

issue for the National Highways Authority of India? Would the National Highways Authority of India be able to settle most of the disputes over the next two years?

MR. CHAIRMAN: I am afraid Question Hour is over.

WRITTEN ANSWERS TO STARRED QUESTIONS

Security to whistle blowers

*148. SHRI BAISHNAB PARIDA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that certain State Governments are providing security to whistle blowers in the country;

(b) if so, the details thereof;

(c) whether it is proposed to be provided in all the States/UTs of India, to control corruption and other misdeeds;

(d) if so, the details thereof;

(e) whether it is proposed to bring out certain legislation to encourage whistle blowers in the country for helping to bring down corruption in India; and

(f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) The State Governments are responsible for law and order and for individual security. The provision of security to whistle blowers is also part of this responsibility. No centralized information is available on security being provided by State Governments to whistle blowers in each State.

(c) and (d) At present, protection to whistle blowers in India is available under Government of India's Resolution No. 371/12/2002-AVD-III dated 21st April, 2004 on "The Public Interest Disclosure and Protection of Informers". The Central Vigilance Commission is the designated agency under this Resolution to receive whistle blower complaints on any allegation of corruption or of mis-use of office by any employee of the Central Government or of any corporation established by or under any Central Act, Government companies, societies for local authorities owned or controlled by

the Central Government. The Resolution provides that the identity of the complainant will not be revealed unless the complainant himself has made the details of the complaint either public or disclosed his identity to any other office or authority. The Resolution provides that either on the application of the complainant, or on the basis of the information gathered, if the designated agency (CVC) is of the opinion that either the complainant or the witnesses need protection, the designated agency shall issue appropriate directions to the concerned Government authorities. The State Governments are responsible for law and order and for individual security. Accordingly, in case a whistle blower under the PIDPI Resolution desires police protection, the Central Vigilance Commission takes up the matter with the Ministry of Home Affairs, the Nodal agency, who, in turn, asks individual State Governments to examine the threat and provide security cover. During the last three years, *i.e.*, 2010, 2011 and 2012, the Commission has requested Ministry of Home Affairs for taking suitable action for protection of the complainants in **two, three and one** cases, respectively.

(e) and (f) As it was felt that the persons who report corruption need statutory protection, accordingly, the Public Interest Disclosure and Protection to Persons Making the Disclosures Bill, 2010 was introduced in the Lok Sabha on 26th August, 2010. The Bill, *inter-alia*, provided for:—

- (a) bringing within its scope, public servants of the Central Government and State Governments, employees of corporations established by or under any Central Act or any State Act, Government Companies, Societies or local authorities owned or controlled by the Central or State Government, etc.;
- (b) adequate protection to the persons reporting corruption and a regular mechanism to encourage such persons making disclosure on corruption;
- (c) the procedure to inquire or cause to inquire into such disclosure and to provide adequate safeguards against victimization of the whistle-blowers;
- (d) punishment for revealing the identity of the person reporting corruption by a public servant;
- (e) punishment for making false and frivolous complaints, etc.

The said Bill, with some official amendments on the basis of recommendations of the Department Related Standing Committee of Parliament, was considered and passed by the Lok Sabha on the 27th December, 2011 as the Whistle Blowers Protection Bill, 2011 and is presently pending before Rajya Sabha.