PROBITY FOR PROSPERITY - THE QUEST FOR A BETTER NATION

Abstract

Governance in Government and other public sector entities requires the fundamental character of probity to ensure delivery of institutional promises towards ensuring prosperity of society and the nation. This article examines the concept of probity defined as the quality of being completely honest in relation to the individual as well as the organisation. There are various frameworks for carrying out government activities including the Central Secretariat Manual of Office Procedure, General Financial Rules , Manuals for procurement and delegation of financial powers. Though it is often seen whether the functioning of the employees is within the boundaries specified by these guidelines, it is not sufficient to ensure effective completion of envisaged objectives without focus on probity. Probity as a cultural aspect for the organisation is an outcome of compliance to all the applicable rules with the focus being on probity and prosperity. This article presents the relevance of each of the focus areas as described in the communication from the Central Vigilance Commission for celebrating Vigilance Awareness Week 2026.



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Speaking on the code of conduct for public servants Shri. Sardar Vallabhbhai Patel, the iron man of India, in his address to the Indian Administrative Services trainee officers at Metcalfe House on 21st April 1947 said "Above all, I would advise you to maintain to the utmost the impartiality and incorruptibility of administration" This forms the bedrock of the requirement of probity in officers and staff engaged by the Government and Public Sector entities which are the vehicles through which the Government aims to deliver the promises it made to the citizens of the country.

As per the Oxford English Dictionary, the word probity means "the quality of being completely honest". The synonyms are integrity, morality, righteousness, etc.

As per the same dictionary, prosperity is "The condition of being prosperous, successful, or thriving; good fortune, success, well-being, wealth."

Therefore, the link between probity and prosperity is to use the resources at the disposal of the institution to achieve the objectives for which the institution exists with a focus on the five Es i.e. Economy, Efficiency, Effectiveness, Equity and Ethics. The audits faced by the institution both internal audit as well as the audit by the Indian Audit and Accounts Department representing the Comptroller and Auditor General of India, tend to focus on Economy- minimising cost/resources, Efficiency- better output with optimum input and Effectiveness- achievement of desired objectives in all aspects of the institutional activities. In the present audit set up, as part of the broader probity assessment, equity- whether the things are done the right way and ethics- whether the right things are done are also monitored as part

of the audit process.

It is provided in DOPT guidelines, while grading Annual Performance Appraisal Reports in commenting about integrity, there can be only three possible alternatives: (i) Beyond doubt (ii) Doubtful and (iii) Not watched the officer's work for sufficient time to form a definite judgement but nothing adverse has been reported to me about the officer. The third option is a procedural safeguard for certain administrative situations where direct or continuous monitoring is not possible.

> This article offers an actionable roadmap based on existing CVC guidelines and procurement frameworks for embedding personal and institutional probity into governance to achieve national prosperity

This sort of hundred percent or zero percent is what unites the concept of probity and Space missions. There is only success or failure in ISRO's launches and there is a person adopting probity or not. Only black or white exists and there is no scope for grey or any other colour. Success or failure in Space missions is a technical/engineering risk but not adopting probity is more of an individual/ institutional choice.

Each of us is only a small cog in the machinery of the institution where we are working. Can a handful of honest employees contribute to prosperity if the majority of employees are either corrupt or act as per the prevailing climate in the organisation? This appears to be lost cause from the beginning, is there even a remote possibility that if a handful of officials act with probity while the remaining act either dishonestly or indifferently, whether there is a chance for prosperity? It may seem that maintaining probity is both an arduous task as well as a lost cause.

The general tendency in the public offices of the country is to perform the minimum possible with the least risk while maintaining precedent. This approach protects the official from any blame but ensures that in almost all areas, the status quo is maintained. On paper, the process should be waterproof but in reality it might even be detrimental to the institution or its objective. This is not probity, this is self-preservation. Probity is absolute and staunch honesty where each step is taken for the benefit of the institution. It does not care if the Section In charge or Divisional In charge or Head of the institution might object to the adoption of the right decision.

The compliance to procedure is the minimum standard but probity as a culture goes a step further to ensure prosperity.

The mechanisms adopted in decision making in institutions mandated by the Central Secretariat Manual of Office Procedure (CSMOP), the restriction on use of public funds in General Financial Rules, 2017, the approval process provided by the Delegation of Financial powers and the conduct rules to be followed all aid the person who wishes to practice probity in his official dealings.

