

577 *Disc. under Rule 193 BHADRA 5, 1912 (SAKA)*
Statt. by Min. of Ext. Affrs. re. his visit to
Moscow, Washington, Amman, Baghdad etc.
in connection with situation in the Gulf

Half-an-hour Disc. 578
Transfer of CPWD
Officer

here. Then, direct flight must be operated from Basrah, the nearest airport to Kuwait, to Trivandrum, Bombay and Delhi so that more people can be evacuated from there. In the statement, the Minister has mentioned that there is no need to worry. If there is no cause for anxiety and worry then, why thousands of people are coming out from there? So, the problem is very serious and we have to look in that angle. Then, rehabilitation is the most important thing. Thousands of people are coming from there. The effect of this would be very great on our economy. We have to think about that also. When we faced a severe drought, the previous Government could mobilise an amount of Rs. 4,000 crores to meet that crisis. This is also a national crisis and so their rehabilitation is the real problem for us. I urge upon the Government to take necessary steps to see that these people are rehabilitated. The Government of Kerala has submitted a proposal for Rs. 750 crores for their rehabilitation. But in the changed circumstances, it is not adequate. So, I request the hon. Minister to take necessary steps for their rehabilitation. Of course, this is not directly concerned with the External Affairs Minister. But the Government must think about that and make proper arrangements for their rehabilitation. Finally, the people of Indian origin are there not only in Kuwait, but they are there in Saudi Arabia and in other Gulf countries. They are in fear and especially from Saudi Arabia, we are getting a lot of messages that they are facing a lot of problems because of the army control. The people in the entire Gulf area and their families in India are in panic. I think the Minister must explain about the entire Gulf situation so that our people are able to assess the situation and the anxiety can be got rid of. I would like to know the initiative taken by the Government not only in regard to Kuwait but also in regard to other parts of the Gulf area. I am once again requesting the hon. Minister of External Affairs to take the initiative as the leading member of the Non-aligned Movement, to come forward and try our level best

to solve the problems in the Gulf area and bring back peace and harmony in the area.

17.30 hrs.

HALF-AN-HOUR DISCUSSION

Transfer of CPWD Officer

[English]

MR. DEPUTY SPEAKER: Now we will take up half-an-hour discussion to be initiated by Shri Kusuma Krishna Murthy. After the half-an-hour discussion, we will take up this discussion under rule 193.

SHRI KUSUMA KRISHNA MURTHY (Amalapuram): Mr. Deputy-Speaker, Sir, this matter relates to Starred Question No. 28, dated 8th August, 1990 replied by the Minister of Urban Development.

[Translation]

PROF. MAHADEO SHIVANKAR (Chimur): I may also please be given an opportunity to speak because the question was originally asked by me, but it has come in his name in the ballot.

[English]

MR. DEPUTY SPEAKER: We do not do it here.

SHRI KUSUMA KRISHNA MURTHY: This question was asked not by our member it but it was mentioned in the name of two hon. Member it but it was mentioned in the name of two hon. Members. Many Members must have given notice and most of them must have realised out of their own experience that the working system of the Central Public Works Department has come to a stage where it becomes very very difficult for

[Sh. Kusuma Krishna Murthy]

us even to draw the attention of the officers towards the basis requirements of day-to-day life. Through you, I would like to bring to the notice of the hon. Minister a matter which ought to have been dealt with at the administrative level. But the way in which it was replied made me to give this notice. As usual the Question was replied without answering. The question was very simple and specific and the answer was quite evasive. It clearly gives an impression that an attempt has been made to conceal the required information. Please see the reply to part (a)

"(a) whether there are separate rules and regulations in regard to the transfer of various grades of officers in the C.P.W.D."

The answer is "No".

That means, there are no rules and regulations for transfer of officers in this Department. In every Government Department, the transfers are guided by certain rules and regulations. It is generally for about 3 years. It gives an impression that this CPW Department is not functioning as a Government office. In the same answer, it was stated that guidelines regarding transfer of officers are there. In his reply, a very clear distinction was made between rules, regulations and guidelines. Over smartness displayed on the technicalities of words already brought one hon. Member to a serious difficulty in this House. This kind of smartness creates doubt in the minds of the Members suspicion one further strengthened.

