

Rs. 5,000 crores, which has been reduced, must be read as Rs. 40,000 to Rs. 50,000 crores.

MR. CHAIRMAN: What is your question?

SHRI PRAKASH JAVADEKAR: Sir, my question is this. When the budget is sanctioned, you have to limit your programme to the sanctioned budget. So, the Department has to cut various programmes or it has to put off some programmes. Which programmes are you postponing? Which expenditures are you cutting?

SHRI A.K. ANTONY: That exercise is going on. We will take a final decision in consultation with the Armed Forces.

IPS officers charge-sheeted for criminal activity

*122. SHRI T.K. RANGARAJAN: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of IPS officers charge-sheeted for criminal activity for the year ending 2012;
- (b) how many of them have been arrested; and
- (c) how many of them have been suspended from service?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N. SINGH): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) to (c) Details of IPS officers charge-sheeted, arrested and suspended during the year ending 2012, State-wise, are given in Statement-I (*See* below).

The IPS officers are allotted to various Cadres and serve in connection with the affairs of the State Governments/UTs. In terms of Section 197 of the Code of Criminal Procedure, if a public servant is accused of any offence alleged to have been committed by him while acting or purporting to act in discharge of his official duty, if he is/was serving in connection with the affairs of a State at the time of commission of the alleged offence, previous sanction of that State Government is required for prosecuting him before a court of law. If the public servant is/was, at the time of commission of the alleged offence, serving in connection with the

affairs of the Central Government, previous sanction of the Central Government is required for prosecuting him before a court of law.

Under Section 19 of the Prevention of Corruption Act, 1988, if a public servant is alleged to have committed an offence under Sections 7, 10, 11, 13 and 15 of PC Act (accepting gratification other than legal remuneration, indulging in corrupt or illegal means, criminal misconduct), previous sanction of the Government, competent to remove the public servant from his office, is required for prosecuting him before the court of law.

Statement-I

*IPS officers charge-sheeted, arrested and suspended during
the year 2012*

Sl. No.	Name of State/Cadre	No. of IPS officers charge-sheeted	No. of IPS officers arrested	No. of IPS officers suspended
1	2	3	4	5
1.	Arunachal Pradesh, Goa, Mizoram and Union Territories (AGMU) Cadre	Nil	1	1
2.	Andhra Pradesh	Nil	Nil	2
3.	Assam	1*	Nil	Nil
4.	Bihar	Nil	Nil	Nil
5.	Chhattisgarh	Nil	Nil	Nil
6.	Gujarat	7	Nil	1
7.	Haryana	Nil	Nil	Nil
8.	Himachal Pradesh	Nil	Nil	Nil
9.	Jammu and Kashmir	Nil	Nil	Nil
10.	Jharkhand	Nil	Nil	Nil

1	2	3	4	5
11.	Karnataka	Nil	Nil	Nil
12.	Kerala	Nil	Nil	Nil
13.	Madhya Pradesh	Nil	Nil	Nil
14.	Maharashtra	Nil	Nil	Nil
15.	Manipur	Nil	Nil	Nil
16.	Meghalaya	Nil	Nil	Nil
17.	Nagaland	Nil	Nil	Nil
18.	Odisha	Nil	Nil	Nil
19.	Punjab	Nil	Nil	Nil
20.	Rajasthan	2	1	1
21.	Sikkim	Nil	Nil	Nil
22.	Tamil Nadu	Nil	1	2
23.	Tripura	Nil	Nil	Nil
24.	Uttar Pradesh	1	Nil	Nil
25.	Uttarakhand	Nil	Nil	Nil
26.	West Bengal	Nil	Nil	Nil
TOTAL:		11	3	7

*Retired from service on 30.9.2011 and charge-sheet has been filed during 2012.

