

Title: Demanded a statement from the Government on its stand over the issue of Caste discrimination in India being not allowed to be discussed in the UNO World Conference at Durban

SHRI PRAVIN RASHTRAPAL : Thank you, Mr. Speaker, Sir. India is a signatory to the Declaration on Human Rights by the UNO in 1948. The Constitution of India, framed in 1950, has given certain rights to the citizens of India in general and to the people belonging to the Scheduled Castes in particular. I am particularly referring to the rights given under articles 15, 16, 17, 25 and 46, etc., of the Constitution of India.

I want to draw the attention of the Minister of Parliamentary Affairs in particular regarding the 'Durban Conference' that is going to take place in the last week of August and the first week of September. I attended the Geneva Conference in my private capacity in the month of May this year. I am shocked to know that the Government of India which is a democratic country and one of the biggest countries of the world, has taken a stand that the issue of caste discrimination in India will not be allowed to be discussed in the World Conference. Why? I want to know about that from the Government of India.

I belong to the Scheduled Caste. Only last January, this Parliament has extended the reservation period for the Scheduled Castes for another 10 years. It proves that the things have not improved in rural India.

The UNO have decided the topic of the World Conference: 'Discrimination on the basis of racism and xenophobia and other intolerant issues based on descent and work'. If there is discrimination in this country against minorities and the Scheduled Castes in this country, the issue must be allowed to be discussed in the UNO Conference. So, I want that the Minister of Parliamentary Affairs may give a reply to these particular points. Why has the Government of India taken a negative stand? Why is the Government of India not allowing the issue to be discussed in the World Conference?...*(Interruptions)*

SHRI P.H. PANDIYAN : Sir, this is a serious matter affecting the independence and the sturdy powers of the IAS and the IPS officers. The Central Government, in a unilateral decision, transferred on deputation three IPS officers from Tamilnadu Government to Delhi.

Sir, without the concurrence of the State Government, without obtaining the consent of the officers concerned, they have been transferred. The willingness of the Central Government has also not been intimated to the State Government and the consent of the State Government has not been obtained. They have passed a unilateral order. They have transferred them on deputation.

The matter arises this way. The concept of deputation has been rightly upheld by the Supreme Court in various decisions. An officer cannot be transferred without his consent, without the knowledge or without the concurrence of the State Government.

Here, three IPS officers have been transferred. They are guided by Rule 6 (1) of Indian Police Service Cadre Rules 1954. Therein, it has been clearly said...*(Interruptions)*

MR. SPEAKER: Do you mean to say that this House is going to discuss the transfer matters also.

...*(Interruptions)*

SHRI C.P. RADHAKRISHNAN (COIMBATORE): Sir, he cannot raise this issue here...*(Interruptions)*

SHRI P.H. PANDIYAN : This is a very serious matter...*(Interruptions)*

MR. SPEAKER: Who is going to reply to this?

...*(Interruptions)*

SHRI RAGHUNATH JHA : Sir, under Rule 7(1-B) of the All India Services (Discipline and Appeal) Rules, 1969, the Central Government is fully empowered to institute disciplinary proceedings and impose penalty/punishment against any All India Service Officer. The State Government is bound to render all reasonable facilities to the Government of India for conducting such proceedings...(*Interruptions*)

SHRI C.P. RADHAKRISHNAN : Sir, the Central Government has the authority to transfer any All India Service Officer...(*Interruptions*)