In part (b) it was asked, whether there was any prescribed tenure for allowing Superintending Engineer at one station. The reply was "three or four years". It is neither three years nor four years, but both. It is also said that in exceptional cases, 3-4 years may be increased to any stage by the Director General and above all, according to his

reply, the Chief Engineer seems to be totally immune from transfer under any rules or regulations and the so-called guidelines. And the tone of the answer is a very important thing. It gives this impression to me and the answer was given most I am almost grudgingly. In part (c) something was asked and something else was replied, but in parts (d) and (e), we wanted specific cases where the guidelines were not implemented. But not a single case was given. On the contrary, the guidelines for transfers and guidelines for retaining the engineers were given. Certainly this strengthens anybody's apprehension as to whether there are any rules or regulations or even guidelines in this Department. Exceptional cases always will be there. Wherever an officer is seriously ill, exception can be made, but in this Department it appears that exception has become a rule and Delhi, as you know, Sir, is the seat of the national Capital, the seat of the national government and the seat of the national Parliament and lot of facilities available are here. Therefore, temptation may be there to stay back here only, and we know that very often transfers are effected only on paper and some of the officers start their careers in Delhi and retire here itself. Those who strictly observe the rules and regulations will be kept away from Delhi. Some have the knack of managing, and for them or, some of them at least, it is a place where they can mint all kinds of resources, develop contacts and keep themselves into as profits. And this CPWD, I think, is a very good expert in this matter and even from the junior officers, Sir, sometimes we will not be able to get small, small jobs done. But whenever they require certain promotions or anything, they do not hesitate to do any kind of favours for the persons from whom they are expecting. And let me be very clear. I do not want to mention any persons or personalities, I do not want to make any complaint, but I am insisting upon a good system actually, and would like to I give an example, I think the hon. Members from all sides—after listening I do not know

what kind of opinion they form. Sir, I am quoting from my own personal experience. On 1st March 1990 I wrote a letter after occupying a bungalow. There are 10 items to be implemented in respect of my house. The first item which I am quoting is "There is a leakage in the terrace near the water tank and consequently the total roof and the tank are to be fully repaired." I have written this letter to the Executive Engineer on 1st March and again after six months—it is again on 13th August I wrote another letter. Again the first item in that letter is: "Whenever there is heavy rain, there is constant water leakage in both the rooms from the water tank. Necessary repairs should be done immediately."

MR. DEPUTY SPEAKER: You have raised this already.

SHRI KUSUMA KRISHNA MURTHY: Yes, Sir. This is the first item I am quoting apart from so many other items. This is the first item. Even after six months I repeated the same and the hon. Minister, I think, would be able to appreciate—he is known to take action whenever a specific case is brought to his notice and he does not seem to know the style of functioning of the CPWD. We are not asking for any facilities, comforts and luxuries. We want the basic necessities to enable us to live there and even after six months the work remained to be done. It speaks volumes about the way they are functioning.

One more thing is, I have also brought to their notice aboard the urgent need for one compound wall in fact, there is a security risk because my residential accommodation is at the fag end of the road. I wanted a wall to be raised, but it could not be done. After waiting and waiting, I myself raised the wall. Therefore, I would like to request the hon. Minister to place on the Table of the House the specific information sought in the Starred Question about the cases where these rules and regulations or even guidelines were not

implemented, and the reasons for not implementing the rules in this matter. Unless these are meticulously implemented, the system will not improve. If this is the fate of the Members of Parliament, we need not mention about the common man. We can very well imagine the fate of the common man. Therefore, I once again request the hon. Minister to take necessary action and also place the required information on the Table of the House and see that necessary action is taken in this matter.

[Translation]

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SHRI HARISH RAWAT (Almora): Mr. Deputy Speaker, Sir, half an hour discussion on C.P.W.D. functioning in Delhi and other places where construction and maintenance work is done by C.P.W.D. is a very important discussion. Before I come to the transfer policy, I want to make a mention that the organization that was considered to be the premier organization in India about ten years ago in the field of construction has earned such a bad reputation that slowly all the departments have started raising their own construction wings. The work that used to be executed by C.P.W.D. earlier, is being got done through one agency or the other. As a result, the network of C.P.W.D. organization has shrunk. Its effect is being felt on the career prospects of the workers working in the organization. Since they are not getting promotions, the stagnation has assumed such proportions that a person recruited as a Junior Engineer retires from the same post. There has been a long drawn agitation in support of upward revision of pay scales. Assistance Engineers and Executive Engineers have their own problems, but the misfortune is that whereas on one hand the bottom of the organization is contracting on the other hand there is rapid expansion at the top management level. And to top it all, the work load is decreasing. Officers at the level of Chief Engineer and Superintending Engineer constitute the top management