SHRI T.K. RANGARAJAN: Mr. Chairman, Sir, the IPS officers are law-abiding and they have to protect the law. But they are violating the law. As per the hon. Minister's reply, 11 IPS officers have been charge-sheeted; three have been arrested and seven have been suspended. Some people may be very intelligent. Still, they have not been charge-sheeted or suspended. It may take some more time. I would like to know from the hon. Minister what procedure they are adopting for

recruiting these officers. Would you like to change the procedure and make it a modern procedure? There is no necessity for an IPS officer to be charge-sheeted. Charge-sheeted means, he can work. He can destroy the evidence. So, suspension, according to the Supreme Court, is not a punishment. By charge-sheeting them and keeping them in the service, are you not allowing them to escape? That is my first question.

SHRI R.P.N. SINGH: Mr. Chairman, Sir, there are two procedures to charge sheet, arrest or suspend a police officer. The first procedure is prosecution sanctioned under the Code of Criminal Procedure, 1973. Under this there is no intervention of the Centre. The State can take action immediately against the IPS officer. There is another prosecution sanctioned, which is under the Prevention of Corruption Act, 1988 where it is required to take sanction from the Home Ministry. These are the two procedures for taking action against police officers. As the hon. Member has asked, in 2012, we have already chargesheeted 11 officers, arrested three and suspended seven of them. It is an ongoing process. Sir, the hon. Member has asked whether there is any change in the recruitment policy of IPS officers. This is something that is done by the DoPT. There is no proposal at the moment to change the law as far as the recruitment is under way. So for meritorious awards to police officers who do a better job, Sir, medals or awards are given to them by the States on a case-to-case basis.

SHRI T.K. RANGARAJAN: There are sincere officers. They do work. Sometimes, they deal with the law and order problem and other problems. So, you have to give them proper reward. They should not wait for the Presidential medal or other medals. That requires some political recommendation. That political recommendation depends upon whether the officer is sincere to the ruling party. That is what is happening today in every State. So my supplementary is this. If an officer has done a good job, is it not the responsibility of the Government to reward him then and there?

SHRI R.P.N. SINGH: Sir, as I have mentioned earlier, the procedure of giving awards to police officers is done by States. He also has a record which is entered by his seniors. If he has done exemplary work, in his personal C.R., all the good work that he has done will be entered. Police awards are not given by political recommendations but by the kind of good work a police officer has done. There are various medals that police officers are given on a case-to-case basis, and they are rewarded in that way. So, that is the procedure at the moment.

श्री मोहम्मद अकीब: चेयरमैन साहब, यह जो मिनिस्टर साहब ने रिपोर्ट दी है, मैं इससे बहुत फिक्रमंद हूँ, क्योंकि महाराष्ट्र के लिए इन्होंने लिखा है - 'निल', जबकि यहां के डीजीपी को जेल जाना पड़ा और वहां छद्मना युगुल और घाटकोपर के केस में 18 आईपीएस ऑफिसर्स के खिलाफ स्ट्रिकचर पास हुआ, लेकिन इनके खिलाफ कोई एक्सां नहीं हुआ है। मुझे लगता है कि या तो यह रिपोर्ट गलत है या फिर हैरत की बात है कि जो ऑफिसर्स, डीजीपी, पुलिस का चीफ जेल जाएगा, जिसको टीवी पर भी दिखाया गया, उसकी इत्तला इसमें नहीं है। मैं समझता हूँ कि इस रिपोर्ट में सही नहीं बताया गया है। महाराष्ट्र के डिफरेंट कोर्ट्स ने डिफरेंट केसेस में स्ट्रिकचर पास किये हैं, स्पेशली घाटकोपर केस में और छद्मना युगुल, जिसको जेल में मार डाला गया था, उसके खिलाफ भी स्ट्रिकचर पास हुआ था और यहां जवाब में है कि कोई एक्सां नहीं हुआ। बराह-मेहरबानी होम मिनिस्टर साहब बताएं कि सही इंफॉर्मेशन क्या है? अगर अदालतों ने आईपीएस ऑफिसर्स के खिलाफ स्ट्रिकचर पास किए हैं और उनके खिलाफ कार्रवाई नहीं हुई है, तो यह बड़ी तसवीसनाक बात है।

