



भारत सरकार
महानिदेशालय केन्द्रीय लोक निर्माण विभाग
संविदा विनिर्देश एवं गुणवत्ता संगठन,
320-ए, निर्माण भवन, नई दिल्ली- 110011
ईमेल- cecsq.cpwd@nic.in



सं. CSQ/TLQA/IEM/2020-21/157

दिनांक 03/08/2021

ई फ़ाइल: 9085483

To,

1. **Shri Girraj Prasad Gupta**
E-94(FF), GK-1
New Delhi-110048.
Email.gpgupta1804@gmail.com.
2. **Shri Arvind Kumar Arora**
B-333, Chittaranjan Park
New Delhi-110019.
Email.arvindarora333@gmail.com
3. **Shri Swaminathan Kalyanam,**
Flat No.705, Tower No.1
Gulmohar, Ansal Sushant Estate
Sector-52, Saint Thomas Marg
Gurugram, Haryana-122003.
Email.swaminathan.kaly@gmail.com

Sub: Appointment as Independent External Monitor (IEM) for implementation of Integrity Pact in CPWD. (Revised as per new SOP dt: 03.06.2021)

Ref: 1. This office letter No. CSQ/CM/18(2)/Misc/2020/723 dt.17.11.2020.
2. This office letter No. CSQ/CM/18(2)/Misc/2020/724 dt.17.11.2020.
3. This office letter No. CSQ/CM/18(2)/Misc/2020/725 dt.17.11.2020.

महोदय,

Please refer to the above appointment letter(s) issued by this office (copy enclosed) as IEMs for implementation of Integrity Pact (IP) in CPWD. The CVC has now issued revised Standard Operating Procedure (SOP) for adoption of IP. Procedure for implementation of IP now shall be governed by the revised SOP issued vide circular No.06/05/21 dated 03.06.2021 or subsequent guidelines issued by the CVC. Accordingly, amended terms and conditions of the appointment are as under:

| S /No. | Existing Provision | Modified Condition |
|--------|---|--|
| 1/2 | The remuneration payable to you will be Rs. 20,000/-(Rs. Twenty thousand only) per sitting including TA and DA. | The sitting fees payable to IEMs will be Rs. 25,000/- (Rs. Twenty five thousand only) per sitting w.e.f. 03.06.2021 subject to maximum of Rs.3,00,000/- per calendar year. In addition, the TA and DA as admissible to SAG level officers in CPWD shall be paid extra. |
| 2/3 | The IEMs would have access to all contract documents, whenever, required. | The IEMs would be provided access to all documents/ records pertaining to the contract for which a complaint or issue is raised before them, as and when warranted. However the documents/ records/ information having National Security implications and those documents which have been classified as Secret/ Top secret shall not be disclosed. |


| | | |
|------|---|---|
| 3/4 | It would be desirable to have structured meetings of the IEMs with the Director General, CPWD on a quarterly basis including an annual meeting to discuss/ review the information on tenders awarded during the previous quarter. Additional sittings however can be held as per requirement. | Meetings of IEMs with the Director General, CPWD shall be structured and on a half yearly basis to discuss/ review the information on tenders awarded during the preceding six months' period. Additional sittings can also be held as per requirement. |
| 4/5 | The IEMs would examine all complaints received by them and give their recommendations/ views to the Director General, CPWD at the earliest. They may also send their report directly to the CVO and the CVC in case of suspicion of serious irregularities requiring legal/ administrative action. IEMs are expected to tender their advice on the complaints, within 10 days as far as possible. | The IEMs would examine all complaints received by them and give their recommendations/ views to the Director General, CPWD at the earliest. They may also send their report directly to the CVO in case of suspicion of serious irregularities requiring legal/ administrative action. Only in case of very serious issue having a specific, verifiable Vigilance angle, the matter should be reported directly to the Central Vigilance Commission. IEMs are expected to tender their advice on the complaints, within 30 days. |
| 5/8 | The role of IEMs is advisory, would not be legally binding and it is restricted to resolving issues raised by an intending bidder regarding any aspect of the tender which allegedly restricts competition or bias towards some bidders. Their role is independent in nature and the advice once tendered would not be subject to review at the request of the organization. | The advisory role of IEMs is envisaged as that of a friend, philosopher and guide. The advice of IEM would not be legally binding and it is restricted to resolving issues raised by a bidder regarding any aspect or the tender which allegedly restricts competition of bias towards some bidders. At the same time, it must be understood that IEMs are not consultant to the management. Role of the IEMs is independent in nature and the advice once tendered would not be subject to review at the request of the organization. |
| 6/10 | All IEMs should sign non- disclosure agreements with the CPWD. They would also be required to sign a declaration of absence of conflict of interest. | The IEM should sign non- disclosure agreements with the CPWD. They would also be required to sign a declaration of absence of conflict of interest. In case of conflict of interest arising at a later date from an entity wherein he is or has been a consultant, the IEM should inform the DG,CPWD and recuse himself/ herself from the case. |

Other terms and conditions of appointment letter dated 17.11.2020 shall remain unchanged.

