

No. P-17011/3/2005/PIII/SBD
National Rural Road Development Agency,
Ministry of Rural Development,
Government of India

5th Floor, 15 NBCC Tower,
Bhikaji Cama Place, New Delhi-110066.

Dated the 26th February, 2008

To

Shri P. K. Pradhan,
Chief Engineer, Rural Works III,
Office of Chief Engineer Rural Works,
Madhusudhan Nagar, Unit IV
Bhubneshwar-751001
Orissa

**Subject: Acceptance of Bank Guarantees – Adherence of instructions from
Central Vigilance Commission – Reg.**

Sir,

I am directed to forward herewith a copy of the Office Memorandum No. 02-07-01-CTE-30 dated 31st December, 2007 issued by the Central Vigilance Commission on the subject cited above. The contents of the Office Memorandum are self-explanatory.

It will be appreciated if you could evolve a procedure for acceptance of Bank Guarantees which is compatible with the guidelines of the banks/Reserve Bank of India to ensure the genuineness of these Bank Guarantees. The State implementing agencies are advised to strictly follow the guidelines on the subject issued by Central Vigilance Commission.

Yours faithfully,


(Prabha Kant Katare)
Director (P-III)

Encl: a/a

No. 01-07-01-CTE-10
Government of India
Central Vigilance Commission

Shri Ram Dey, B.A., B.L.,
J.P.O. (Retd.),
New Delhi, 110 001
D. No. 10/2008/CTE

OFFICE MEMORANDUM

Circular No. 01/01/08

Sub. : Acceptance of Bank Guarantees.

A number of instances have come to the notice of the Commission where forged / fake bank guarantees have been submitted by the contractors-suppliers. Organizations concerned have also not made any effective attempt to verify the genuineness / authenticity of these bank guarantees at the time of submission.

2. In this background, all organizations are advised to streamline the system of acceptance of bank guarantees from contractors/suppliers to eliminate the possibility of acceptance of any forged/fake bank guarantees.

3. The guidelines on this subject issued by Canara Bank provides for an elaborate procedure, which may be found helpful for the organizations in eliminating the possibility of acceptance of forged/fake bank guarantees. The guidelines issued by Canara Bank provides that -

“The original guarantee should be sent to the beneficiary directly under Registered Post (A.D.). However, in exceptional cases, where the guarantee is handed over to the customer for any genuine reasons, the branch should immediately send by Registered Post (A.D.) an unstamped duplicate copy of the guarantee directly to the beneficiary with a covering letter requesting them to compare with the original received from their customer and confirm that it is in order. The A.D. card should be kept with the loan papers of the relevant guarantee.

At times, branches may receive letters from beneficiaries, viz., Central/State Governments, public sector undertakings, requiring bank's confirmation for having issued the guarantee. Branches must send the confirmation letter to the concerned authorities promptly without fail.”

4. Therefore, all organizations are advised to evolve the procedure for acceptance of BGs, which is compatible with the guidelines of Banks/Reserve Bank of India. The steps to be ensured should include-

- i) Copy of proper prescribed format on which BGS are accepted by the contractors should be enclosed with the tender document and should be verified verbatim on receipt with original document.
- ii) It should be insisted upon the contractors, suppliers etc. that BGS to be submitted by them should be sent to the organization directly by the issuing bank under Registered Post (A.D.).
- iii) In exceptional cases, where the BGS are received through the contractors, suppliers etc., the issuing branch should be requested to immediately send by Registered Post (A.D.) an unstamped duplicate copy of the guarantee directly to the organisation with a covering letter to compare with the original BGS and confirm that it is in order.
- iv) As an additional measure of abundant precaution, all BGS should be independently verified by the organizations.
- v) In the organisation/unit, one officer should be specifically designated with responsibility for verification, timely renewal and timely encashment of BGS.

5. Keeping above in view, the organizations may frame their own detailed guidelines to ensure that BGS are genuine and encashable.
6. Receipt of the above guidelines should be acknowledged.

P. N. Sharma
(Smt. Padameja Varma)
Chief Technical Examiner

To
All Chief Vigilance Officers