

F.No.DPE-GM-06/0002/2015-GM/FTS-4861
Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Public Enterprises

Public Enterprises Bhavan,
Block No. 14, CGO Complex,
Lodhi Road, New Delhi-110 003.
Dated: 14th December, 2015

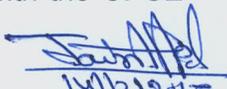
OFFICE MEMORANDUM

Subject: Guidelines to curb practice of obtaining donations by the associations formed by either employees or their spouses etc. from the contractors, vendors, customers or other persons having commercial relationship / official dealings with the CPSE.

The undersigned is directed to state that the CVC has observed that there is a practice of obtaining donations by the associations/NGOs formed by either employees or their spouse etc. from the contractors, vendors, customers or other persons having commercial relationship / official dealing with the CPSE. Such practice of associations comprising of officials/spouses of employees of CPSEs taking donations, advertisement or sponsorships etc. from the contractors, customers, vendors or persons having commercial / business relationship with the Public Enterprises is unethical. The CVC has further observed that such practice is avoidable in the interest of transparency and fairness.

2. The Modal Conduct, Discipline & Appeal (CDA) Rules circulated by DPE vide OM No. BPE No. 2(121)/73-BPE (GM-I) dated 26-04-1974 already lays down certain acts construed as misconduct which includes taking any illegal gratification. It is, therefore, advised that the concerned Ministries / Departments having CPSEs under their administrative control may issue necessary instructions to curb such practice in their CPSEs and also instruct them to suitably amend their Conduct, Discipline & Appeals (CDA) Rules to incorporate a specific provision as under:

“Obtaining donations/ advertisement / sponsorship etc. by the associations/NGOs formed by either employees or their spouse / family members etc. from the contractors, vendors, customers or other persons having commercial relationship / official dealings with the CPSE will be treated as misconduct”.


(J. N. Prasad)
Director

To

All Administrative Ministries / Departments concerned with CPSEs and a copy each to:

- (i) Chief Executive of all CPSEs.
- (ii) Central Vigilance Commission (CVC) in respect of letter no. 015/MS/058/300851 dated 27th November, 2015.
- (iii) NIC, Cell DPE with a request to upload a copy at DPE's web-site under the link Guidelines/Chapter-II/Vigilance.
- (iv) Guard File.