[Sh. Harish Rawat]

level. New posts at this level are being created frequently. Therefore, through you, I would like to submit to the hon. Minister that there is urgent need to review the entire functioning of C.P.W.D. What is needed is to find ways to bring this department to its old pattern once again. In its present state, it has been reduced to a jungle of bureaucrats. The working of the officers at the top level will have to be reviewed with a view to bringing improvement and removing suffocation that exists there. The hon. Minister will have to give a serious thought to it. Go and inquire from any body, the State of affairs has come to such a low ebb that if someone complains that his wash basin requires repairs or sewer is choked causing stink, nobody will pay any heed. You will not find anyone to attend to such complaints in the C.P.W.D. So far as the question of repairs is concerned, whether it is an M.P. flat or a quarter allotted to a Government servant, the functioning of C.P.W.D. has deteriorated to such an extent that no amount of criticism would suffice to condemn it. I feel that we M.Ps. keep on writing to them, organisations of Government servants also keep on writing, other Ministers may also be drawing their attention in this regard. People from the general public may also be having similar complaints against them. My submission to the hon. Minister is that he should set up such a central complaints centre without further loss of time where such complaints could be entertained and looked into.

Sir, now I want to draw the attention of the hon. Members towards the transfer policy since he had said that there are certain guidelines with regard to transfer policy. First of all I would like to know from the hon. Minister whether these guidelines are not applicable to officers at the level of Chief Engineer and Superintending Engineer. Are these guidelines not applied to top level officers? Superintending Engineers have been kept out of the ambit of those guide-

lines. I know many such cases. There is a superintending Engineer in Bombay who is staying there for a long time although he is under orders of transfer, but he managed to stay his transfer order through some approach. You will find many such examples. I want to know what is the hon. Minister going to do in such cases, where the guidelines are being clearly violated? What is he going to do about such cases in which a person is transferred but the orders are not implemented? On the other hand the Department has been transferring workers at lower level enmasse.

Even if academic session is going on, transfers are ordered with no consideration whatsoever. Generally transfers of Government servants are not done after the academic session starts. But you have transferred 465 Junior Engineers. I do not say that it is wrong as it has been done on the basis of seniority. But if we see the enmasse transfers ordered last year, we shall find that the transfer orders of those who were really aggrieved and needed to be shown some consideration were not cancelled any they were relieved, whereas on the other hand transfers of those persons were cancelled who needed no re-consideration. The same is the case with the Executive Engineers and the Assistant Engineers. Actually the guidelines are not followed strictly. The Minister or the Director General should intervene in any transfer case only when it is very essential. Will the hon. Minister assure that the guidelines in transfer cases would be strictly followed?

SHRI SANTOSH KUMAR GANGWAR (Bareilly): Mr. Deputy Speaker, Sir, though the reply to the original question looks very nice, yet I do not understand its meaning. As far as I know there are many persons who are posted at the same place continuously for more than 10 years and yet they have not been transferred, whereas the hon. Minister has mentioned that the transfers according to the guidelines are made generally after

three to four years and in case an extension is sought, it is given in writing. I want to know from the hon. Minister the number of cases in which the transfers have not been made even after ten years, continuous posting at one station and the reasons for not doing so? I would also like to know the number of cases in which the transfers have been made after only one and half or two years, posting. There is another part of my question. There are two categories of employees one is the regular technical staff and other is the work-charged staff. Let me know whether there is any difference in the service conditions and the work of these two categories or is it the same? Do the transfer policy, pay scale and other facilities of these two categories differ from each other? If so, what is the reason behind it? Is there any proposal to bring uniformity and partly between these two categories or merging them into one cadre? My personal experience is that the CPWD authorities do not tell inspite of asking as to what facilities or services they are supposed to render. It is a matter of great concern that even the routine work is not done and yet the favoured ones continue to be posted at the places of their choice. I, therefore, want the hon. Minister to give a specific reply to my questions.

5.5
PROF. YADU NATH PANDEY (Hazaribagh): Mr. Deputy Speaker, Sir, I thank you for giving me time to participate in the half-an hour discussion.

MR. DEPUTY SPEAKER: It is your right, Sir.

