

Establishment of Civil Service Board for Structural Changes in Recruitment and Posting of IAS/IPS Officers

SHRI K. M. SAIFULLAH (Andhra Pradesh): Sir, I would like to bring to the notice of the Government an issue regarding transfer of IPS and IAS officers and I want to make two suggestions in order to meet the ends of justice and to keep the democracy alive. My first suggestion is, when an officer, whether he is IPS or IAS, is recruited, he should not be permitted to work in his own State. If at all these officers are working in their own States, then you have to make a law that they must come out of their respective States so that democracy works, so that the relatives and others do not influence the officials and justice is done.

As far as the transfer of IAS and IPS officers is concerned, I would request the Government to establish a Civil Services Board in every State to save the bureaucracy from political pressures. It is also brought to my notice that the Fifth Pay Commission has recommended that DMs and SPs should be posted to a place for a minimum period of two years. If that is done, they will be able to work freely and there will be no scope for the false assurances of political people, some of whom are criminals, that they will not be implicated in a crime even if they do a crime, the democracy will prevail, and the law and order will prevail. The ruling party may not agree with my suggestion, but it will be helpful and it will be good when they come to the Opposition. My only suggestion to the Government is that, if at all any police officer commits any excesses, you can make a specific allegation against him before the Board and get him transferred. That is my suggestion to the Government.

Serious Power Shortage effecting development of the Country as Showing recent Economic Survey.

SHRI PREM CHAND GUPTA (Bihar): I thank you, Sir, for giving me an opportunity to say something. I would like to draw the kind attention of the Government to a serious problem and a matter of concern, which the latest Economic Survey has pointed out, that because of the failure and non-regular supply of power our exports are suffering, we have to forgo, production, and frustration in investment is taking place, and our industry has to take recourse to the expensive captive power generation, that is through generator sets. Sir, the seriousness of the matter is evident from the fact that the growth rate of thermal power generation has gone down from 14.6 per cent in April–November 1995 to 6.4 per cent in the corresponding period of last year, 96. This shortage of power has caused a great setback to our GDP which has dropped from 7.1% to 6.8% in 1996-97. There seems to be no immediate solution to this problem and it seems that the Government is not taking this issue very seriously. Our installed capacity is 83,000 megawatts, where in the plant load factor is 63% megawatts. On top of all that, we have a 20% transmission loss. In the Eighth Plan we had planned a target of 38,000 megawatt capacity. As against that, we are achieving only 20,000 megawatt capacity. Our demand is growing at the rate of 14%, whereas at the end of the Eighth Plan we have deficit of 40% in power availability. Sir, the Ninth Plan Paper says that the Government plans to add another 55,000 magawatt capacity. But if we do not achieve that, this country would be in dark and, as an hon. Member had said the other day, we will see darkness during day-time. I would request that something should be done on this count and immediate steps should be taken so that the coming generation do not have

to pay the price for our ignorance. Thank you.

उपसभाध्यक्ष (श्री अजीत जोगी): सदन की कार्यवाही दोपहर के भोजन के लिए दो बजकर तीस मिनट तक के लिए स्थगित की जाती है।

The House then adjourned for lunch at thirty-two minutes past one of the clock.

The House reassembled after lunch at thirty-four minutes past two of the clock, The Vice-Chairman (Miss Saroj Khaparde) in the Chair.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): We shall now take up the Statutory Resolution disapproving of the National Highways Laws (Amendment) Ordinance, 1997 and the National Highways Laws (Amendment) Bill, 1997 together. Shri Satish Agarwal.

Statutory Resolution Seeking Disapproving of the National Highways Laws (Amendment) Ordinance, 1997 (No. 9 of 1997

and

The National Highways Laws (Amendment) Bill, 1997.

SHRI SATISH AGARWAL (RAJASTHAN): Madam, I beg to move:

"That this House disapproves of the national Highways Laws (Amendment) Ordinance, 1997 (No. 9 of 1997) promulgated by the President on the 24th January, 1997."

This Ordinance was promulgated on 24th January, 1997. I am not against the provisions of the Bill as such. But my complaint is that the Winter Session of Parliament was over on 20th December ...*(Interruptions)*...

SHRI V. NARAYANASAMY: Your complaint is against the Minister.

SHRI SATISH AGARWAL: ...and this session had commenced from 20th February, 1997. Then, what was the urgency for bringing forth this Ordinance

on 24th January, 1997? Article 123 of the Constitution of India which authorises the President of India to promulgate Ordinance, reads as follows:

"If at any time except when both the Houses are in session the President is satisfied that circumstances exist which render necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require."

I don't think such circumstances are there. I am sorry to say that there was no such urgency to promulgate this Ordinance on 24th January, 1997, more particularly when we had our Winter Session ending on 20th December, 1996 and the Budget Session commencing from 20th February, 1997. I would like to know from the hon. Minister as to what was the urgency. In my humble opinion, there was absolutely no urgency and this has become a tendency of the Government of the day to rule this country through Ordinances. I am deadly against governance through Ordinances. That is why I have moved this Motion. As I stated at the beginning of my speech, I am not opposed to the spirit of the Bill. But I am opposed to the tendency of the Government to rule this country through Ordinances. However, I would like to ask the hon. Minister as to what action he has taken so far. Clause 10 deals with this and I may be permitted to quote clause 10 of the Bill which reads as follows:

"10. (1) The National Highways Laws (Amendment) Ordinance, 1997 is hereby repealed.

(2) Notwithstanding the repeal of the National Highways Laws (Amendment) Ordinance, 1997, anything done or any action taken under the National Highways Act, and the National Highways Authority as amended by the said Ordinance shall be deemed to have been done or taken under the corresponding