27 RAILWAY CONVENTION COMMITTEE

(2014)

(SIXTEENTH LOK SABHA)

MINISTRY OF RAILWAYS

(RAILWAY BOARD)

Action Taken by Government on the
Observations/Recommendations of the Committee contained
in their Twentieth Report (Sixteenth Lok Sabha) on Vigilance in
Indian Railways

सत्यमेव जयते

LOK SABHA SECRETARIAT

NEW DELHI

August, 2018 / Sharavana, 1940 (Saka)

TWENTY SEVENTH REPORT

RAILWAY CONVENTION COMMITTEE

(2014)

(SIXTEENTH LOK SABHA)

MINISTRY OF RAILWAYS
(RAILWAY BOARD)

Action Taken by Government on the Observations/Recommendations of the Committee contained in their Twentieth Report (Sixteenth Lok Sabha) on Vigilance in Indian Railways

Presented to Lok Sabha on 03.8.2018

Laid in Rajya Sabha on 03.8.2018

सत्यमेव जयते

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August, 2018 /Sharavana, 1940 (Saka)

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COMPOSITION OF RAILWAY CONVENTION COMMITTEE
(2014)

Shri Bhartruhari Mahtab, MP - Chairperson

Members

<u>Lok Sabha</u>

2. Shri Abhishek Banerjee
3. Shri Sanganna Amarappa Karadi
4. Shri K. Ashok Kumar
5. Shri Kamalbhan Singh Marabi
6. **Vacant***
7. **Shri Ramen Deka****
8. Shri Janak Ram
9. Shri Rahul Ramesh Shewale
10. Shri Bharat Singh
11. Shri Liladharbhai Khodaji Vaghela
12. Shri K.C. Venugopal

<u>Rajya Sabha</u>

13. Shri Sanjay Seth#
14. Shri T.K. Rangarajan
15. Shri Prem Chand Gupta
16. Shri Abdul Wahab
17. Dr. V. Maitreyan#
18. Shri Ranvijay Singh Judev

*Vacancy occurred w.e.f. 05th July, 2016 vice Smt. Anupriya Patel was appointed MOS.
** Nominated w.e.f. 01 August, 2018.
 # Nominated w.e.f. 07 June, 2018.

INTRODUCTION

I, the Chairperson, Railway Convention Committee (2014), having been authorized by the Committee, present this Twenty Seventh Report on Action Taken by Government on the Observations/Recommendations of the Committee contained in their Twentieth Report (Sixteenth Lok Sabha) on Vigilance in Indian Railways.

2.   The Twentieth Report was presented to Lok Sabha and also laid in Rajya Sabha on 29 December, 2017. The Ministry of Railways (Railway Board) furnished their replies on 1 May, 2018 indicating Action Taken on the Observations/Recommendations contained in the Twentieth Report. The Committee at their sitting held on 02.08.2018 considered and adopted this Report.

3.   An analysis of the action taken by the Government on the Observations/Recommendations contained in the Eleventh Report (Sixteenth Lok Sabha) of the Railway Convention Committee (2014) is given at Appendix-II.

4.   For ease of reference, the Observations/ Recommendations of the Committee have been printed in bold letters in the Report.

New Delhi: **BHARTRUHARI MAHTAB**
02 August, 2018   CHAIRPERSON
11 Sharavana, 1940 (SAKA)   RAILWAY CONVENTION COMMITTEE

CHAPTER - I

REPORT

This Report deals with action taken by Government on the Observations/Recommendations of the Committee contained in their Twentieth Report (Sixteenth Lok Sabha) on the subject 'Vigilance in Indian Railways':

2.   The Twentieth Report was presented to Lok Sabha on 29 December, 2017 and also laid in Rajya Sabha on the same day. It contained 14 Observations/Recommendations. Replies of Government in respect of all the Observations/Recommendations have been received and are categorized as under:-

   (i)   Observations/Recommendations which have been accepted

          by the Government:
          Rec. Para Nos. 1,3,4,5,6,7,8,9,10,11 & 13.

