

एरिया के बारे में आपके रेल मंत्रालय द्वारा आज तक प्लानिंग नहीं हुई। मैं चाहता हूँ कि सिद्धिपेट, जो कि एक मेजर बैकवर्ड एरिया है और तेलंगाना के अंदर आता है, वहाँ पर कई इंडस्ट्रीज़ हैं, लेकिन वहाँ रेल की सुविधा नहीं है। जिस वक्त मैं लोक सभा में था, उस वक्त से मैं इसको रिप्रेजेंट कर रहा हूँ, लेकिन मेरे राज्य सभा में आने के बाद भी यह रेल से लिंक नहीं हो सका है। यह रेल लिंक बहुत आवश्यक है क्योंकि यह बहुत बैकवर्ड एरिया में आता है। वहाँ के फंड्स के लिए, जैसे हमारी मंत्री जी बैठी हुई हैं, उस बैकवर्ड एरिया को रेल वाइज फॉरवर्ड एरिया बनाने से ही वह फॉरवर्ड हो सकता है, लेकिन यह कई सालों से अनदेखा पड़ा हुआ है।

सर, दूसरी बात यह है कि आपके विभाग में ग्रुप “डी” की एक एडवर्टिज़मेंट आयी। पहले आपकी पॉलिसी में ग्रुप “डी” के लिए न्यूनतम योग्यता आठवीं पास थी, लेकिन अब उसको दसवीं क्लास कर दिया गया। आपको मालूम होना चाहिए कि गांवों के अंदर जो रिमोट एरियाज़ हैं, जहाँ अनुसूचित जाति और बैकवर्ड क्लास के लोग रहते हैं, उनके लिए आठवीं क्लास तक पढ़ना भी नामुमकिन है। फिर इस प्रकार के रिक्रूटमेंट में शेड्यूल्ड कास्ट, शेड्यूल्ड ट्राइब्स और मॉयनरिटी के लोगों का आना बहुत मुश्किल है। आज देश के अंदर इतनी बेरोजगारी है, खास तौर से शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब्स के अंदर बहुत गुरबत है और वे बेरोजगार हैं। इसलिए मैं चाहता हूँ कि इसको आप इसे दसवीं की बजाय आठवीं क्लास कर दें, तो बहुत मेहरबानी होगी।

**(श्री सभापति पीठासीन हुए)**

दूसरी बात मैं यह कहना चाहता हूँ कि विज़ाग को ईस्ट कोस्ट रेलवे में भुवनेश्वर डिवीजन के अंदर रखा गया है। विज़ाग में स्टील प्लांट्स हैं और सीमेंट आदि की कई फैक्ट्रियाँ हैं, लेकिन उसको भुवनेश्वर हैडक्वार्टर्स के अंदर रखा गया है। इसके लिए कई एजिटेशंस हुए और कई रिप्रेजेंटेशंस दिये गये। इसके बावजूद इसको नजरअंदाज किया जाता रहा। मैं चाहता हूँ कि रेल मंत्री जी इस पर ध्यान दें, क्योंकि जब वहाँ तेलंगाना से तेलुगु-स्पीकिंग लोग इंटरव्यू देने गये, तो वहाँ पर उनके सामने कई रुकावटें आईं तथा मार-पीट हुई। मैं चाहता हूँ कि जो वल्टियर डिवीजन है, उसको साउथ-सेंट्रल रेलवे में मिलाया जाए, क्योंकि वहाँ के लोगों और वहाँ के इंडस्ट्रियलिस्ट्स की भी यह डिमांड है और कई बार इसके लिए रिप्रेजेंटेशंस दिये गये हैं। यह बहुत ही लॉग पेंडिंग इश्यू है, जिसके लिए गये 30 सालों से वहाँ के लोकल मिनिस्टर्स और विधान सभा के मैम्बर्स भी काफी रिप्रेजेंटेशंस दे रहे हैं, इसलिए मैं चाहता हूँ कि उसको एससीआर में मर्ज किया जाए और ग्रुप “डी” के लिए योग्यता आठवीं क्लास की जाए। धन्यवाद।

MR. CHAIRMAN: Thank you very much. This concludes the discussion on the Budget (Railways) 2011-12. Now, the hon. Prime Minister is to make a statement.

## STATEMENT BY PRIME MINISTER

### Appointment of Central Vigilance Commissioner

THE PRIME MINISTER (DR. MANMOHAN SINGH): Mr. Chairman, Sir, the post of Central Vigilance Commissioner was due to fall vacant on 8th September, 2010 on the completion of the term of Shri Pratyush sinha.

