

No. 01/107/2012-Vig. 442

सतर्कता विभाग (मुख्यालय) / Vigilance Department (Head Office)
राष्ट्रीय फैशन प्रौद्योगिकी संस्थान / National Institute of Fashion Technology
हौज-खास, नई दिल्ली / Hauz Khas, New Delhi-110016

Dated- 09th January, 2024

कार्यालय ज्ञापन / OFFICE MEMORANDUM

Subject:- Implementing systemic improvements to avoid procedural lapses in finalization of tender documents for sale/procurement of the goods/ services etc. as well as in processing cases for inquiry - regarding-

अधोहस्ताक्षरी को वस्त्र मंत्रालय द्वारा जारी कार्यालय ज्ञापन सं. C-13011/8/2011-Vig. दिनांकित 27.10.2022 जो कि माल/सेवाओं आदि की बिक्री/खरीद के लिए निविदा दस्तावेजों को अंतिम रूप देने में प्रक्रियागत खामियों से बचने के लिए प्रणालीगत सुधारों को लागू करने के साथ-साथ जांच के लिए मामलों पर कार्रवाई करने, के संबंध में है, की प्रति, अग्रेषित करने का निदेश हुआ है।

The undersigned is directed to forward herewith a copy of O.M No.C-13011/8/2011-Vig. Dated 27/10/2022 issued by Ministry of Textiles regarding "Implementing systemic improvements to avoid procedural lapses in finalization of tender documents for sale/procurement of the goods/services etc. as well as in processing cases for inquiry.

कृपया इसे सभी संबंधितों के संज्ञान में लाएं।

This may be brought to the notice of all concerned.

रजनी
9.1.24
(रजनी शाह)
सतर्कता अधिकारी

संलग्न: उपरोक्त

Encl.: As above.

To:

- सभी निफ्ट केंद्र निदेशक /Campus Directors of all NIFT Campuses
- निदेशक (मुख्यालय)/ Director (Head Office)
- निदेशक (वित्त एवं लेखा)/ Director (F&A)
- निदेशक (आई.टी.), निफ्ट मुख्यालय / Director (IT), NIFT- HO- for uploading the same on Website.

Confidential

No. C-13011/8/2011-Vig.
Government of India
Ministry of textiles
(Vigilance Section)

Udyog Bhawan, New Delhi
27th October, 2022

OFFICE MEMORANDUM

Subject: Implementing systemic improvements to avoid procedural lapses in finalization of tender documents for sale/procurement of the goods/services etc. as well as in processing cases for inquiry-reg.

The undersigned is directed to say that in a case on the above mentioned subject, it was observed that during the year 2000, it was decided by a CPSE in the Ministry to sell its surplus lands to infuse capital into its various subsidiaries. The matter was referred to Board of Industrial and Financial Reconstruction (BIFR) and accordingly, the BIFR permitted it to sell surplus land and also gave detailed guidelines for selling the land. In pursuance of such guidelines, an Asset Sales Committee was formed in the Ministry. Thereafter, BIFR issued procedures and guidelines to Asset Sales Committee for the sale of land. The parts of lands were sold as per the ASC guidelines. However, it was observed that the guidelines followed by the Asset Sales Committee were in deviation from the guidelines issued by Board of Industrial and Financial Reconstruction (BIFR) and General Financial Rules (GFR), due to which certain procedural irregularities relating to Fixation of Reserve Price (RP), Valuation of the assets, Disclosure of Reserve price, Earnest Money Deposit, Payment Schedule, Bank guarantee and Handing over of possession of land were found in the sale of the lands. Accordingly, the Hon'ble Minister of Textiles (HMOT) has directed to implement systemic improvements to avoid recurrence of such procedural lapses in future.

2. In view of the above, all the organizations under the Ministry are advised to adhere to the following while selling land/assets:

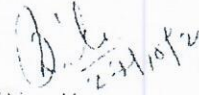
- i. While selling of land / assets, the provision of GFR-2017 (amended), and other directives, regulations prescribed by Government of India should be strictly followed.
- ii. The intention of selling the land/ assets, wide publicity should be given in print & electronic media/Govt. websites/CPMP/Government e-Marketplace (GeM) as prescribed from time to time by GOI.

- iii. For effective monetization of land/ assets, the tender document should be drafted meticulously in consonance with the approved sale policy / guidelines.
- iv. The land/ assets should be sold on "as is where is basis" and no representation /request of highest bidder should be entertained afterwards (i.e. once the highest bidder in the auction through open tender is announced). Reserve price should not be disclosed in any case. There should be a provision in the tender that the properties can be visited / inspected before bidding.
- v. The reserve price of the land/asset to be monetized should be invariably as per extant instructions in this regard as applicable at that time.
- vi. The possession of land/ asset must be handed over to the purchaser only after the realization of full and final payment of sale amount and not before that in any case.
- vii. The provisions of Manual for Procurement of Goods (updated June 2022), Manual for Procurement of Works (updated June 2022) and Manual for Procurement of Consultancy & Other Services (updated June 2022) as uploaded on CVC's website should be strictly followed.
- viii. As per CVC's Circular No. 25/12/21 (No. 021-VGI.-051-500040) dated 24.12.2021 under Chapter-VII, Para 7.3 regarding various timelines related to complaints, the following time limits for dealing with the complaints have been specified :

| Sl. No. | Stage of disciplinary action | Time Limit |
|---------|---|--|
| 1. | Timeline for seeking confirmation from complainant before initiating investigation process | 15 days |
| 2. | If confirmation not received within 15 days reminder to be sent to complainant (If no response received even after reminder, complaint may be treated as pseudonymous complaints). | 15 days. |
| 3. | Timeline for submission of Investigation Report to the Commission on Complaints referred by it to the CVOs concerned for investigation. | 3 months (or as may be specified by the Commission, in individual matter). |
| 4. | In case, it is felt that it would not be possible to complete the investigation within the specified period, time limit for approaching the Commission for seeking extension of time, with the approval of the Competent Authority. | 15 days |
| 5. | Timeline for submission of investigation report in PIDPI complaints, referred by the Commission. | 12 weeks |
| 6. | Timeline for submitting response by CVOs to the Commission in respect of references made by it to CB/ Ministries for clarification/comments in the matter of complaints. | 06 weeks |
| 7. | Timeline for CVOs to scrutinize and decide about action to be taken on the complaints sent by the Commission for necessary action to the CVOs concerned | 1 month |

| | | |
|----|---|---------|
| 8. | Timeline for giving opinion by the Disciplinary Authority, about existence of vigilance angle in complaint, in case of difference of opinion with CVO | 15 days |
|----|---|---------|

3. The above systemic improvement measures must be strictly adhered to.


23/10/24

(Rita Kumari)

Under Secretary to the Govt. of India

To

All the organizations under the Ministry of Textiles.