                                                   Total: 11
                                                   Percentage: 78.6

   (ii)   Observations/Recommendations which the Committee do

          not desire to pursue in view of the Government's reply:
          Rec. Para No. Nil

                                                   Total: Nil
                                                   Percentage: Nil

   (iii) Observations/Recommendations in respect of which replies

          of the Government have not been accepted by the

          Committee and which require reiteration:

          Rec. Para Nos. 2,12 & 14.

                                                   Total: 03

                                                   Percentage: 21.04

(iv)   Observations/Recommendations in respect of which replies of the Government are interim in nature:
Rec. Para No. Nil

<div align="right">Total: Nil</div>

<div align="right">Percentage: Nil</div>

3.   The Committee desire that Action Taken Note in respect of the Observations/Recommendations contained in Chapter-I of this Report be furnished to them at the earliest.

4.   The Committee will now deal with some of their earlier Recommendations which either require reiteration or merit further comments based on the replies received from the Government.

I. Manipulation of the e-system

(Recommendation Para No.-2)

5.   In their Twentieth Report, the Committee did not agree with the Ministry's claim that e-auction was a well established and foolproof system in view of the Ministry's own submission that there was no expertise available with the Railways to effectively deal with cyber crime and software manipulation. The Committee had urged the Ministry to seriously consider inducting persons with ample experience in handling Cyber Crime, either through deputation or permanent absorption, so as to eliminate any scope of manipulation of the e-system by the vested interests. The Committee had also recommended that the Railways should take adequate preventive measures to protect the interest of persons/contractors from one region when they evinced interest in participating in e-tendering and

e-auction processes and got the contracts for execution in another region.

6.   The Ministry, in their Action Taken Note, have submitted as under:

"The Vigilance Directorate does not have a separate cell for investigating "cyber crimes". If issues related to misuse of software by outside agencies come to notice, they are handed over to law-enforcement agencies like CBI depending on the gravity of the matter. Further, Centre for Railway Information Systems (CRIS), which is an IT arm of Indian Railways has set up Network Operation Centre for monitoring the cyber threats on IT infrastructure. CRIS is also conducting internal security audit of its IT applications through Information Security Group (ISG). Indian Railways has also nominated Chief Information and Security Officers on all Railway Units for monitoring the cyber attacks and providing knowledge to end users.

The Indian Railways e-Procurement System (IREPS) portal *www.ireps.gov.in* is the official portal of Indian Railways for procurement of Goods, Works & Services, Sale of Materials, and Leasing of Assets through the process of E-Tendering, E-Auction or Reverse Auction. The site is developed and maintained by Centre for Railway Information System (CRIS) using the latest technology and security features. Salient security features deployed include asymmetric cryptography, PKI enablement, digital signature, 256 bit 'VeriSign' Extended SSL, apart from standard security features like user name, password, digital authentication, role based access and

privileges, audit trail, time synchronization for all Production servers with IST (acquired from NPL) etc. The data center has been designed to be fully secure using various hardware and software utilities like firewall, Load Balancer, IPS, Antivirus etc. Security aspects of IREPS website are regularly tested by independent third party viz. M/s STQC, under department of IT (DIT), Government of India. The site provides a secure platform to users for online transactions for procurement and sale."

7.   The Committee are concerned to note the Ministry's submission that the Vigilance Directorate of the India Railways does not have a separate cell for monitoring/preventing Cyber Crimes. This is precisely why the Committee in their earlier Report had recommended the Ministry to seriously consider inducting persons with ample experience in handling Cyber Crimes, either through deputation or permanent absorption so as to eliminate any scope for manipulation of the e-system. The Committee appreciate that Centre for Railway Information Systems (CRIS), which is an IT arm of the Indian Railways, has set up Network Operation Centre for monitoring the Cyber threats on IT infrastructure. The Committee also take note of the Ministry's submission that the official portal of the Indian Railways provides a secure platform to users for online transactions for procurement and sale. However, in view of the magnitude of the e-tendering and e-auction being carried out by

the Indian Railways every year, the Committee are of the considered opinion that the Vigilance Directorate of the Railways should have an exclusive cell of its own, comprising of Cyber experts to effectively deal with Cyber frauds/Crimes so as to make the e-system foolproof. The Committee also reiterate that firms/persons from one region getting contracts for execution in another region of the country should be given requisite protection and security by the Railway Protection Force (RPF) as well as by coordinating with the local police.