In case there is a conflict with the higher management, the public servant practicing probity is protected by the balanced approach safeguarding the interest of both the individual as well as the institution detailed in the Central Civil Services (Classification, Control and Appeal) Rules, 1965. Almost all public sector entities need to either adopt these rules or get a similar rule adopted through their governing bodies. In these rules, there are elaborate procedures to be followed before invoking any of the major penalties and opportunity is accorded at each stage to the individual to project his side of the case. The courts in many cases have upheld the maxim *"justice must not only be done, but must also be seen to be done"*. Therefore, even if there is a partisan treatment within the institution for any reason, the courts do support the individual if it is established that he was performing the act to protect organisational interest and/ or public interest.

Though the CCS (CCA) rules or similar rules that are adopted by institutions does not grant statutory immunity for actions beyond official delegation, it is expected that institutional systems will protect the honest official by removing any discretionary ambiguity and provide an assurance of natural justice.

The individual's probity is further supported by the Public Interest Disclosure and Protection of Informers Resolution, 2004. In case it is felt that the channels of raising any issue within the organisation are compromised and there is clear evidence of

unethical or corrupt practices, the complaint can be submitted to the Central Vigilance Commission which is the apex integrity institution of the Government of India. As per the information on the CVC website the following are the summary of **Guidelines for Lodging PIDPI Complaints :**

- Should be in a closed/ secured envelope and should be addressed to Secretary, Central Vigilance Commission.
- The envelope should clearly be inscribed with "Complaint under the Public Interest Disclosure" or "PIDPI"
- The PIDPI complainant should give his/her name and address in the beginning or end of complaint or in an attached letter (not in the envelope).
- Complaints received through emails, Complaint Management Portal or any other electronic medium will not be entertained
- Only Central Government ministries, departments, and Central PSUs/autonomous bodies fall within its operational purview
- No acknowledgement to protect identity and no further follow up encouraged
- Subject to the facts of the case being verifiable, CVC will take the necessary action
- The complaints should have vigilance angle and should not be for grievance redressal

Probity is not only an individual trait but needs to be imbibed in the organisational culture also. To ensure that this permeates all levels and compliance is not an option but a mandate, the mechanisms that are required to be addressed need to be implemented earnestly. They are brought out in the Circular that advises regarding the celebration of the Vigilance Awareness Week to coincide with the birthday of Sardar Vallabhbhai Patel on 31st October. These include:

i. Addressing of grievances / complaints
ii. Disposal of cases
iii. Enhancing the ability of employees by capacity building programmes
iv. Bringing efficiency and transparency by digital and automation initiatives , and
v. Efficient contract management

A little more discussion on the above aspects:

Addressing of grievances / complaints

A grievance or complaint which may include allegations received from citizens, vendors, or staff awaiting initial examination, verification, or preliminary investigation is an indication that there is a stakeholder who does not find satisfaction in some aspect of the organisational functioning. The famous complaint a popular folklore/historical anecdote frequently cited in administrative lore by a passenger ostensibly named Okhil Chandra Sen dated 02nd July 1909 who was forced to miss the train because he had to get down from the train to take a biological break. Though the authorities were considering the introduction of toilets in all classes for long this letter purportedly made the Railways to introduce toilets in the lower classes of the train enhancing the comfort of train travel to the general public as well as enabling longer journeys. Likewise, every complaint or grievance which is not a frivolous one or created by any of the negative human emotions has a grain of truth related to any one aspect of the processes.

In grievance redressal, the timeliness of redressing the grievance in comparison with the time allowed by authorities is a measurable indicator of the efficiency of the system. The Centralized Public Grievance Redress And Monitoring System provides a time of 21 days for replying to a grievance. One more indicator of the effectiveness of the system is the number of appeals received as well as the number of repeat grievances raised.

The same applies to the cases which are pending against the institution in any judicial (courts) or quasi-judicial (Tribunals/Appellate Authority) forum. These may range from procurement to commercial claims, service disputes to questions on not following due process, etc. Except when the case is driven by mala fide intention, each admitted court case points to a procedural or legal or administrative lapse or wrong interpretation which needs to be remedied at least in future to avoid recurrence of the same error.

Disposal of cases

There may be multiple vigilance related complaints/cases pending at various stages in the institution. These need to be finalised on a timely basis as provided for in the master circular on timely initiation and finalisation of disciplinary action. This is essential to adhere to the principles of natural justice which demand that disciplinary proceedings

are finalized in an expeditious manner to avoid suffering of the innocent as well as not to allow the culprit to avoid punitive action due to delay.

