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all Executives  
for Compliance  
Dept  
15/07

**COAL INDIA LIMITED**  
(A MAHARATNA COMPANY)  
Coal Bhavan,  
Premises No.04, Action Area 1A,  
New Town, Rajarhat, Kolkata – 700 156  
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Website : [www.coalindia.in](http://www.coalindia.in), E mail : [dt.cil@coalindia.in](mailto:dt.cil@coalindia.in)



कोल इंडिया लिमिटेड  
(महारात कंपनी)  
कोयला भवन  
परिसर संख्या ४, एक्शन एरिया १ए  
न्यू टाउन, राजरहाट, कोलकाता- ७००१५६.  
फोन : ०३३-२३२४ ४०२४, फैक्स : ०३३-२३२४ ४०८२  
वेबसाइट: [www.coalindia.in](http://www.coalindia.in), ई मेल: [dt.cil@coalindia.in](mailto:dt.cil@coalindia.in)

Ref. No. CIL/C2D/IEM/BCCL/517

Date: /06/2017  
01/07/2017

To,  
Shri Pramod Deepak Sudhakar, IAS (Retd.),  
A-002, Stellar Park Apartments,  
C-58/24 Sector-62,  
Noida (U)P 201301



G.P. (mm)  
C.M. (mm) - 11  
SEM file

Speed Post  
Email: [sudhakarpd2@gmail.com](mailto:sudhakarpd2@gmail.com)

Dear Sir,

**Sub:-Engagement as Independent External Monitor (IEM) for Implementation of Integrity Pact Programme.**

We are glad to inform you that your name has been approved by the Central Vigilance Commission for empanelment as an Independent External Monitor (IEM) for implementation of Integrity Pact Program at Coal India Limited. (CIL) and its subsidiaries. We are pleased to issue this letter of engagement to act as an IEM, against tenders issued by Bharat Coking Coal Limited (BCCL), a Mini Ratna PSU.

The terms of appointment shall be as under:-

1. This engagement as Independent External Monitor shall be for an initial period of three years from date of issue of this letter and it would be subject to renewal thereafter by CIL after approval of CVC.
2. You shall be paid Rs. 2000/- (Rs. Two Thousand only) for being named in the panel for each tender and Rs.15,000/- (Rs. Fifteen Thousand only) for each reference made and dealt by you, against which you will give a recommendation to management of BCCL.
3. Names of Independent External Monitors shall be indicated in each tender for reference of complaints, if any.
4. You will have status/benefits similar to those of Chairman of Audit Committee of Board/ Director of BCCL.
5. Implementation of IEM will be governed by revised Standing Operating Procedure (SOP) for implementation of Integrity Pact circulated as per circular No. 02/01/2017 dated 13.01.2017 issued by Director, CVC, New Delhi ( copy enclosed) . As per Clause 4.02 of the revised Standing Operating Procedure (SOP) circulated by CVC, it would be desirable to have structured meetings of the IEMs with the Chief Executive of the Organization on 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.

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6. The fees for each IEM for attending such structured meeting where general related things beside complaints, if any, etc. could be discussed, would be paid, Rs. 15,000/- (Rupees Fifteen thousand only) per meeting irrespective of any number of days of duration of the meeting for BCCL being a Mini Ratna Co.
7. Your roles and duties as per revised Standard Operating Procedure (SOP) for implementation of Integrity Pact Program ( copy enclosed), will be as under:
  - a. The IEMs would have access to all contract documents, whenever required.
  - b. It would be desirable to have structured meetings of the IEMs with the Chief Executive of the Organization 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.
  - c. The IEMs would examine all complaints received by them and give their recommendation/views to the Chief Executive of the organization, at the earliest. They may also send their report directly to the CVO and the Commission, 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.
  - d. 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.
  - e. IEM 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 the concerned organization.
  - f. 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. At the same time, it must be understood that IEMs are not consultants to the Management. Their role is independent in nature and the advice once tendered would not be subject to review at the request of the organization.
  - g. Issues like warranty/guarantee etc. should be outside the purview of IEMs.
  - h. All IEMs should sign non-disclosure agreements with the organization in which they are appointed. They would also be required to sign a declaration of absence of conflict of interest.

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- i. A person acting as an IEM shall not be debarred from taking up other assignments such as consultancy with other organizations or agencies subject to his declaring that his/her additional assignment does not involve any conflict of interest with existing assignment. In case of any conflict of interest arising at a later date from an entity wherein he is or has been a consultant, the IEM should inform the CEO and recuse himself/herself from that case.
- j. All organizations may provide secretarial assistance to IEM for tendering his/her job as IEM
- k. In case of any misconduct by an IEM, the CMD/CEO should bring it to the notice of the Commission detailing the specific misconduct for appropriate action at the Commission's end.
- l. The role of the CVO of the organization 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/her or directed to him/her by the Commission.

8. This is issued with the approval of Chairman, CIL.

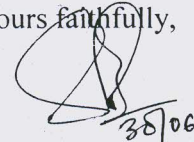
You are requested to kindly acknowledge receipt of this letter.

Encl: 1) MOU.

2) Pre Contract Integrity Pact format.

3) Revised Standard Operating Procedure (SOP).

Yours faithfully,



(Shekhar Saran)

Director (Technical)

Copy to:

1. Chairman, CIL/ Director (P&IR),./ Director (Marketing)/ Director (Finance), CIL
2. CVO, CIL.
3. CMD, BCCL / D(T) BCCL / CVO,BCCL
4. ✓ GM(MM), CIL/BCCL ✓
5. GM(Fin), BCCL.

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