

LOK SABHA DEBATES

LOK SABHA

Wednesday, August 17, 1988/Śravaṇa 26,
1910 (Saka)

*The Lok Sabha met at Eleven of
the Clock.*

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

[English]

Accountability of All India Service
Personnel

*285. SHRI AMAL DATTA † :

SHRI ANIL BASU :

Will the PRIME MINISTER be pleased to state :

(a) whether the All India Service personnel posted in a State are answerable to the State Government or Union Government; and

(b) if they are answerable to Union Government, the justification therefor in view of the relationship between the Centre and States as provided in the Constitution ?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS -(SHRI P. CHIDAMBARAM) : (a) All India Services personnel are answerable to the State Government when they hold posts under the control of the State Government. They are also governed by the All India Services

Act, the Rules made thereunder and other relevant Service Rules.

(b) The question does not arise.

SHRI AMAL DATTA : Sir, as per the answer given, it is academically quite important and I think it is valid also. But what arises out of it is to what extent this constitutional-cum-statutory provision is being respected by the Central Government today because of the things that we have seen and witnessed in the recent past involving the Prime Minister calling upon the District Magistrates and taking Seminars or classes of them which gives an impression that the Central Government—the Head of the Central Government—is trying to directly communicate and thereby interfere with the running of the administration by the all-India personnel who are placed in the service of the Central Government...

MANY HON. MEMBERS : No. It is wrong.

MR. SPEAKER : Order, order.

SHRI AMAL DATTA : The Prime Minister is here. I am sure he can reply. So, I would like to understand what is the stand of the Central Government in this regard ? Will the Prime Minister clarify that this is not in any way an interference with the control of the State Government or the personnel who are in the service or who are placed in the service of the State Government ?

[Translation.]

MR. SPEAKER : Should I ask Mamata ji to give reply ?

[English]

KUMARI MAMATA BANERJEE : Now our Prime Minister will hoist the National Flag in West Bengal because your Chief Minister is not interested.

SHRI P. CHIDAMBARAM : Sir, point Twenty of the Twenty Point Programme deals with responsive administration. The Prime Minister, as the Head of the Government of India and as the author of the revised Twenty Point Programme is concerned about implementation of the Twenty Point Programme which I believe includes point Twenty also. Therefore—it is workshops not seminars or classes as the hon. Member would like to describe them—workshops were held to which all the District Magistrates were invited. The State Governments were duly notified of every Workshop. It is the State Governments which nominated one-fifth of their Collectors. Every State Government has willingly nominated its District Magistrates to the Workshops because this exchange of views between the District Magistrates and the Head of the Government of India is considered extremely useful.

Now, Sir, to these Workshops, we invited the Chief Ministers of the States concerned in which the Workshops were held. After the Workshops, a set of District Magistrates prepared a working paper. The working paper was sent to the State Governments. The Chief Secretaries were called here. They have broadly endorsed the working paper.

In this background, I think it is wholly unfair and uncharitable for hon. Member to look for ghosts when none exists and I would like him to look at the matter in the same way that we have looked at, namely, we are committed to strengthen and advance the point of responsive administration. And for this purpose, if necessary, we will continue this exercise in future also.

SHRI AMAL DATTA : Sir, I quite appreciate if that is the spirit of the invitation to District Magistrates. But this has not been preceded by any kind of preparation at any level between the Central Government, the Planning Commission and the District Administration. The Planning Commission has long ago suggested that there should be an officer for the purpose

of development at the district level, who should be equal in rank to the district magistrate. This has not been accepted, or at least not implemented by the Central Government. One or two of the State Governments may have done so at their own cost. The reason why the State Governments have not been able to do so is the cost involved; and the Central Government has not come forward to defray even part of that cost. Also, there have been no seminars—nothing at all concerning the development personnel at the Central and the State levels, which should have been a necessary preparatory work for such a workshop, as the Minister was pleased to call it. And without that, and without any such preparation—if it is a continuing process, we do not mind at all—if it is a sudden and abrupt thing, then it gives an impression that the Prime Minister is directly trying to bring the lower level IAS personnel into the realm or under the control of the Central Government.

Will you please explain why these things have not been preceded by any preparatory work ?

SHRI P. CHIDAMBARAM : Again, the assumptions of the hon. Member, with great respect to him, are wrong. It is wrong to say that there was no preparatory work. The G.V.K. Rao Committee submitted its report. That report has been circulated by the Planning Commission to all the States, and the views of the State Governments have been elicited. The Planning Commission has prepared a working paper. Based on the G.V.K. Rao Committee's report, and other material with the Government of India, the Ministry of Personnel prepared a working paper before the first workshop. Every workshop resulted in improving upon the previous working paper. These documents are all available. These documents have now culminated in a District Magistrates' Report on District Administration. This document has been sent to the State Governments for their views. We have called the Chief Secretaries. The Chief Ministers are welcome to write their views. We propose to continue this exercise further by taking it back to the Planning Commission, by taking it at some appropriate stage to the National Development

Council. I do not see how anyone can criticize this exercise as either secret or clandestine or one with any hidden agenda. In fact, not one district magistrate will tell you that anything secret was discussed. The entire discussion was open. The minutes are recorded, and the documents are prepared. I would welcome anyone who is interested in the development administration of this country to join this exercise, give us his views, rather than criticize for the sake of criticizing. (*Interruptions*)

SHRI ANIL BASU : It is frequently overlooked that all power and authority in the field of Government and administration are derived from the Constitution, which alone is supreme. Article 77 (3) provides for the functioning of the Council of Ministers of the Union Government. At present, it is frequently seen that when members of the Union Council of Ministers visit different States, they are used to interfering with the administration of the State Governments; and this is creating a problem nowadays.