PROF. YADU NATH PANDEY: I have come to know that 460 Junior Engineers of the Central Public Works Department have been transferred at a time when the academic session of their children is midway. This time is not proper for the transfers. The transfers are made generally in the month of March and April but this time they have not adhered to this practice. As the hon. Minister

said in his reply, they are transferred generally after completing a period of 3 to 4 years' service at a particular station, but I know about many Junior Engineers who have been transferred just after one year and on the other hand there are some who have not been transferred even after remaining for many years at the same place due to pressure or political patronage. Therefore, the rule is not applied to all and partiality is shown in transfers. I would like to talk neither in favour nor against anyone and would take an impartial view. Had impartiality been shown, the Chief Engineers and the Superintending Engineers who continue to be posted at the same station for more than 6 to 7 years having crossed the period of 3 to 4 years a long back should have been transferred. But it seems that their intention is not good and they intend to retain their own men. I, therefore, want to know from the hon. Minister whether the period of posting of the officers at a place is extended keeping in view the public interest and whether any investigation is made by the Government before extending the period? How many transfers of the officers were stayed during the last three years and how many officers are posted at the same place for the last five years? Will the Government consider fixing the time-period for the transfer and posting of officers? I want that the suggestions from the Resident Welfare Association should also be sought before the transfers are ordered and consideration given to performance. The transfers of Junior Engineers should be postponed till March 1991. Thereafter they may be transferred.

[English]

5.5
SHRI P. R. KUMARAMANGALAM (Salem): Mr. Deputy Speaker, Sir, this Half an Hour discussion in itself is with regard to the Starred Question on the question of transfer of various grades of officers in the CPWD. The reply at that time was limited itself to Superintending Engineers and the

[Sh. P. R. Kumaramangalam]

Chief Engineers and unfortunately, did not mention anything about the Junior Engineers. But let us assume that the same principles apply. Even though what seems to be obvious is that the exceptions have become the rule and the rule has become the exception. If one sees the number of orders that are passed for transfers and the number that are cancelled, one sees that it is those unfortunate officers who do not have the ability to contact not the Minister, I am sorry to say, but the senior officers in the Department, those are the engineers who really seem to get the transfer and the normal engineers and also those who are fighting for the interest of the Junior Engineers and have bad relations with their superiors but have good relationship with the Minister, they get into the trouble. That seems to be the order of the day. I am not taking much time. I am really limiting myself to the question. But what is unfortunate is that transfers which are done on the whims and pleasure of senior officers are to bring down a tendency whereby the junior officers who are really working in the field like the Junior Engineers and his immediate superior Assistant Engineers tend to ignore their duties and it becomes their fundamental duty to pay attention to the whims and fancies of senior engineers. I will just give you one example. Right beside me lives Mr. Manvendra Singh, the Chairman of the House Committee. In his lawn there was a large tree which fell down due to wind and took the wall which divides our house and flattened my road. It took three days for the tree to be cut and fortunately because of the indulgence of the CPWD, we both now able to meet without any wall between us.

MR. DEPUTY SPEAKER: That is good. You would like that situation.

PROF. P. J. KURIEN (Mavelikara): There should not be any collusion.

SHRI P. R. KUMARAMANGALAM: My Chief Whip is afraid of collusion. But the fact really is, no work is done on immediate request whether it is plumbing, whether it is carpentry, whether it is normal maintenance, whether it is white washing—unless one rings up senior officers, uses pressure and influence, nothing gets done. If CPWD is to function in this manner, one must realise that ultimately the whole thing will come crushing down. I would request the Minister to realise the power of transfer. Transfer is not only administrative, it sometimes is used also to bring a certain form of discipline. Let it not bring indiscipline. That is my only request. And let the principles be adhered to and not the exception. Thank you.

DR. RAMCHANDRADOME (Birbhum): I am just on a point of information Sir.

MR. DEPUTY SPEAKER: No, this is not the way.

(Interruptions)

MR. DEPUTY SPEAKER: I have not allowed Mr. Shiwankar who had given the question.

*(Interruptions)**

MR. DEPUTY SPEAKER: No, this is not forming part of the record. I did not even allow Mr. Shiwankar who had put this question.

(Interruptions)

[Translation]

MR. DEPUTY SPEAKER: The hon. Minister will tell you later

[English]

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THE MINISTER OF URBAN DEVELOPMENT (SHRI MURASOLI MARAN): Mr. Deputy Speaker Sir, I am sorry that the reply given to this question has created some misgivings. This is what the hon. Member Thiru Krishnamurthy said. Normally, when we say the CPWD has no promotion rule, it does not mean that it is done at the whims and fancies of the officers concerned. The CPWD manual has provided for certain guidelines and I may read out from the guidelines:

"Transfers and postings of Chief Engineers are ordered by the Ministry of Urban Development according to requirements of administration. Superintending Engineers are considered for transfer after they have completed three-four years at one station. The transfer and posting of SEs are ordered by the Director General of Works."

This manual has not been created by us yesterday. It is there for many years. According to the manual, to the best possible extent, transfers are done.