This issue with the approval of Director General, CPWD.

With Regards,

Encl: As stated above.


(Anil Kumar Gupta)
Superintending Engineer/TLQA



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महानिदेशालय, केन्द्रीय लोक निर्माण विभाग,
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ईमेल: ceesq.cpwd@nic.in



सं०: सीएसक्यू/सीएम/18(2)/विधि/2020/723

दिनांक: 17/11/2020

ई फाईल: 9085483

To

✓ Shri Girraj Prasad Gupta
C-2/29, Tilak Lane,
New Delhi - 110 001
email: gpgupta1804@gmail.com

Sub: Appointment as Independent External Monitor (IEM) for implementation of Integrity Pact in CPWD.

महोदय,

Central Public Works Department (CPWD) executes various types of construction and maintenance works for Central Government through e-tendering in a fair and transparent manner. The Central Vigilance Commission (CVC) has advised implementation of Integrity Pact (IP) in all major procurements. The threshold value of estimated cost of tenders above which the integrity pact would be used has been kept as Rs.300 crore.

You are hereby appointed as an Independent External Monitor (IEM) for implementation of IP in CPWD. The procedure for implementation of IP shall be governed by revised Standing Operating Procedure (SOP) as per circular no. 02/01/2017 dated 13.01.2017 or subsequent guidelines issued by Central Vigilance Commission. The role and duties of IEMs mentioned in the circular dated 13.01.2017 are summarized below.

1. The appointment is for a period of three years from date of appointment. Therefore, the appointment is valid up to 16.11.2023.
2. The remuneration payable to you will be Rs.20,000 (Rs. Twenty thousand only) per sitting including TA and DA.
3. The IEMs would have access to all contract documents, whenever required.
4. It would be desirable to have structured meetings of the IEMs with the Director General, CPWD on a quarterly basis including an annual meeting to discuss/review the information on tenders awarded during the previous quarter. Additional sittings, however can be held as per requirement.

5. The IEMs would examine all complaints received by them and give their recommendations/views to the Director General, CPWD at the earliest. They may also send their report directly to the CVO and the CVC in case of suspicion of serious irregularities requiring legal/administrative action. IEMs are expected to tender their advice on the complaints within 10 days as far as possible.
6. For ensuring the desired transparency and objectivity in dealing with the complaints arising out of any tendering process, the matter should be examined by the full panel of IEMs jointly as far as possible, who would look into the records, conduct an investigation, and submit their joint recommendations to the Management.
7. IEMs should examine the process integrity; they are not expected to concern themselves with fixing of responsibility of officers. Complaints alleging malafide on the part of any officer of the organization should be looked into by the CVO of CPWD.
8. The role of IEMs is advisory, would not be legally binding and it is restricted to resolving issues raised by an intending bidder regarding any aspect of the tender which allegedly restricts competition or bias towards some bidders. Their role is independent in nature and the advice once tendered would not be subject to review at the request of the organization.
9. Issues like warranty/guarantee etc. should be outside the purview of IEMs.
10. All IEMs should sign non-disclosure agreements with the CPWD. They would also be required to sign a declaration of absence of conflict of interest.
11. In case of any misconduct by an IEM, the Director General, CPWD should bring it to the notice of the Central Vigilance Commission detailing the specific misconduct for appropriate action at the Commission's end.
12. The role of the CVO of CPWD shall remain unaffected by the presence of IEMs. A matter being examined by the IEMs can be separately investigated by the CVO in terms of the provisions of the CVC Act or Vigilance Manual, if a complaint is received by him or directed to him by the CVC.

This issues with the approval of Director General, CPWD.

Encl:- OM number DG/MAN/Misc/49

dated 17/11/2020

भवदीय



(वी.पी. साहू)

अधीक्षण अभियन्ता (सी. एंड एम.)



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सं०: सीएसक्यू/सीएम/18(2)/विविध/2020/724

दिनांक: 17.11.2020

ई फाइल: 9085483

To

✓
Shri Arvind Kumar Arora,
B-333, Chittaranjan Park,
New Delhi – 110019
email: arvindarora333@gmail.com

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Encl:- OM number DG/MAN/Misc/49 dated 17/11/2020

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(वी.पी. साहू)

17/11/2020

अधीक्षण अभियन्ता (सी. एंड एम.)



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ईमेल: cecsq.cpwd@nic.in



सं०: सीएसक्यू/सीएम/18(2)/विविध/2020/725

दिनांक: 17 11 2020

ई फाईल: 9085483

To

✓ Shri Swaminatham Kalyanam
No.3 (Valam), Ground Floor
2nd Cross Street, Shastri Nagar
Adyar, Chennai- 600 020
email: swaminathan_kaly@hotmail.com

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(वी.पी. साहू) 17/11/2020

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