جناب محمد ادیب : چیئرمین صاحب، یہ جو منسٹر صاحب نے رپورٹ دی ہے، میں اس سے بہت فکر مند ہوں، کیوں کہ مہاراشٹر کے لئے انہوں نے لکھا ہے 'NIL'، جبکہ وہاں کے ڈی جی پی۔ کو جیل جانا پڑا ہے اور وہاں خواجہ یونس اور گھاٹ۔ کوپر کے کیس میں 18 آئی پی۔ ایس۔ آفیسرس کے خلاف اسٹرکچر پاس ہوا، لیکن ان کے خلاف کوئی ایکشن نہیں ہوا ہے۔ مجھے لگتا ہے کہ یا تو یہ رپورٹ غلط ہے یا پھر حیرت کی بات ہے کہ جو آفیسرس، ڈی جی پی، پولیس کا چیف، جیل جانے گا، جس کو ٹی وی پر بھی دکھایا گیا، اس کی اطلاع اس میں نہیں ہے۔ میں سمجھتا ہوں کہ اس رپورٹ میں صحیح نہیں بتایا گیا ہے۔ مہاراشٹر کے مختلف کورٹس میں مختلف کیسز میں اسٹرکچر پاس کئے ہیں، اسپیشلی گھاٹ۔ کوپر کیس میں اور خواجہ یونس، جس کو جیل میں مار ڈالا گیا تھا، اس کے خلاف بھی اسٹرکچر پاس ہوا تھا اور یہاں جواب میں ہے کہ کوئی ایکشن نہیں ہوا۔ برائے مہربانی ہوم منسٹر صاحب بتائیں کہ صحیح انفارمیشن کیا ہے؟ اگر عدالتوں نے آئی پی۔ ایس۔ آفیسرس کے خلاف اسٹرکچر پاس کئے ہیں اور ان کے خلاف کارروائی نہیں ہوئی ہے، تو یہ بڑی تشویشناک بات ہے۔

श्री ज़ारपीएम सिंह : सभापति महोदय, मैं माननीय सचिव को यह बताना चाहता हूँ कि प्रश्नकर्ता माननीय सचिव ने अपने इस प्रश्न में वर्ष 2012 में जितने आईपीएस अधिकारी खरेस्ट हुए हैं, चार्जशीट हुए हैं, उनकी जानकारी मांगी थी। तो उसीनुसार वर्ष 2012 में जितने अधिकारी चार्जशीट या खरेस्ट हुए हैं, उनकी जानकारी हमने बिल्कुल बखूबी दी है। अगर माननीय सचिव किसी और साल की जानकारी चाहते हैं या किसी आईपीएस ऑफिसर की जानकारी चाहते हैं और अगर वह मुझसे जानकारी मांगें, तो मैं उसकी पूरी जानकारी उन्हें अवश्य दे दूंगा।

श्री मोहम्मद जदीम : सर, पूरे आईपीएस अधिकारियों पर सवाल है।

جناب محمد ادیب: سر، پورے آئی.پی.ایس۔ اذھیکاریوں پر سوال ہے۔

श्री सभापति : नहीं सवाल वह नहीं है। Be specific with the question. Now, Shri Pyarimohan Mohapatra.

SHRI PYARIMOHAN MOHAPATRA: Sir, the Minister knows that investigation is in the hands of police personnel and supervisory officers, and supervision is done over investigation by IPS officers. Is that the reason for such a very low number of charge-sheets against IPS officers?

SHRI R.P.N. SINGH: Sir, as I have told you, there are two procedures before a police officer can be charge-sheeted. One is under the Code of Criminal Procedure which was made in 1973. That is only done by State Governments, and the Central Government does not have any role in that. The other is the prosecution sanction under the Prevention of Corruption Act, 1988, whereby sanctions are given...