In this connection, I would like to know whether it is a fact that during the last week of June, the Union Minister of State for Home Affairs Mr. Sontosh Mohan Dev while he was in Calcutta, asked the Commissioner of Calcutta to submit a report directly to him regarding some incidents in Calcutta; and if so, did Mr. Dev act according to the Constitution—or not? (*Interruptions*) I am asking a simple question.

MR. SPEAKER : This does not arise out of this question.

(*Interruptions*)

MR. SPEAKER : This does not arise from this question.

SHRI ANIL BASU : I refer to the Constitution of India which is supreme, which gives power to the Government of India, as also to the State Governments; and I asked a very simple question : whether, during the last week of June, the Union Minister of State for Home Mr. Sontosh Mohan Dev, while he was in Calcutta, had asked for a report from the Commissioner of Calcutta directly; and if so, whether it is a violation of the Constitution, or not,

MR. SPEAKER : Does it flow out of this question?

(*Interruptions*)

SHRI P. CHIDAMBARAM : My colleague, Mr. Sontosh Mohan Dev visited Calcutta on the 25th June 1988. There was an attempt to attack him and his party. It was unfortunate that no senior officer called on the Minister who is a Minister of State of the Government of India either to express their regret for the incident or explain the circumstances under which adequate protection was not given. The Minister of State spoke to the Commissioner of Police to find out how the incident had happened; whether anyone had been injured. The Commissioner of Police orally apprised the Minister of what had happened. I don't think that there was any impropriety on the part of the Minister of State in asking the Commissioner of Police to apprise him of what had happened. It was perfectly right for him to do so and it was perfectly right for the Commissioner to meet the Minister and explain to him what had happened.

SHRI VIJOY N. PATIL : All India services are mainly formed for serving the Government of India excepting the Indian Postal Service, Indian Railway Services and the Indian Audit and Accounts Service. Only under Indian Administrative Service we are allocating the officers to the States Government. Now-a-days we are finding the trend that many IAS officers prefer to opt for their home States. If a person of the IAS Cadre goes to the Home State, then the purpose behind it that the IAS officers should serve in different States is defeated. The trend is now changing and people are trying to opt for their home States. Is this trend increasing and what steps the government is taking in this regard?

SHRI P. CHIDAMBARAM : No. The trend is not increasing. On the contrary, since 1985, we have laid down a very strict policy that only one-third of the direct recruit officers would be officers who belong to the home State. The only exception to this principle is when an All India Service Officer marries another All India Service

Officer, we ensure that both the officers are posted in the same State and as far as possible the State to which both the officers are posted is not the home State of either officer. Save this exception, we have not made any departure from the policy of allocating only one-third of direct recruits to the home State.

KUMARI MAMATA BANERJEE : I would like to congratulate the hon. Prime Minister for having organised this workshop for District Magistrates. Is the Minister aware that from West Bengal only three District Magistrates have attended this workshop. Why not others? We have come to know that our Chief Minister has prevented them from attending this workshop. What is the reason and what action the government has taken in this regard?

SHRI P. CHIDAMBARAM : I don't think it is quite correct to say that only three District Magistrates attended the workshops. I am speaking from memory because the question does not relate to the workshops. Except for one workshop where they could not attend because I think they were tied up with either the panchayat election or flood or whatever it may be the West Bengal Government did send its officers to the workshops. It is to the credit of both the Government of India which organised the workshop and the District Magistrates who attended the workshop that none of them went back and said anything which would support the deep-rooted suspicion of the hon. member, Shri Amal Datta and others.

SHRI PIYUS TIRAKY : May I know from the hon. Prime Minister—the development work in the State is under the charge of the Centre also—whether the Chief Minister of a State has also equal rights to advise the concerned officer of the Central Government Secretariat in the case of development in the State and give direction to him?

[*Translation*]

MR. SPEAKER : Since when this reverse process has started?

(*Interruptions*)

[*English*]

SHRI P. CHIDAMBARAM : I cannot

imagine a situation where the Chief Minister of a State gives directions to the Central Secretariat. What I do find is, all the time they are giving advice to the Central Government.

[*Translation*]

SHRI BALKAVI BAIRAGI : Mr. Speaker, Sir, if Bengal Government get an opportunity, they will change the course of Ganga towards Gangotri (*Interruptions*)

MR. SPEAKER : If you come alone, I will tell you a couplet. Later we can translate that.

(*Interruptions*)

[*English*]

MR. SPEAKER ; Shri Banwari Lal Purohit. Absent. Shri H.N. Nanje Gowda. Absent. Shri Jadeja.

Curtailed of New Atomic Power Plants

*287. **SHRI D.P. JADEJA** : Will the PRIME MINISTER be pleased to state :

(a) whether Government have noted that many advanced nations have reduced their dependence on atomic energy by curtailing their plans of building new plants;

(b) the reaction of Government to such a reversal of policy overseas;

(c) whether even developing countries like Philippines etc. have retracted from starting their atomic energy plants; and

(d) whether in view of a general feeling amongst scientists and ecologists, Government propose to review the further increase in number of plants generating atomic energy in the country?

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY AND MINISTER OF STATE IN THE DEPARTMENT OF OCEAN DEVELOPMENT, ATOMIC ENERGY, ELECTRONICS AND SPACE (SHRI K.R. NARAYANAN) : (a) to (d). A statement is given below.

Statement

Curtailed in building of new atomic power plants for answer on 17.8.88

(a) Some countries like Sweden, Finland, Italy have decided to reduce