

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:3109
ANSWERED ON:23.12.2003
PERMISSION FOR ELECTION IN RWA KENDRIYA BHANDAR
RAMJI MANJHI

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) Whether it is fact that the Government servants contesting the elections, like RWA/Kendriya Bhandar, shall have to obtain the prior permission/no objection certificate (NOC) from their departments and that permission has to be submitted to the returning officer (RO) before scrutiny of nomination and the nomination shall be cancelled in the absence of such permission/NOC;
- (b) If so, whether the Government servants holding the post of elected directors in the Kendriya Bhandar and contesting for the post of Chairman, Kendriya Bhandar submitted the permission/NOC to the returning officer before scrutiny of their nominations;
- (c) if so, the details thereof and if not, the reasons therefor;
- (d) whether any approval of the Minister in charge of the ministry is necessary for the grant of permission/NOC;
- (e) if so, the details thereof; and
- (f) if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS.(SHRI HARIN PATHAK)

(a) to (c): Under the provisions of CCS (Conduct) Rules, a Govt. servant is required to take prior sanction for contesting election to an elective office in RWA, Kendriya Bhandar etc. Elections to recognized RWA are held as per the provisions of the model constitution prescribed by DOPT which does not lay down prior permission from Govt. as a pre-condition for seeking election and under normal circumstances production of such permission/NOC is not insisted upon. Elections to Board of Directors of Kendriya Bhandar are held as per provisions of the bye-laws adopted by Kendriya Bhandar in keeping with the Multi-State Co-operative societies` Act, 2002. There is no provision in the bye-laws for production of permission/NOC from Govt. to the Returning Officer.

(d) to (f): Grant of permission for holding elective office is decided by the concerned Ministry/Department/Organisation where the Govt. servant is employed, at an appropriate level, as per provisions of CCS (Conduct) Rules.