SHRI TK. RANGARAJAN: My supplementary is different. Would you kindly answer that?

SHRI R.P.N. SINGH: Sir, as for the hon. Member's query as to why there are a very few charge-sheets, the record, which we are giving the House, is just of 2012. If we go through the other records, there are also a lot of other police officers who have been charge-sheeted and there are a lot of disciplinary actions going on. But to think that all police officers are doing a wrong thing and that there should be higher charge-sheets, I think, that is something which is left for just a discussion. If anyone has any kind of case that comes forward, then, action is taken against him regardless of his working as an IPS officer. And this data, which I have placed on the Table, relates to 2012.

जो एस.पी. सिंह बघेल : सभापति महोदय, यह सवाल है कि सभी युद्धों में जितने डिफेंस के लोग शहीद हुए हैं, उससे कहीं ज्यादा हिंदुस्तान की पुलिस के लोग अंतरिक सुरक्षा को

बनाए रखने में शहीद हुए हैं। यह पुलिस का एक पक्ष है, जिसकी हमें तारीफ भी करनी चाहिए।

आपराधिक गतिविधियों में जो अधिकारी लिप्त रहे हैं, मूल प्रश्न में उनका ब्योरा मांगा गया है। मैं यह कहना चाहूंगा कि आपने गजेटेड ऑफिसर और नॉन-गजेटेड ऑफिसर में अंतर कर रखा है। कांस्टेबल से प्रमोशन पाकर कोई व्यक्ति हैड-कांस्टेबल, सब-इंस्पेक्टर और इंस्पेक्टर बनता है।

श्री सभापति : सवाल क्या है?

प्रो. एस.पी. सिंह बघेल : सवाल यह है कि यदि वह आपराधिक गतिविधियों में शामिल होता है, तो पुलिस रेग्युलेशन में यह नियम है कि उसका डिमोशन करते-करते, वह अपने मूल पद पर आ सकता है। एक कांस्टेबल, जो इंस्पेक्टर बन जाता है, यदि उसके खिलाफ डिपार्टमेंटल जांच हो और अगर अधिकारी निर्णय करें, तो वह अपने मूल पद, कांस्टेबल के पद पर आ सकता है, लेकिन गजेटेड अफसरों के लिए यह नियम नहीं है। एक IPS जो मूल रूप से ASP के रूप में अपना कैरियर शुरू करता है, यदि वह DIG or IG हो जाता है, यदि वह बहुत बड़ी आपराधिक गतिविधि में सम्मिलित होता है, तो क्या उसे भी नॉन-गजेटेड की तरह रिवर्ट करके आप उसके मूल पद पर लाएंगे? क्या सरकार का ऐसा कोई विचार है?

श्री आर.पी.एन. सिंह : सभापति जी, जैसा मैंने पहले भी कहा था कि जहां तक IPS अफसरों का सवाल है, इनके रूल्स DOPT बनाता है। आज की तारीख में ऐसा कोई भी कानून नहीं बन रहा है, जिसमें डिमोशन का प्रावधान हो, जैसा नॉन-गजेटेड के केस में होता है।

MR. CHAIRMAN: Question No. 123.

श्री जी.एन. रतनपुरी : सभापति जी, मेरा भी एक सवाल है।

MR. CHAIRMAN: I can't break the procedure for supplementaries.

श्री जी.एन. रतनपुरी : सर, मुझे कभी किसी भी प्रश्न में सप्लीमेंटरी पूछने का मौका नहीं मिला है...(व्यवधान)...

MR. CHAIRMAN: I am sorry, but, I cannot do it.

श्री जी.एन. रतनपुरी : आप रिकॉर्ड देख सकते हैं ...(व्यवधान)...

MR. CHAIRMAN: I am afraid I cannot do it because I will be buying a basket full of problems.

Data regarding missing children

*123. SHRI ANIL DESAI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state: