

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No. 2019/V1/IRVM/1/2

New Delhi, Date: 3.2.2022

The SDGMs/CVOs
All Zonal Railways/PUs

The CVOs
All PSUs

CORE/ALD,
Metro/Kolkata,
DG RDSO/LKO

CAO/COFMOW
DMW/Patiala

Sub: Amendment No. 05- Modification of Para 108, insertion of new Paras 322.15, 322.16, 322.17, 401A, 512.3A, 613.4 and deletion of Para 506 of IRVM-2018.

Ministry of Railways (Railway Board) have decided to amend Indian Railway Vigilance Manual (2018 edition) by way of modification/addition/deletion. The changes made are enclosed for information.

DA: As above



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(Srinivas Malladi)
Director Vigilance Engg (E)
Railway Board

Copy endorsed for information -

Advisor/MR, OSD/MR, OSD/Co-ord/MR and Additional PS/MR
Secretary/RB & Railway Board Members
General Managers, All Indian Railways.

Amendment No. 05
Indian Railways Vigilance Manual-2018

1) Para 108.1 is amended as below

Existing:

The Chief Vigilance Officer of a Ministry – PED (Vigilance), in case of the Ministry of Railways – is appointed only after prior consultation with the CVC. Prior consultation with CVC is also necessary if a change of CVO is sought.

Now amended as:

In terms of Para 2.2 of CVC Manual 2021, there is an en-cadred post of full time CVO in few Departments viz., CBDT, CBEC, Department of Posts and Railway Board. The PED/Vigilance (Chief Vigilance Officer/Ministry of Railways) is appointed only after prior consultation with the CVC. Prior consultation with CVC is also necessary if a change of CVO is sought.

2) New Paras have been inserted as below:

(i) Paras 322.15, 322.16 & 322.17 are added after Para 322.14.

322.15: Agreed List of Points and Places of Corruption

Agreed Lists shall be prepared of points and places where corrupt practices are prevalent. It may be emphasized that these are not lists of all those points and places where there is scope of likelihood of corruption but only of those where corruption is believed to exist in substantial measure. The preparation of these Agreed Lists of points and places of corruption must necessarily be done by SDGM/CVO of Railways/PUs in consultation with those in the field i.e. PHODs/DRMs. The CBI will settle and prepare these lists locally after discussion with the concerned SDGM/CVO, at the beginning of the calendar year and the list shall be sent to Railway Board vigilance for monitoring after approval of General Manager.

It may be clarified that-

- (a) "Points" are those items of work and those stages at which decisions are taken or orders are passed, which provide scope for corruption, e.g., processing of tenders, appraising, grant of quota certificates, etc.
- (b) "Places" would be Sections, Sectors, Units of an Office / Department / Undertaking.

322.16: Appreciation Reports

Appreciation Reports are prepared by CBI in consultation with the SDGMs/CVOs, highlighting the organizational structure, and points / places of corruption, modes of corruption in various Departments/units including the modus operandi of the suspected officers. After the preparation of the lists, the following actions are required to be taken: -

- (a) Quiet and unobtrusive watch by the CBI, followed by joint surprise checks, as and


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when considered appropriate.

(b) Collection of information about specific instances of bribery and corrupt practices by the CBI so as to start open enquiries.

(c) Closer and more frequent scrutiny and inspection by SDGMs/CVOs of the work done at these points and places.

(d) Surprise checks by the Department officials.

322.17: List of Unscrupulous Contractors, Suppliers, Firms And Clearing Agents

The list will be prepared of unscrupulous contractors, suppliers, firms and clearing agents, who are suspected of indulging in corrupt practices. These lists are to be prepared by SDGMs/CVOs in consultation with concerned PHODs/DRMs. They need not be 'Agreed' Lists. Copies of these lists should be sent to the CBI for its information. The CBI on its part will pass on to the Departments, Undertakings or Administrations concerned any information regarding corrupt practices of contractors, suppliers, firms and clearing agents for their information and for considering as to whether the name of any such contractor, etc. should be brought on their lists. More details may be seen in Para 6.17 of CVC Manual 2021.

(ii) Para 401A is added after Para 401.

e-vigilance: e-Vigilance is a modern tool of watchfulness, prevention and detection by leveraging of modern technology. e-Vigilance ensures compliance of laws, rules and instructions in governance activities by means of inbuilt system of machine intelligence, and thereby detecting violations, if any. It also ensures integrity, transparency and equity in the functioning of Government and public entities which are epitome of good governance. (Refer to Chapter 12 of CVC Manual 2021 for detailed instructions).

(iii) Para 514.10 is added after Para 514.9.

Complaints sent on any e-mail ID of officers of the vigilance department will not be entertained or taken cognizance of by the vigilance department. (Refer Para 3.3 of CVC Manual 2021 on complaint handling policy)

(iv) Para 512.3A is added after Para 512.3.

Managing Conflict of Interest - (a) The Conflict of interest flows from the principle of Natural Justice that 'No one should be the judge in his / her own case (Nemo judex in causa sua)'. It leads to biases. Bias means an act which leads to unfair activity whether in a conscious or unconscious stage in relation to the party or a cause or case. That is where the conflict of interest arises. The Conflict of interest issue is an emerging area of concern in public governance. A conflict of interest occurs when an individual's personal interests – family, friendships, financial, or social– could compromise his or her judgment, decisions, or actions in the workplace. It arises when a public servant is involved in a particular matter as part of his official duties with an outside organization


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with which he also has a financial interest, i.e., the employee's (i) spouse, (ii) children & other relations, (iii) general partner, (iv) an organization in which the employee serves as its chief, officer, director, trustee, partner, or employee, etc. or (v) a person or organization with which the employee is negotiating for prospective or has an arrangement for prospective employment.

(b) Railway Conduct rules 1966, Railway Pension Rules 1993, other statutes or guidelines governing the service conditions of Railway servants appropriately address the conflict-of-interest issue. Prompt action should be taken for violation of such rules, statutes or guidelines under DAR 1968. (Refer Paras 1.4A & 11.7 of CVC Manual 2021)

(v) Para 613.4 is added after Para 613.3.

All cases of disagreement /deviation from CVC's advice which are not being referred to DoPT by the authorities concerned shall be reported by PED/Vig & CVO to the CRB & CEO. All such actions should be completed within a period of two months from the date of issue of orders by the Disciplinary Authority.

3. Para 506.1 of IRVM-2018 stands deleted.

506.1 Complaints sent on e-mail should contain postal address and mobile/ telephone number, if any, of the sender. Complaints on email received without this information will be treated as anonymous or pseudonymous and filed. (Para 3.4.2 a-(v) of CVC Manual 2017). ----- **stands deleted, since Para 3.4.2 a-(v) has been deleted in CVC Manual 2021).**


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