II. Ticket Reservation System
(Recommendation Para No. 3)

8.   In their earlier Report, taking note of the Ministry's submission that ticket reservation system had become 100 percent computerized and CCTV cameras had been installed in containing corrupt activities, the Committee, however, had opined that the Railways had miles to go in eliminating corrupt practices in ticket reservation system as a lot of complaints were still coming to notice regarding closure of the websites/ticket counters within minutes of their opening, especially during rush seasons in some particular sectors. The Committee had impressed upon the Ministry to further tighten the system in the larger interest of the general public.

9. In their Action Taken Note, the Ministry have deposed as follows: "On Indian Railways, reserved accommodation can be booked through computerized Passenger Reservation System (PRS) counters as well as through internet on first come first served basis. During peak rush periods/days when demand outstrips the availability, reserved accommodation especially in higher classes and on popular routes gets exhausted within short duration of opening of reservation. However, during lean periods, on non-popular routes and in lower classes, the accommodation remains available for longer duration. The phenomenon is more relevant for Tatkal where limited accommodation is earmarked. This happens as the available limited accommodation is accessed simultaneously through computerised Passenger Reservation Centers as well as through internet.

Various steps have been taken by the Railways to avoid misuse of its passenger reservation system, some of which are as under:-

(i) Restriction on agents on booking of tickets during first thirty minutes of opening of Advance Reservation Period (ARP) booking and Tatkal booking.

(ii) Condition of carrying one of the prescribed proofs of identity in original during journey by any one of the passengers booked on the ticket.

(iii) Automatic preparation of reservation charts at least 4 hours before scheduled departure of train and thereafter booking of available accommodation through internet as well as through computerized Passenger Reservation System (PRS) counters.

(iv) Making provision in the PRS system to transfer vacant available accommodation after preparation of second reservation chart to next remote location.

(v) Introduction of Alternate Train Accommodation Scheme (ATAS) known as VIKALP for providing confirmed accommodation to waitlisted passengers and also to ensure optimal utilization of available accommodation.

(vi) Modification of Railway Passengers (Cancellation of Ticket and Refund of Fare) Rules to discourage speculative booking of tickets.

(vii) Only one booking in one user login session except for return/onward journey between 08:00 and 12:00 hours in case of tickets being booked through internet.

(viii) Provision of CAPTCHA in the booking page of e-ticket/i-ticket on the IRCTC website to check use of scripting tools by unscrupulous elements for cornering of tickets.

(ix) Introduction of a time check of 35 seconds for completion of online booking of tickets to avoid misuse through use of scripting software.

(x) Making One Time Password (OTP) mandatory for payment of tickets booked online.

(xi) Conducting joint as well as independent checks by Commercial, Vigilance & Security Departments in mass contact areas such as PRS centres, booking offices, platforms, trains etc. on the aspect of ticketless passenger, transfer of ticket, touting activities etc.

(xii) Touts so apprehended taken up as per provisions of Law.

(xiii) Intensification of checks during peak rush and festival periods. Touts and unauthorized vendors apprehended and prosecuted as per relevant provisions of the Railways Act, 1989.

(xiv) Supplementing checks conducted at Reservation Offices by checks on the trains to detect the cases of transferred reserved tickets i.e. persons found travelling fraudulently against accommodation actually reserved in the name of another passenger.

(xv) Conducting checks in booking offices, reservation offices, trains etc. to curb malpractices by Railway staff in connivance with touts. Stringent action taken against the railway staff under Disciplinary and Appeal Rules, if found indulging in malpractices.

(xvi) Deployment of RPF staff at important Passenger Reservation System (PRS) centres to prevent touting activities.

