

Promotions in the Ministry of Information and Broadcasting

235. SHRI N. H. KUMBHARE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the number of promotions made in the Ministry of Information and Broadcasting in each class during the years 1971, 1972, 1973 to which provision for reservation for Scheduled Castes and Scheduled Tribes candidates is not made applicable; and

(b) the number of Scheduled Castes and Scheduled Tribes amongst those promotees?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) and (b) The information is being collected and will be laid on the Table of the House.

Part-time Assignment of Class I Officer after Retirement

236. SHRI PRAKASH VIR SHASTRI: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that class I officer has to take prior permission within the first two years of his retirement to take up a part-time assignment on a retainer basis in a company, with which he had no official dealings during his service period; and

(b) if so, what are the reasons therefor and whether a copy of the relevant orders on the subject will be laid on the Table of the House?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): (a) Yes, Sir.

(b) The assignment mentioned in part (a) of the Question will amount to commercial employment should obtain the pre-rule 10 of the Central Civil Services (Pension) Rules, 1972, a copy of which is attached, which lays down that a pensioner, who was a member of a Class I service prior to

retirement, and who wishes to take up commercial employment should obtain the previous sanction of Government for accepting such employment.

Rule 10 of the Central Civil Services (Pension) Rules, 1972

(1) If a pensioner who, immediately before his retirement was a member of Central Service Class I, wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he shall obtain the previous sanction of the Government to such acceptance and no pension shall be payable to a pensioner who accepts a commercial employment without such sanction in respect of any period for which he is so employed or such longer period as the Government may direct;

Provided that a Government servant who was permitted by the Government to take up a particular form of commercial employment during his leave preparatory to retirement or during refused leave shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(2) In this rule—

(a) the expression "commercial employment" means—

(i) an employment in any capacity including that of an agent, under a company, co-operative society, firm or individual engaged in trading, commercial, industrial, financial or professional business and includes also a directorship of such company and partnership of such firm, but does not include employment under a body corporate, wholly or substantially owned or controlled by the Government,

(ii) setting up practice, either independently or as a partner of a firm, as adviser or consultant in matters in respect of which the pensioner—

(a) has no professional qualifications and the matters in respect of which the practice is to be set up or is carried on are relatable to his official knowledge or experience, or

(b) has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position, or

(c) has to undertake work involving liaison or contact with the offices or officers of the Government;

Explanation—For the purposes of this clause "Employment under a co-operative society" includes the holding of any office, whether elective or otherwise, such as that of President, Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society;

(b) the expression "date of retirement" in relation to a Government servant re-employed after retirement, without any break, either in the same or in another Class I post under the Government or in any other equivalent post under a State Government, means the date on which such Government servant finally ceases to be so re-employed in Government service.

Challan for various Traffic Violations in Delhi

237. DR. K. MATHEW KURIAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that some of the notices served for the violations of traffic rules in the Capital during the last week of January, 1974, by the Delhi Traffic Police were not correctly addressed to the actual owners of those vehicles who were challaned for traffic offences; and

(b) if so, what are the details thereof and what steps Government have taken against the Traffic Police, Delhi for gross negligence in issuing such notices to persons who do not own those vehicles which were challaned by the Police with the result that innocent persons were penalised by the Magistrates on the basis of wrong challans filed by the Traffic Police?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) and (b) Notices under section 88 of the Motor Vehicles Act, 1939,

are issued in cases when prosecution on the spot is not possible and the numbers of the offending vehicles are noted. With the help of these numbers, the names of the registered owners of these vehicles are ascertained from the records of the State Transport Authority and notices issued to them to intimate the name of the defaulter or the driver of the offending vehicles.

In cases where the person so addressed replies that he did not own the vehicle on the relevant date, no prosecution is launched. If no reply is received, prosecution is launched against the owner of the vehicle, as prescribed by law.

No case has come to the notice of the Delhi Police where a person who did not own the offending vehicle was challaned and punished.

Challans filed by Traffic Police in Delhi for various Vehicles

238. DR. K. MATHEW KURIAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of persons challaned by the Traffic Police in the Capital during the week from 16th February to 23rd February, 1973; under section 88/118-A, of the Indian Motors Vehicles Act, 1939;

(b) the dates on which notices for such challans were served by the Traffic Police and the dates on which such challans were filed in various courts in Delhi/New Delhi;

(c) the dates on which the courts issued notices in respect of such challans to the actual owners of the challaned vehicles and when such challans were finally disposed of by the various courts in the form of fine/imprisonment; and

(d) the number of cases out of such challans which were found as wrongly addressed to persons not owning those vehicles?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) and (b) Challans under section 118-A read with section 88 of the Motor Vehicles Act, 1939, were filed in the courts in the Capital against 135 persons during the week 16th February to 23rd