

[10 May, 2000]

RAJYA SABHA

Procedural Delays in Defence Spending

***636. SHRI KRISHNA KUMAR BIRLA:**

PROF. M. SANKARALINGAM:

Will the Minister of DEFENCE be pleased to state:

(a) whether Government are aware of the recent views expressed by the Chief of Army Staff as reported in certain section of the press on the tedious and time consuming procedural delays in defence spending resulting in delays in meeting the urgent defence requirements and need for its rectification; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES): (a) and (b) the Defence Procurement Procedure was formulated and prescribed in 1992 by the Government. the procedure is comprehensive and includes measures to ensure that a conclusive and objective view is taken while selcting a weapons/ weapon system and that extraneous factors do not influence the decision. The procedure is designed for procuring equipment against Qualitative Requirements specified, approved and confirmed by the user, through a system of trials and evaluation by the Services and through a process of competitive tendering to ensure cost advantages. Government is fully alive to the needs of the country's defence preparedness and all steps are being taken to streamline the procurement process and to minimise the time taken in decision making.

The Government have considered the comments made in certain quarters that the Defence Procurement Procedures are coming in the way of time bound acquisition by the Armed Forces. In order to further streamline the procedure a committee has been set up under the Chairmanaship of Vice Chief of Army Staff to examine the existing Defence Procurement Procedures in their entirety with a view to suggest specific measures for speedier processing of procurement cases.

NHRC Recommendation to Orissa for Cyclone Prone shelters

***637. SHRI R.S. GAVAI:** Will the Minister of HOMEAFFAIRS be pleased to state:

(a) whether the National Human Rights Commissions has directed the Government of Orissa to immediately construct atleast 40 more shelters and establish satellite communication in the cyclone-prone control area of the State;

- (b) if so, the progress made in the construction;
- (c) whether any special financial sanction has been cleared by the Central Government for this purpose;
- (d) if so, the details thereof; and
- (e) what are other recommendations made by NHRC to deal with any calamity such as last year's super cyclone?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) Yes, Sir.

(b) As per information made available by the State Government of Orissa to the National Human Right Commission, IIT Kharagpur has been engaged to assess the requirement and location of cyclone shelters in the disaster prone area. Pending finalisation of the Master Plan, construction of 40 cyclone shelters were being taken up in the first phase.

Considering the need to modernise the Police Telecommunication in the country including the State of Orissa by using the State-of-the art technology, the Government has approved the setting up of the POLNET Project based on the Satellite technology.

(c) and (d) The National Calamity Relief Committee in the meeting held on 27.3.2000 approved an assistance of Rs. 828.15 crore to Orissa from the National Fund for Calamity Relief in the wake of floods/cyclone. The amount was released on 31.3.2000. This was in addition to the Central share of Rs. 42.50 crore released to Orissa under Calamity Relief Fund (CRF) for 1999-2000.

(e) Other recommendations made by NHRC to deal with any calamity such as last year super cyclone are given in the Statement.

STATEMENT

Recommendations

- (i) Orissa being a cyclone prone State, it seems advisable for the State to have a qualified body of personnel who are well trained in the restoration of essential services like power, water, telephone communication, road links disrupted during natural calamities. The State reportedly has a proposal pending before it for raising a Special Armed Police Battalion for such tasks. The State may consider and decide early on that proposal or any

suitable modification thereof that would achieve the purpose in view.

- (ii) In the severe cyclonic storm of October 1999 apart from the telecommunication links which got disrupted the police wireless system also broke down leading to total loss of communication facility. There reportedly is a proposal to provide satellite line communication under the Government of India scheme known as Polnet. The Government of Orissa may move the Ministry of Home Affairs, Government of India for an immediate and special sanction to provide this facility to cover the cyclone prone coastal areas of Orissa.
- (iii) As Ham Radio come in very handy to provide effective communication during periods of distress, the Orissa Government is advised to start Ham Clubs preferably in schools with the help and advice of Department of Electronics, Government of India in all the cyclone prone districts.
- (iv) The State Government is advised to continue its vigil in the area of safe drinking water and maintenance of standards of sanitation through the State Directorate of Health Services to avoid any serious health problems in the affected areas.
- (v) Allegations have been made that the then District Collectors, Shri M.P. Mahapatra (Kendrapara), Shri Suresh Chandra Patnaik (Jaipur), Shri Lok Nath Misra (Bhadrak) and Shri Vishnu Sharan Baswal, Chief Executive Officer of Cuttack Municipal Committee and professionally failed in discharging their duties in the aftermath of the cyclone and for the reason they were transferred within few days after the cyclone. If these be true, that may amount to serious professional lapse on their part as well as negligence to prevent human rights violation in terms of Section 12(a) of the Protection of Human Rights Act, 199. For this reason it may be appropriate for the State Government to consider initiation of such departmental action against these person as may be necessary and report the action taken to the Commission.
- (vi) Allegations have been made that the delay in the opening of the gates at Ramel Dam and non-opening of the gates of

Vidyadharpur Barrage on Hathgarh Dam and negligence in not regulating water from Hathgarh Dam had led to the aggravation of the impact of the floods in Keonjhar Town and Bhadrak Municipal Area. If this be true *prima facie*-it would be a case of negligence by the concerned public servants to prevent human rights violation in terms of Section 12(a) of the Protection of Human Rights Act, 1993 and for this reason it may be appropriate for the State Government to order an inquiry through an expert body to establish whether there had been any negligence on the part of the concerned public servants and to consider the initiation of such departmental action as may be necessary if such negligence is established. The action taken be reported to the Commission.

CBI in ability to Investigate Defence Deals

*638. SHRI P. PRABHAKAR REDDY: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that the Central Bureau of Investigation has expressed its inability to investigate into the various defence purchases made since 1985 referred to it by the Defence Ministry;

(b) if so, the reasons therefor; and

(c) what steps are proposed to be taken to obviate difficulties which are standing in the way of the CBI in conducting the enquiry into the defence deals?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES): (a) Ministry of Defence has requested the Central Vigilance Commission (CVC) to get all defence procurement cases, since the time of presence of agents in such cases was banned by the Government, investigated through the CBI or any other agency considered appropriate. The CBI has not expressed its inability to investigate such cases.

(b) Does not arise.

(c) The CVC has asked Ministry of Defence to forward each case file with a self-contained note to facilitate proper examination of cases. On completion of the scrutiny of records the Commission would hand over the cases to CBI, where necessary, for detailed investigation. This would facilitate the task of the CBI.