(xvii) Keeping surveillance on the possible activities of touts and unauthorised vendors through Close Circuit Television Cameras installed at important Railway Stations.

(xviii)   Educating general public through Public Address System and media, not to buy tickets from touts/unscrupulous elements and consequences of buying tickets from these sources.

Complaints on usage of illegal websites/applications for generating multiple e-tickets including tatkal tickets have been received in the recent past. These complaints involve non-railway persons and therefore, have been forwarded to the CBI for investigation at their end. The CBI/ACB/Bengaluru has informed about arrest of one person in the matter and consequently a chargesheet was also filed against that person by

the CBI. CBI/ACB/Delhi too has arrested one of its own employees and has registered an FIR against that employee alongwith several other private individuals involved either in developing illegal software or in distribution/sale of such software to generate PNRs against existing Railway and IT Acts".

10.   The Committee appreciate that a number of preventive and punitive measures are being taken by the Railways to contain corrupt practices in ticket reservation system and action has been taken against both railway and non-railway persons who were found indulging in malpractices. The Committee desire the Ministry to intensify the measures already initiated for elimination of corrupt practices in ticket reservation system besides resorting to other innovative steps for the purpose, in the interest of the common man.

III. Participative Vigilance
(Recommendation Para No. 6)

11. In their earlier report, commending the measures initiated by the Railways for an effective and transparent participative vigilance, the Committee had desired that eminent person from different walks of life be also associated with the Railways' endeavour towards participative vigilance so as to have a greater impact in inculcating a sense of integrity and ethical behavior among the Railways Officials. The Committee had further recommended that certain posts at the

lower level in the Vigilance Directorate be earmarked for being filled in through deputation to ensure better transparency and impartiality.

12.   In their Action Taken Note, the Ministry have responded as under:

> "Railway officers having a good record of service with adequate experience in the particular department are posted in the Vigilance Organization of Railway. One post of Director (Vigilance)/Police is filled up from the IPS cadre. Further, the posts of CVOs of some PSUs are also filled up on deputation basis from officers of other services (i.e. Non-Railway officer).
>
> The Inspector level posts of Investigating Inspector (Vigilance) in Vigilance Directorate are filled by suitable Railway persons with a flair of Vigilance working and of proven integrity through a selection procedure. One post has been earmarked for being filled in through deputation from officials of other organization (like Delhi Police, CBI etc.)."

13. The Committee note that apart from posting Railway Officers having a good track record of service and proven integrity, officials from other organizations like Delhi Police, CBI etc. are also posted through deputation in the Vigilance Directorate of the Railways. The Committee would like to reiterate that in their endeavour towards an effective and transparent participative vigilance, the Railways should explore the possibility of associating eminent persons of impeccable

reputation to inculcate a sense of integrity amongst the Railway officials.

IV. Non-maintenance of Data
(Recommendation Para No. 12)

14.   In their earlier Report, the Committee had expressed concern to find that the Ministry was not maintaining data regarding the corruption cases closed by the Central Bureau Of Investigation (CBI). The Committee had impressed upon the Ministry to keep track and maintain data of both ongoing and closed cases referred to/taken up by the CBI so as to facilitate requisite follow up action.

15.   In their Action Taken Note, the Ministry have stated as follows:
"Provision for monitoring of CBI cases is being made in our internal software system –Indian Railways Integrated Vigilance Information System (IRVINS)."

16.   Though the provision for monitoring of CBI cases is reportedly being made in Railways' internal software system viz. Indian Railways Integrated Vigilance Information System (IRVINS), the Committee are concerned that no appeal pertaining to the CBI cases has been filed by the Railways in the Court of Law ostensibly because of non-maintenance of data on the cases closed by the CBI. The Committee, therefore, urge the Ministry to strengthen the monitoring mechanism devised to keep track of the CBI cases, with specific attention towards closed cases, so

that appropriate follow up action is taken, as and when warranted.

