

No.77-12/2013-GA
Government of India
Ministry of Communications
Department of Posts

Dak Bhawan, Sansad Marg
New Delhi-110001
Dated: 2nd November, 2017

To

1. All Heads of Postal Circles
2. All Heads of Postal Regions
3. All GMs (Finance)/ Directors (A/c) Postal

Subject: Appointment of Independent External Monitors in Department of Posts-reg.

Sir/Madam,

I am directed to inform you that Competent Authority has conveyed the approval to appoint Shri Harish Chandra, IRAS (Retd.), Ex-Director (Finance) RVNL in addition with appointment of Shri Rakesh Kacker, Ex-Secretary to Govt. of India, India Habitat Centre as Independent External Monitor (IEM) for Department of Posts for a period of 3 years w.e.f issue of this letter.

2. The appointments of Independent External Monitors (IEMs) shall be governed by following terms and conditions:

2.1 Tenure: The tenure of Independent External Monitor shall be for an initial period of three years w.e.f. issue of this letter.

2.2 Fee: Each Monitor shall be paid a fixed amount of Rs. 5000/- (Rs. Five Thousand only) for consideration of each reference and submission of report to Department of Posts on the reference, subject to annual ceiling of Rs. 3,00,000/- (Rs. Three Lakh only) irrespective of number of sittings. This will be independent of any Pension and Allowances being drawn by them.

2.3 Transport: No Transport shall be provided by the Department. Conveyance charges on the same terms and conditions as admissible to any serving officer of an equivalent rank shall be reimbursed to each Monitor under Delegation of Financial Power Rules.

2.4 TA/DA: TA/DA shall be allowed as per normal rates applicable to any serving officer of an equivalent rank.

2.5 Other Facilities: No other facility like telephone, regular office accommodation in the office premises of Department of Posts or its field Units, residential accommodation shall be provided by the Department.

3. Scope of work:

3.1 Independent External Monitors (IEMs) shall oversee the implementation of Integrity Pact in the RFPs/Tenders floated by Department of Posts including all Postal Circles.

3.2 The name, address and contact details of one Monitor shall be mentioned in the RFPs/ Tenders with estimated value of more than Rs. 10 Lakh where implementation

of Integrity Pact with prospective bidders has been made mandatory by Department of Posts. In cases where tenders have already been issued, the details shall be intimated to the concerned bidders/vendors forthwith, before signing of the Pre-Contract Integrity Pact. In case, the Pact has already been signed, the concerned bidders/vendors shall be suitably apprised at the earliest by the concerned officer.

3.3 The Monitors shall review independently and objectively whether and to what extent the parties comply with the obligations under the Integrity Pact. They shall not be subject to instructions by the representatives of the parties and perform their functions neutrally and independently.

3.4 The Monitors shall have the right to access all the documents relating to the project/procurement, including minutes of the meetings.

3.5 The Monitors shall have the right to access without restrictions all Tender/Project documentation of the Buyer (Department of Posts) including that provided by the bidders/vendors. They shall also have unrestricted and unconditional access to Tender/Project documentation of bidders/subcontractors on request and demonstration of valid interest. However, Monitors shall be under contractual obligation to treat the information and documents of the bidders/subcontractor(s) with confidentiality.

3.6 The Monitors shall be provided sufficient information about all meetings among the parties related to the Project provided such meetings could have an impact on the contractual relations between the parties. The parties shall offer the IEMs the option to participate in such meetings.

3.7 The Monitor shall inform the Authority designated by the Department if IEM notices, or has reason to believe, a violation of the Integrity Pact.

3.8 The Monitors shall submit a detailed written report to Secretary (Posts) within 8 to 10 weeks from the date of reference or intimation/complaint given to them by the Department or Bidders/Vendors. The Monitor, should the occasion arise, shall submit proposals for correcting problematic situations.

4. Procedure to be adopted by IEMs:

The procedure for examination of the references received from the Department or Bidders/Vendors will be as follows:

4.1 The decision of the Competent Authority with regard to NITs/RFPs/ Projects will be posted on the website of the Central Public Procurement Portal and/ or Department of Posts and will also be communicated to the Bidders/ Vendors either electronically and/or physically whose proposals are not selected/approved to give them an opportunity to make representation, if any, to the tender inviting authority within 15 days from the date of the posting on the website or issue of the letter.

4.2 A decision by the Competent Authority on such representation will be taken within 15 days of receipt of the representation. If the application is found with merit, it will be referred to the nominated IEM.

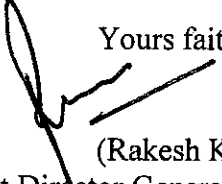
4.3 The IEM, with reference to the representations sent by the Competent Authority or received directly from Bidders/Vendors, will re-examine the records of the case

and hear the concerned officers/ applicants and submit the report to Competent Authority.

4.4 The Report of the IEM on the representation by the Bidders/ Vendors will be placed before the Competent Authority for consideration and appropriate decision will be taken within a period of 30 days. The decision of Competent Authority shall be final on the representation.

4.5 The opportunity to submit representation will be given against the decision of the Tender Evaluation Committee/ Competent Authority regarding the non-selection of the Tender/Project of the Bidders/Vendors. This mechanism will not be available during the implementation phase of the tender/projects.

5. These orders shall be uploaded on the website of the Department of Posts.

Yours faithfully,

(Rakesh Kumar)
Assistant Director General (GA)

Copy to:

1. Shri Harish Chandra, IRAS (Retd.), Ex-Director (Fin.) RVNL.
2. Shri Rakesh Kackar, IEM to Department of Posts.
3. Secretary Posts
4. All Members (PSB)
5. Shri Vineet Pandey, Sr. DDG (Vigilance) & CVO, Department of Posts.
6. JS&FA
7. All DDGs, Dak Bhawan
8. All Directors, Dak Bhawan
9. Director, RAKNPA, Ghaziabad
9. Addl. Director General, APS, R. K. Puram, New Delhi
10. CGM (PLI), Chanakyapuri Post Office, New Delhi
11. CGM (BD Directorate)
12. Chief Engineer (Civil/Electrical), Delhi

Copy for information to

1. PS to Hon'ble Minister of Communications.