There is a point raised by the hon. Member Thiru Krishnamurthy who said that the information he required was not given. If you ask me whether this guideline is strictly adopted, I would say, not in all the cases. Take for example Delhi. There are several zones here- New Delhi zone 1 & 2, Delhi Administrative Zone 1 & 2, Northern Zone, construction Zone for Delhi, Food Zone, CE for NSG, CE for Special Protection Group, Income Tax, BFR, Central Defence Organisation, etc. So several organisations are situated here and the HQs. are also functioning here.

Further, take the case of Chief Engineers. There are 32 posts; 18 posts are at Delhi and the remaining 14 posts are out of Delhi. Moreover most of the deputation posts

are manned by the Chief Engineers of CPWD and they are also indulging. Hence there is an imbalance in the tenure of Chief Engineers in Delhi and outside. There are 15 Chief Engineers in Delhi who have stayed here for more than four years.

Like that if you take the case of Superintending Engineers, there are 57 posts in Delhi and 57 posts are out of Delhi. 49 SE (Civil) who have completed more than four years or more of service are now at Delhi. If you take SE(Electrics) there are 18 posts which have completed more than four years of stay in Delhi. The position is that they are staying for more than four years. Several people are staying for five, six or seven years. They are there right from ten years back also.

Therefore we all feel the need for a greater rotation of engineers who are staying in the same place. Therefore in this year upto August we have transferred eight Superintending Engineers (Civil) whereas in 1989 it was five, in 1988 it was two, in 1987 it was four, in 1986 it was two. So I would like to inform the hon. Members that we have started the process. We will do it. At the same time we have heard different opinions also. Sometimes transfers are used as a punishment also. But we would see that in the best interest of administration no Superintending Engineer or Chief Engineer stays in the same station for a long period continuously.

18.00 hrs.

MR. DEPUTY SPEAKER: As per the court's verdict, you cannot transfer any officer to punish him.

SHRI MURASOLI MARAN: That is right. We will not do that Shri Kumaramangalam also pointed it out. Transfer is also sometimes necessary for some other purpose.

This is the position. Certain other points

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his visit to Moscow, Washington,*

*etc. in connection with
situation in the Gulf*

[Sh. Murasoli Maran]

SHRI IBRAHIM SULAIMAN SAIT
(Manjeri): The Minister is not here.

were raised. Honourable Shri Harish Rawat said that we should have a new look at the functioning of the CPWD. He has been arguing and advocating the cause. All other Government Departments have started their own Construction Wing. Therefore, Junior Engineers and other employees employed in CPWD are not getting the due promotion. A kind of stagnation is there. On this occasion, I would like to tell Mr. Harish Rawat and Mr. Kumaramangalam that regarding the Junior Engineers, I had a detailed discussion with the Finance Minister. We have arrived at a solution about their problems. Very soon, we will come out with a very fair solution to the satisfaction of all concerned.

SHRI HARISH RAWAT (Almora): Sir, outside, the public transport is off the road. Our employees will face a lot of hardship. In most of the areas, the motor vehicles are not plying.

MR. DEPUTY SPEAKER: You don't what to discuss this thing?

SHRI HARISH RAWAT (Almora): It is not our question of discussing or not discussing it. How will the employees go back? They are going to have a serious problem.

MR. DEPUTY SPEAKER: That will be discussed by the Secretariat. They will make some arrangements. This is not a matter to be discussed on the floor of the House.

SHRI HARISH RAWAT: Some arrangements should be made for them. Otherwise, they will have a lot of problem.

MR. DEPUTY SPEAKER: They will look into it.

18.03 hrs.

DISCUSSION UNDER RULE 193 —
Contd.

Statement made by the Minister of external Affairs Re: his recent visit to Moscow, Washington, Amman, Baghdad and Kuwait in Connection with Situation in Gulf

[English]

MR. DEPUTY SPEAKER: Now, we take up the discussion on the Gulf situation. (*Inter-rptions*) The Whip of the ruling party may inform the Minister that we are continuing with the discussion on the Gulf situation. I will request Mr. Ibrahim Sulaiman Sait to speak.

The Whip of the ruling party may inform the Minister that the discussion is starting. Mr. Sait.

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SHRI IBRAHIM SULAIMAN SAIT: Mr. Deputy Speaker, Sir, I am sorry that I have been called at a time when the concerned Minister—Minister for External Affairs, Shri Gujral is not present in the House. I would have very much liked him to be here. I hope he will come back soon.

I would like to say on this very very grave issue confronting the entire world today. While participating in the discussion on the present awful situation in the Middle East, I do not desire to go into the details of the political aspect of the same. Many of our colleagues here in this House have dealt