Under the CVC Act, 2003, the appointment of Central Vigilance Commissioner is required to be made by the President by Warrant under her hand and seal and on the basis

of the recommendation of a Committee consisting of the Prime Minister, the Home Minister and the Leader of Opposition in the House of the People.

The meeting of the Committee took place on 3rd September, 2010. The Leader of Opposition gave a dissenting note. In pursuance of the recommendations made by the Committee, the President appointed Shri P. J. Thomas as the CVC and he was sworn in on 7th September, 2010.

After the appointment of Shri Thomas, two public interest litigation petitions were filed in the Supreme Court challenging the appointment of Shri Thomas as the CVC. The hon. Supreme Court declared the recommendation of the Committee as *non-est* in law and quashed the appointment of Shri P.J. Thomas as CVC.

The hon. Supreme Court has pronounced its decision. We accept and respect the verdict of the Hon'ble Supreme Court. There has been an error of judgement on our part and I accept full responsibility for it. The Government will take into consideration the guidelines/directions given by the Court while appointing a new CVC.

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Chairman, Sir, I am extremely grateful to the hon. Prime Minister for making a statement on the appointment of the Chief Vigilance Commissioner. Sir, the Chief Vigilance Commissioner is the principal anti-corruption official of the Government of India. In one sense, it is the integrity institution of India. It has primacy in the matters of regulating appointments to the top officers of the Central Bureau of Investigation and also keeping a close vigil on the key investigations that the Central Bureau of Investigation undertakes. Of late, there has been a feeling that some of our investigative agencies, including the Central Bureau Investigation, have been guided by political agendas. Political agendas have got primacy over even investigative agencies and, therefore, it is for this reason that the purity, primacy, independence and integrity of the CVC is of utmost importance. I am, therefore, seeking only a few clarifications from the hon. Prime Minister really with the intention that this institution of the CVC itself is strengthened so that the institutions that it keeps a vigilance over are also strong and these kinds of errors, as the Prime Minister has pointed out, are not repeated in future.

Sir, my clarifications are: Firstly, on the third of September, 2010 the High Power Committee met to make its recommendations with regard to the selection of the Chief Vigilance Commissioner. Was the hon. Prime Minister or the Committee informed of the pendency of a charge-sheet against one of the incumbents who eventually was recommended by this Committee?

Who, Sir, — this is my second query — was responsible for the preparation of this shortlist of the three possible candidates? Was it done by the DoPT, which is also a

Department under the hon. Prime Minister? Or was it done by the Prime Minister's Office? Or was it done by the DoPT under the suggestion of somebody in the Prime Minister's Office? Therefore, we have to go to the root of the matter and find out who the person was who had prepared this shortlist of these three names. Thirdly, Sir, even when the Leader of the Opposition in the Lok Sabha, who was a Member of the High Power Committee, pointed out that there had been a charge-sheet against the person proposed to be selected, and even sought that the meeting could be deferred by a day in order to ascertain these facts, what was the plausible reason that a person with a charge-sheet pending against him was preferred over two other persons who had a relatively cleaner record and who had no such stigma attached to their name? Why did the Government come with this preconceived notion that it was this particular officer, Mr. Thomas and Mr. Thomas alone who was suitable as far as this office was concerned? There, Sir, could not have been two views possible between a charge-sheeted candidate being appointed a CVC and two persons with a relatively cleaner record being overlooked in favour of a person who had been charge-sheeted.

Sir, my fourth query is that the Supreme Court has laid down a very important principle of institutional integrity in relation to the CVC. Needless to say that it applies not only to the CVC, but it must apply to all institutions which are so vital to our democracy and our functioning. Will the Government bear this principle in mind while making appointments to these offices, upholding the primacy of all these institutions — I am not naming all of them — and keeping the underlying principle of institutional integrity and enhancement of this institutional integrity?

My last query to the hon. Prime Minister is this. He has been very gracious enough in his statement to say, There has been an error of judgement on our part and I accept full responsibility for it. But the Prime Minister with his wide experience also knows that responsibility and accountability go side by side and, therefore, whoever was responsible for pushing this particular name, which could have eventually resulted in bringing a bad name to the Government and also to this institution and to our entire system, must be held accountable. Therefore, what does the Prime Minister propose to do in this matter? Thank you.