Enhancing the ability of employees by capacity building programmes

The workforce of the institution is generally a mix of permanent and outsourced / contractual staff especially in the operational level. These employees are the face of the organisation and they deal with the stakeholders directly. Their skills in their work as well as the interpersonal skills correlate directly with the impression of the institutions in the mind of the stakeholders. A single poorly handled interaction can undo years of reputation-building and conversely a well trained employee shall act as a trust multiplier for the institution. It is therefore imperative on the institution to focus on the capacity building initiatives for these employees. The training and capacity building can be imparted by

Internal experts - best for institutional-specific knowledge, SOPs, internal systems, grievance-handling protocols, and imbibing organisational culture. They are cost-effective and contextual.

- External experts – best for exposure to best practices and specialised knowledge transfer
- Training institutes in residential mode – for focussed learning
- Training institutes in online mode – flexible and cost effective
- Portals like Karmayogi and NPTEL offer scale, flexibility, and self-paced learning to the convenience of the employee and it is now part of the mandatory APAR requirements in a few institutions

External training in institutes also has the benefit of development of a professional network among peers which tends to be more valuable than the lessons learnt during the training. Further, if the concept of master trainer is adopted to provide focussed training to a few employees who thereafter provide training to many employees is adopted, the internal capacity is enhanced and a cadre of in house trainers with expertise is created.

Bringing efficiency and transparency by digital and automation initiatives

It is often seen that when the process of any administrative function is fully manual, it suffers from multiple disadvantages. Firstly, the process needs interactions between the human stakeholders which due to conflicting requirements results in friction. Secondly, the process, if only in the files and registers, remains opaque, lacks transparency and is prone to inefficiency. In this regard digitisation of processes tends to provide immense benefit to all stakeholders including the institution itself. However, it needs to be ensured that the digitisation is not a mere replica of the manual process without incorporating the automation, feedback, reporting and self-reconciling capabilities in the new workflow. Before embarking on any such endeavour, a diligent Business Process Re-engineering exercise should be carried out.

The benchmarks for comparing the efficiency of the system shall be the reduction of turn around time upon implementation of the automation initiative.

Efficient contract management

As the concept of specialisation mandates, more and more work of any institution is being systematically outsourced. This process is also encouraged by the General Financial Rules, 2017. Whenever a specific product or service is being procured through a Purchase Order or Work Order from an external vendor or Service Provider, Contract Management assumes great importance. Contrary to general belief, the process of Contract Management does not start after engaging the vendor / Service Provider. It starts right from the stage of formulation of the bidding documents. The Ministry of Finance, Department of Expenditure, has provided a set of Standard Bid Documents which are exhaustive and contain balanced clauses to protect the interest of both the procuring entity as well as the supplying entity. Once the vendor / Service provider is identified, the process requires the drawing up of: (i) Purchase Order with all the relevant details including delivery terms, incoterms (where applicable, especially in import orders), payment terms, liquidated damages, unexecuted obligations like warranty, supply of spares, etc. (ii) Work Order with a detailed Service Level Agreement, penalty clauses for deficiency in service, timelines for restoration, minimum uptime required, and manpower deployment, etc. At this point of time, the institution should also undertake comprehensive risk management for all the aspects

like risk of the source, risk of limited capacity, risk during transit, risk of currency fluctuation, etc.

(iii) The third and most critical part is the execution of the defined contract to ensure that interests of both the parties are taken into account. The identification of one officer as the contract manager to be the Single Point of Contact for the supply / service is essential to ensure proper contract management. This officer shall be the nodal point to monitor the performance of the contract based on predetermined milestones. If there are any deviations encountered, there should be formal documentation of the same as contract amendments to ensure legality.

(iv) In case of any disputes either of quality or quantity or pricing during the execution phase, the appropriate mechanism for dispute resolution needs to be invoked eg. Arbitration to ensure swift as well as balanced resolution of disputes

(v) The contractual obligations from both parties is to be completed in compliance to both the terms of the contract as well as the law of the land in matters like withholding tax, etc to bring the contract to closure

In terms of any condition where execution of the contract is prevented by circumstances beyond the control of either party, the contract is closed under force majeure

The benchmark of efficient contract management is the achievement of minimal cost overrun and time overrun in any procurement activity or project.

Together individual and institutional probity, if practiced diligently, shall definitely lead to prosperity of all concerned stakeholders and thereby lead to a prosperous India.

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