

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

STARRED QUESTION NO:195

ANSWERED ON:07.12.2011

CURBING CORRUPTION

Alagiri Shri S. ; Ganpatrao Shri Jadhav Prataprao

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

- (a) whether the Group of Ministers (GoM) on tackling corruption has submitted its final report;
- (b) if so, the major recommendations made by the GoM and if not, the reasons for the delay;
- (c) whether the Government has accepted these recommendations;
- (d) if so, the action taken/being taken thereon;
- (e) whether the discretionary powers of Ministers have been/are proposed to be curtailed;
- (f) if so, the areas where discretionary powers have been curtailed and the areas where discretionary powers exist for the Ministers; and
- (g) the extent to which the steps taken by the Government are likely to curb corruption in public life?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE.(SHRI V. NARAYANASAMY)

(a) to (g): A statement is laid on the Table of House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (g) OF LOK SABHA STARRED QUESTION NO. 195 FOR 07.12.2011

(a): The Group of Ministers (GoM) has not submitted its final report. However, it has submitted its first report to the Government.

(b): Some of the major recommendations made by the GoM in its first report are as under :-

(i) The Central Departments/Ministries should primarily use serving officers as Inquiry Officers (IOs) and Presenting Officers (POs) and in important cases, they may request CVC to appoint their Commissioner for Departmental Inquires (CDI) as IO.

(ii) Consultation with UPSC should continue while second stage consultation with CVC may be dispensed with. However, in those cases where consultation with UPSC is not required, the second stage consultation with CVC should continue.

(iii) The major penalty of compulsory retirement should be modified so as to provide for a reduction in pension upto 33%. Mere superannuation of an officer should not be a ground for dropping proceedings for minor penalty. A cut in pension up to 20% should be imposed in this type of minor penalty. Rule 9 of CCS (Pension) Rules, 1972 and other similar applicable rules be amended accordingly.

(iv) In all cases where the Investigating Agency has requested sanction for prosecution under section 19 of the Prevention of Corruption Act, 1988 and also submitted a draft charge sheet and related documents along with the request, it will be mandatory for the competent authority to take a decision within a period of 3 months from receipt of request, and pass a Speaking Order, giving reasons for its decision.

(v) Old cases of CBI, pending for more than ten years may be reviewed by a Committee headed by a retired Judge of the Supreme Court.

(vi) The vigilance administration of the Central Ministries/Departments may be strengthened. In particular, the vigilance wing of Department of Personnel and Training may be strengthened with requisite manpower to ensure effective monitoring of the vigilance matters.

(vii) As regards, amendment to Article 311 of the Constitution to provide for summary proceedings in cases of grave misdemeanor/act of blatant corruption by public servants, the GoM expressed that there is a need to strike a balance between fundamental rights of individuals and administrative exigencies. As such, instead of amending the Constitution, the remedy against blatant corruption/grave misdemeanors would lie in a strict and effective implementation of existing laws rather than framing new laws.

(viii) Request for prior approval under section 6A of the Delhi Special Police Establishment Act, 1946 to conduct enquiry/investigation against officers of the level of Joint Secretary and above in the Central Government should be decided within three months of receipt of request from CBI.

(ix) Wherever Ministers have discretion in discharging their official function, e.g. for making nomination to various bodies, suitable guidelines should be formulated by the Ministries and be placed in public domain.

(c) & (d): The Central Government has accepted the recommendations made by the GoM with some minor modifications and action has already been initiated for implementation of the accepted recommendations.

(e) & (f): The Group of Ministers has, in its First Report, recommended regulation of the discretionary powers of Ministers in a transparent manner and have advised to put the same in public domain. Accordingly, Ministry of Coal, Ministry of Railways, Ministry of Road Transport and Highways, Ministry of Rural Development, Ministry of Social Justice and Empowerment and Ministry of Tourism have been requested to frame guidelines for exercise of discretionary powers of their Ministers as regards nomination of non-official members/experts to various bodies under their administrative control, sanctioning of grants to individuals/institution, etc., and put them in public domain.

(g): Corruption thrives where transparency is lacking, procedures are complicated, discretion of high order is permitted and where there is a demand supply gap. The Central Government is tackling these situations by encouraging greater transparency, introducing simplified procedure and reducing scope for discretion. The steps taken by the Central Government would bring in more transparency in the exercise of discretionary powers. The other steps taken in pursuance of the GoM's recommendations would help in tackling corruption more effectively.