SHRI SITARAM YECHURY (West Bengal): Sir, I have seen that there is one very significant difference in the statement that the hon. Prime Minister has made in the Lok Sabha and in this House today, that is, the sentence that is added here saying, There has been an error of judgement on our part and I accept full responsibility for it. I would, through you, Sir, like to take the Prime Minister back to his days in the Delhi School of Economics. Well our generation was taught, by all of you, that the impeccable logic of reasoning for an economist in investigating any phenomenon is to identify not only the

necessary condition, but also the sufficient condition. What you have said today is the necessary condition. The sufficient condition has not been addressed. The sufficient condition is: there are four queries in this that I would like to put before you. I put it before you in the background of the fact that the hon. Attorney General has told the highest Court that this may have happened because the Department of Personnel has failed to put up the relevant papers before this Committee. That is very strange that needs to be inquired into. The hon. Law Minister has also gone on record somewhere to say, “There is something wrong in the system that needs to be corrected.” It is precisely with that perspective that there is something wrong in the system that needs to be corrected; these four questions need to be answered in the interest of the system. First, all of us are aware and this is a fact that needs to be put up to the Committee that the current CVC was functioning as the Secretary of Telecommunication, when the entire 2G scam was taking place. Today, we have instituted a JPC to inquire into that. Knowing full well, why was this not taken on board? Secondly, irrespective of whether the papers were put up before the Committee, the fact remains that there was an investigation pending on an on-going case connected with the import of palmolein. When that was pending, why was such a decision taken overlooking that fact? Thirdly, objections were raised by one of the three Members of this High-Power Committee. But they were overlooked. What are the reasons as to why they were overlooked? Fourthly, was there any pressure? And, if that pressure is there, in the interest of the system and in the interest of our country, the entire Parliament should be told of such pressure, so that we can fight it together to ensure that our system cannot be compromised and its integrity cannot be adversely affected.

Therefore, we have to keep in mind the hon. Supreme Court’s observation that it is not the integrity of the individuals that the Court had questioned, while passing its verdict or judgement or its pronouncement, but it is the integrity of the institution. Keeping the integrity of the institution in mind, while the personal integrity will, definitely, be followed up legally — legally, the case will be pursued; that is a different matter — the institutional integrity, the integrity of the institution of the Central Vigilance Commission, or, for that matter, any other institution of our Parliamentary democracy, to uphold that integrity, it is necessary that these questions be answered, and from the necessary condition, we must move to the sufficient condition. And, this must be answered publicly so that we can cleanse our system and strengthen it. Finally, who else can do it in a democratic system, other than the Union Cabinet headed by the Prime Minister? It is only he who can do it by giving these facts in the public fora, and correcting the institution itself. Therefore, I would request the Prime Minister to take cognizance of these four questions that I have put, not just as clarifications, but to, actually, act on them so that we can strengthen the institution of our Parliamentary democracy. Thank you.

SHRI D. RAJA (Tamil Nadu): Sir, my point of clarification is very simple. The final decision was the decision of two persons, namely, the Prime Minister and the Home Minister. During the entire controversy, the Home Minister was confronted by media. The Home Minister just replied saying, "Go and ask the DoPT." If that is so, something had gone wrong somewhere, and the Prime Minister must come out cleaner on this issue. It is good that the Prime Minister takes the responsibility. It is in the interest of Parliamentary democracy that one should appreciate the Prime Minister's position. But that is not the end of the issue. The issue will have to be pursued further, and looked into as to whether the Prime Minister was under some compulsion, or, who led the Prime Minister to arrive at such a decision. It is not that we are asking, but the common people outside Parliament do ask as to how it is that the Government decided to propose such a person to be the CVC. Sir, the Prime Minister must come out with more details and explain as to how the Prime Minister and the Home Minister were forced to take such a decision. That is what he must explain. Thank you.

DR. MANMOHAN SINGH: Mr. Chairman, Sir, I am very grateful to the hon. Leader of the Opposition and my friends, Shri Yechury and Shri Raja, for the clarifications that they have sought, and I shall try to answer them as best as I can. The first question that the Leader of the Opposition asked was: Was I aware of the pendency of the charge sheet against Shri Thomas? The honest answer is that the Note was prepared under the guidance of the Minister of State in charge of DoPT, and that Note did not contain this information. I did become aware of this case only when the hon. Leader of the Opposition in the Lok Sabha raised this issue in the meeting itself. And this is where I felt that since Mr. Thomas had been appointed the Chief Secretary of the Government of Kerala, since he was appointed as the Secretary of the Government of India, all legitimate vigilance angles must have been looked into. And that is why we went ahead with the selection process. That is the truth as I see it.

As far as the responsibility for the preparation of the shortlist is concerned, that came through normal channels and it came with the approval of the Minister of State, Department of Personnel.

With regard to the charge-sheet, I don't know if there is anything else that I can say. If the hon. Leader of the Opposition wants to raise any other issue I am there to clarify.