V. Constraints/Impediments
(Recommendation Para No. 14)

17. In their Twentieth Report, taking note of a number of constraints/impediments, being faced by the Railways like unwillingness of the staff to work in the Vigilance Directorate due to lack of incentives, low staff morale, imposition of lighter punishment upon guilty officials due to flaws in the Central Service Rules, 1965 etc. , the Committee had urged the Ministry to take up the matters at the appropriate fora to overcome the impediments for seamless implementation of Preventive, Participative, Punitive and Pro-active Vigilance activities.

18. In response, the Ministry in their Action Taken Note have just stated that the recommendation of the Committee is noted.

19. The Committee are disappointed with the vague reply of the Ministry to their considered suggestions, more so when the Vigilance Directorate of the Railways is plagued by a number of constraints/impediments. The Committee, therefore, exhort the Ministry to spell out, in an unambiguous manner, the specific steps taken/contemplated to overcome the problem so as to make various vigilance activities impressive.

New Delhi: **BHARTRUHARI MAHTAB**

02 August, 2018   CHAIRPERSON

11 Sharavana, 1940 (SAKA)   RAILWAY CONVENTION COMMITTEE

RAILWAY CONVENTION COMMITTEE (2014)

MINUTES OF THE FIFTIETH SITTING OF THE COMMITTEE

The Committee sat on Thursday, the 02nd August, 2018 from 1030 hrs. to 1100 hrs. in Room No. 215, Chairperson's Chamber, Parliament House Annexe Extension, New Delhi.

PRESENT

    Shri Bhartruhari Mahtab   -   **Chairperson**

Members

Lok Sabha

2 Shri K. Ashok Kumar
3 Shri Kamalbhan Singh Marabi
4 Shri Bharat Singh
5 Shri Rahul Ramesh Shewale
6 Shri L.K. Vaghela

Rajya Sabha

7 Shri T.K. Rangarajan
8 Shri Sanjay Seth

Secretariat

1 Smt. Kavita Prasad   -   Joint Secretary
2 Shri M. K. Madhusudhan   -   Director
3 Shri D. R. Mohanty   -   Additional Director

2.   At the outset, the Chairperson welcomed the Members to the sitting of the Committee which was convened to consider and adopt four Draft Reports on the subjects (i) Maintenance of Rolling Stock; (ii) Internal Resource Generation by Indian Railways; (iii)Action Taken by Government on the Sixteenth Report (Sixteenth Lok Sabha) on 'Track Upgradation & Modernisation'; and (iv) Action Taken by Government on the Twentieth Report (Sixteenth Lok Sabha) on 'Vigilance in Indian Railways'. Giving an

overview of the important Recommendations contained in the Draft Reports, the Chairperson solicited the views/suggestions of the Members.

3.   The Committee then took up for consideration the said Draft Reports and adopted them after some discussion.

4.   The Chairperson thanked the Members for their valuable suggestions and active participation in the deliberations of the Committee.

5.   The Committee, then, authorized the Chairperson to finalize the Reports in the light of the factual verifications, if any, received from the Ministry and present the same to both the Houses of Parliament.

<u>The Committee then adjourned.</u>

(Vide Para No. 3 of the Introduction)

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON OBSERVATIONS/RECOMMENDATIONS CONTAINED IN THE TWENTIETH REPORT OF THE RAILWAY CONVENTION COMMITTEE -2014 (SIXTEENTH LOK SABHA)

		Total	Percentage
I.	**Total number of Recommendations**	**14**	**-**
II.	**Observations/Recommendations which have been accepted by the Government:** **(Para Nos. 1,3,4,5,6,7,8,9,10,11 &13)**	**11**	**78.6**
III.	**Observations/Recommendations which the Committee do not desire to pursue in view of the Government's replies:** **(NIL)**	**NIL**	**-**
IV.	**Observations/Recommendations in respect of which Government's replies have not been accepted by the Committee and which requires reiteration:** **(Para Nos.2,12&14)**	**03**	**21.4**
V.	**Observations/Recommendations in respect of which final replies of Government are of interim in nature:** **(NIL)**	**NIL**	**-**
	Total	**14**	**100%**