offer unserviceable items to other CSIR Labs. Only surplus and obsolete items will be circulated amongst the sister Labs.
- Do make transfers to sister Labs. on book transfer basis only.
- Do intimate the details of such transfers to Accounts along with necessary approvals.
- Do also ensure confirmation from the recipient lab. about adoption of the value of transferred assets in their Asset Register.
- Do ensure to enter the assets received from other labs. in the DRR immediately and intimate the details to Accounts for necessary updating in the Books of Accounts.

Public Auction

- Do ensure that there is no possibility of cartel formation in the auction.
- Do fix a Caution Money for all the participants in the auction.
- Do obtain 25% of the quoted amount as the EMD from the successful bidder at the fall of hammer. Caution money may be adjusted to EMD.
- Do ask for the balance 75% from the successful bidder within 5 days.
- Do return the Caution Money of unsuccessful bidders immediately after auction.

Limited Tender & Press Tender

- Do resort to Limited Tender or Open Tender for sale depending on the value ceiling prescribed for the same.
- Do note that EMD in such cases of LTE/ATE shall be **10%** of the estimated cost **to be fixed in lump sum**.
- Do also note that the EMD of unsuccessful bidders shall be returned immediately, in any case within **15 days** from the date of opening of bids.
- Do remember that SDC shall fix the **Reserve Price** during the interval between the deadline for receipt of bids and opening of bids.
- Do note that the time limit for lifting the goods sold as also the quantum of penalty for late lifting shall be decided by SDC on case to case basis. The same shall, however, be decided in advance and mentioned in the tender.
- Do note that in case of Press Tender for disposal the cost of tender document shall be fixed between Rs. 100/- to Rs. 200/- depending on the cost of disposal.
- Do always adopt the sample tender document provided along with the procedure for disposal of Stores(Sr. Circular No. 148)

Sale of News Papers/Empties etc.

- Do not refer the cases of disposal of articles of low or nil value like news papers, empties, packing wood, plastics, and bottles and cut- branches/wood to SDC. These can be disposed off by the SPO direct.
- Do however, ensure that adequate publicity is given to such disposals.

Evaluation of Offers

- Do prepare a Comparative Statement to determine the clear H-1 offer to determine the successful bidder.
- Do compare the H-1 offer with the Reserve Price. In case the H-1 offer is less than the RP and the difference is within 20% of RP, the SDC may consider the H-1 bid, at its wisdom, in relaxation of RP fixed. The SDC may as well, at its wisdom, recommend retender in case H-1 offer is less than RP.
- Do go for retender if H-1 backs out

Accounting Entries

- Do issue an OM with all necessary details conveying the approval of Competent Authority to declare the items as Surplus, Obsolete and Unserviceable.
- Do also simultaneously convey in the same OM that the said items/their Book values be written off in the Books of Accounts of the Lab./CSIR.
- Do note that once the Competent Authority has declared an item as Surplus/Obsolete/ Unserviceable, the same is automatically deemed to have been approved for writing off from the Books of Accounts/Stock Ledger.

- Do endorse a copy of the OM to Accounts for doing the needful. The Accounts shall accordingly reduce the value of assets and liabilities in the Annual Accounts of the Laboratory.

Removal/Lifting of Disposed off Stores

- Do allow lifting of disposed off goods only after receiving the full consideration by way of BC/DD or by cash deposited with the Cashier of the Lab.
- Do personally supervise handover of the disposed off items.
- Do issue non-returnable Gate Pass for the disposed off items. No disposed off item shall be allowed to be taken out except against a valid Gate Pass to be issued on the authority of Officer in Charge of Stores.

Losses & Their Write-Off

Scope and Nature of Losses

- Do ensure that all cases of loss and their write off are dealt with in accordance with the procedure for losses & its write-off issued vide Serial Circular No. 154 dated 25th September, 2002 in super session of all previous rules.
- Do note that write off of the value of stores is necessitated only when the item in question is physically not available.
- Do also note that the procedure for losses and write off is applicable only in respect of irrecoverable losses of stores and not for irrecoverable losses of public money e.g. loans or advance.
- Do note that all losses are to be categorized either as (i) due to theft, fraud & negligence and or (ii) not due to theft, fraud and negligence.
- Do note that purchase in excess of the requirement will be treated as loss due to negligence.
- Do categorize losses such as those due to damage, breakage, wastage, faulty storage, leakage, spillage, shortage or due to evaporations etc. into one or the other category depending on the facts and circumstances of the case.
- Do ensure that all cases of losses due to natural calamities like accidental fire, flood, cyclone and earthquake etc. are reported to CSIR immediately.
- Do ensure that one does not become a party to any fraud or any loss due to his negligence.
- Do note that the first step in case of any loss is for the user to immediately report the loss of stores with details through HOD to the Vigilance Officer of the Lab. (i.e. COA/AO), SPO (Stores) and the Director.
- Director of the Lab. may decide whether to report the matter to CSIR or not.
- Do note that the Vigilance Officer of the Lab. will take up the matter with Police, **if deemed necessary**.
- Do also note that the Director of the Lab. shall decide the stage at which the matter shall be reported to police, if so decided.
- Do note that a decision in regard to reporting the loss to Police shall be taken expeditiously as any delay may hamper the investigation.

Investigation & Penalty

- Do put up the matter of loss to Director for appointment of an Investigating Officer to investigate the loss.
- Do note that the Investing Officer will have to submit his report normally within a month. Do mention this in the proposal and OM conveying appointment of Inquiry Officer.
- Do note that the IO is required to recommend measures to prevent recurrence of such losses. Do include this in the terms of reference.
- Do also note that while investigating the case of loss the IO shall follow the relevant provisions of GFR. Do include this in the terms of reference.
- Do include in the terms of reference that the IO shall bring out the circumstances leading to the loss and assess the element of personal responsibility of the individual concerned.
- Do include in the terms of reference that the IO shall also recommend recovery of either (i) full cost or (ii) proportionate cost or (iii) other form of disciplinary action as per rule depending on the element of personal responsibility fixed.
- Do note that value for the purpose of write off of loss always means the Book Value. In all cases only the Book Value, and not the depreciated value, shall be written off.
- Do take the market value, in case book value is not available.

Powers to Write Off

- Do note that all cases of irrecoverable losses, whether due to personal negligence or otherwise shall be written off by the Competent Authority (i.e. Director, MC and DG as the case may be) by raising a Loss Statement.
- Do note that write off of losses detected during physical verification shall also be dealt with in the same way as any other cases of losses.
- Do maintain a register of loss as prescribed.
- Do comply with the powers of write off delegated to Director, MC and DG in the procedure.

Physical Verification of Stores

- Do ensure that 100 % Physical verification of stores is carried out in the Lab/ Institutes every year.
- Do work out a programme for physical verification in advance with the approval of the Director.
- Do ensure that no one associated with the Stores directly is appointed as a Stock verifier
- Do remember that the report of Physical verification is prepared as per the guidelines issued on the subject
- Do ensure that action on reconciliation/investigation of discrepancies is started promptly after receipt of the report
- Do also remember to conduct periodic verification at the level of Stores Assistants/ SO

Noble Metals

- Do take care to follow the protocol prescribed for storage and issue of Noble Metals
- Do note that noble metals are to be kept under double locking system
- Do ensure that noble metals of asset nature are issued only in the personal name
- Do also remember that noble metals of consumable nature are to be issued only with the approval of the Director.