Now, with regard to what Shri Yechury has stated, I have already mentioned that, until I went to the meeting of the committee, I was not aware that there was any such case of palmolein and, that too, involving corruption. I did become aware of it when Sushmaji raised this issue, but for the reason that since the gentleman had been appointed subsequent to this particular case, the Chief Secretary of the Government of Kerala, and

that he had been appointed also the Secretary of the two Departments of the Government of India, I thought vigilance matters must have been looked into and, therefore, we went ahead with the selection process.

MR. CHAIRMAN: Thank you. This concludes the...

SHRI SITARAM YECHURY: Sir, we are not satisfied. ...*(Interruptions)*...

MR. CHAIRMAN: No, no. ...*(Interruptions)*... Please. We are not starting the debate on this.

SHRI SITARAM YECHURY: We are not satisfied with the reply, Sir. ...*(Interruptions)*...

MR. CHAIRMAN: Yechuryji, please. ...*(Interruptions)*... No, no. We are not starting the debate on this. ...*(Interruptions)*... Please follow the practice of this House. ...*(Interruptions)*...

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Does the Government intend to fix any accountability in this matter, Sir?

MR. CHAIRMAN: We will now...

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, the Leader of the Opposition has asked something. ...*(Interruptions)*...

MR. CHAIRMAN: The Minister of Railways please.

SHRI V.P. SINGH BADNORE (Rajasthan): Sir, the Prime Minister is ready to answer.

MR. CHAIRMAN: Minister of Railways please. ...*(Interruption)*... आप लोग बैठ जाइए। ...*(व्यवधान)*... This is not correct. ...*(Interruptions)*... This is not correct. ...*(Interruptions)*... I think we have gone through the grill. ...*(Interruptions)*... Please allow the House to run. ...*(Interruptions)*... No, no.

SHRI SITARAM YECHURY: Sir, we are not satisfied with the answer given by the Prime Minister. We are, therefore, walking out in protest.

*(At this stage some Hon. Members left the Chamber.)*

MR. CHAIRMAN: Please sit down. ...*(Interruptions)*... Ahluwalia Saheb, please. ...*(Interruptions)*... अहुवालिया जी, आप अपने साथियों से कहिए ...*(व्यवधान)*... I can't hear you.

SHRI S. S. AHLUWALIA (Jharkhand): Sir, one simple question was asked: What is the Prime Minister going to do about the accountability? That is the question. Let him answer. ...*(Interruptions)*...

MR. CHAIRMAN: One minute please.

DR. MANMOHAN SINGH: Mr. Chairman, Sir, I have already stated that I accept full responsibility for this error of judgement. As far as the question of accountability is concerned, I as the Minister in-charge of the Department of Personnel as well, accept the responsibility and I am accountable. ...*(Interruptions)*...

MR. CHAIRMAN: No, no. We are not starting it again.

SHRI ARUN JAITLEY: The name was not put there by the Prime Minister. Who put that name there? ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD (Bihar): The name came from somewhere else. You said you didn't know about it. ...*(Interruptions)*...

MR. CHAIRMAN: The Prime Minister has replied to the debate. ...*(Interruptions)*... No, no. I think enough has been said on this. Now, let us move on with the business. The Minister of Railways please.

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#### THE BUDGET (RAILWAYS) 2011-12 — *(contd.)*

THE MINISTER OF RAILWAYS (KUMARI MAMATA BANERJEE): Respected Chairman, Sir, thank you very much for giving me this opportunity. I am grateful to all my hon'be colleagues whether on this side of the House or on that side for their valuable suggestions, for their appreciation of the Railway Budget, for their constructive criticism and also for their good advice.

[MR. DEPUTY CHAIRMAN in the Chair]

Sir, Shri Venkaiah Naiduji initiated the discussion on the Railway Budget. He mentioned about the financial position of the Railways. I would be very brief, Sir. I would be sharing information in brief. Venkaiahji asked about the operating ratio of the Railways. I would like to inform you that, earlier too when the Fifth Pay Commission Report was implemented in the year 2000, at that time payment was Rs.6,000 crores. At that time, the operating ratio was 98.3 per cent. But, this time, our Railways employees managed things in a better way; they have done a lot of things for the Railways. They improved the quality too. That is why this operating ratio we could manage; even after bearing Rs.73,000 crores towards the Sixth Pay Commission Report implementation, we are able to manage; from 98.3 per cent, it came down just to 92.1 per cent. With regard to our improvement, it is 0.2 per cent improvement over what we had announced in the Budget Estimates.

Sir, on our financial performance I cannot say that it is very good because there are problems this time about the economic performance all around; in every country there are problems, earlier there was a golden period. But, you would appreciate that the Railways is