

The House reassembled at twelve of the clock,

MR. DEPUTY CHAIRMAN in the Chair.

ORAL ANSWER TO QUESTION

Identification of areas, posts prone to corruption

*141. DR. T.N. SEEMA: Will the PRIME MINISTER be pleased to state:

(a) the plans to identify the areas and posts where corruption is rampant, if so, the details thereof alongwith the mechanism available with Government to monitor those areas and posts;

(b) the current status of implementation of the Lokpal and Lokayuktas Act, 2013;

(c) the number of States that have established the institution of Lokayukta; and

(d) the details of assistance provided by Government to the States to establish the institution of Lokayukta in all the States?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) Corruption thrives in areas where transparency is lacking, procedures are complicated, discretion of high order is permitted and where there is a demand supply gap. Government is tackling these issues by encouraging greater transparency, simplifying rules and procedures, reducing the number of levels in the decision making process, etc. Increasing public awareness, technology enabled e-Governance (minimizing discretion in the citizen-government interface), system-based, policy-driven governance (making it transparent), rationalization and simplification of the tax regime and simplification of the processes and procedures at all levels are part of the action plan of the Government for tackling corruption. Some of the new initiatives taken by Government in this regard are as follows:

- Every Department should identify and repeal at least 10 rules or processes, and even archaic Acts, that are redundant and would not lead to any loss of efficiency.
- Every Department should identify forms that are in vogue and shorten them, where possible, to one page only. (Seeking of unnecessary or irrelevant information should be discouraged).

- Every Department should encourage use of Information and Communication Technology (ICT) in submission of information and eventually universalize it.
- Decision making layers should be reduced, to a maximum of four layers.
- Effective and timely resolution of public grievances must be ensured and monitored by the Secretaries of the Departments concerned.

As regards specific areas prone to corruption, the Performance Management Division (PMD) of the Cabinet Secretariat has asked the Ministries / Departments to identify potential areas of corruption related to their activities and develop action plans to mitigate them. The details of the approach and action taken are as follows:

The Performance Monitoring and Evaluation System (PMES) was introduced in 2009 with a view to assist the Ministries/Departments in creating an enabling environment for result-oriented performance. The PMES is being implemented through the Results-Framework Documents (RFDs). In order to infuse some new approaches in mitigating potential areas of corruption, it was decided in March 2011 that Central Government Ministries and Departments should identify potential areas of corruption in their department and should prepare appropriate action plans for mitigating potential risk of corruption. PMD has received action plans from about 51 Ministries/Departments. The RFD guidelines for the financial year 2014-15 include a mandatory success indicator, viz., "Implement agreed milestones of approved Mitigating Strategies for Reduction of potential risk of corruption (MSC)".

As regards identification of posts which are prone to corruption, the Central Vigilance Commission has issued a number of circulars containing instructions to the organizations under its advisory jurisdiction regarding rotation of officials working in sensitive posts which offer scope for corruption. As per these instructions, the organizations were to identify the sensitive posts and staff working in these posts and also ensure that they are strictly rotated after every two/three years to avoid developing vested interests. The identification of sensitive posts and affecting rotational transfers is an ongoing process and the Central Vigilance Commission has asked the Heads/ CVOs of all Departments/Organisations to ensure strict implementation of Commission's guidelines. As per information furnished by the Central Vigilance Commission, a total of 256 organisations have responded to these guidelines of the Commission.

(b) The Central Government, in exercise of the powers conferred by sub-section (4) of Section 1 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014), appointed the 16th day of January, 2014, as the date on which the provisions of the said Act shall come into force.

In exercise of powers conferred by sub-section (5) of section 4 of the Act, the Central Government notified the Search Committee (Constitution, Terms and Conditions of appointment of members and the manner of selection of Panel of Names for appointment of Chairperson and Members of Lokpal) Rules, 2014 (hereinafter referred to as Search Committee Rules).

A writ petition has been filed by Common Cause, a Registered Society, before the Hon'ble Supreme Court wherein, *inter-alia*, challenge has been made to the validity of the Search Committee Rules. During the course of hearing of the case by the Supreme Court on 5th May, 2014, the Court has been informed that the Government will re-examine the issue and make formal amendments in the Rules and only thereafter proceed further in the matter. Accordingly, Government has examined the matter and it has been found that a number of provisions in the said Rules require to be amended. The matter can be processed further only after the amendments are carried out in the Rules as per the undertaking given before the Hon'ble Supreme Court.

(c) Twenty two States and one Union Territory (Delhi) have already enacted respective laws for establishment of the institution of Lokayukta in their respective States. One State (Jammu and Kashmir) has enacted an Act establishing an Accountability Commission similar to Lokayukta.

(d) Section 63 of the Lokpal and Lokayuktas Act, 2013, as passed by Parliament contains the following mandate:

“Every State shall establish a body to be known as the Lokayukta for the State, if not so established, constituted or appointed, by a law made by the State Legislature, to deal with complaints relating to corruption against certain public functionaries, within a period of one year from the date of commencement of this Act”.

Accordingly, the Central Government has forwarded a copy of the said Act to the Chief Ministers of all States, drawing their attention to the requirement of section 63 of the Act. A copy of Part III of the Lokpal and Lokayuktas Bill, 2011, as passed by Lok Sabha on 27.12.2011, which contains provisions relating to State Lokayuktas, has

also been forwarded to the Chief Ministers of all State Governments as a model for consideration of the State Governments. There is no provision in the Act for provision of any assistance to the State Governments for establishing Lokayuktas.

WRITTEN ANSWERS TO STARRED QUESTIONS

Attack/Detention of Indian fishermen by Sri Lankan Navy

*142. SHRI D. RAJA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the attack and detention of Indian fishermen by Sri Lankan Navy forces has become a regular feature for the last few months;

(b) if so, the number of such incidents taken place during the last two years and the number of fishermen detained and released after Government's intervention; and

(c) whether Government is taking any steps to find a permanent solution to the problem; and if so, the details thereof?

THE MINISTER OF EXTERNAL AFFAIRS (SHRIMATI SUSHMA SWARAJ):

(a) and (b) Reports have appeared from time to time on incidents of attacks on Indian fishermen allegedly by the Sri Lankan Navy. Since January 2012, fourteen incidents of alleged attack on Indian fishermen by the Sri Lankan Navy have been reported and there have been no incidents of deaths of Indian fishermen in Sri Lankan waters. Government has consistently taken up issues relating to apprehension of and incidents of attacks on our fishermen with the Government of Sri Lanka to ensure that the Sri Lankan Navy acts with restraint and our fishermen are treated in a humane manner. Government, as a result of its continuous efforts, has secured the release of all 197 apprehended Indian fishermen in 2012, 676 apprehended Indian fishermen in 2013 and 532 apprehended Indian fishermen till 12 July 2014 from the custody of Sri Lanka. As on 12 July 2014, there are 4 Indian fishermen alongwith 47 Indian fishing vessels under the custody of Sri Lankan authorities on charges of fishery related violations.

(c) Government attaches the highest importance to the safety, security and welfare of Indian fishermen. An India-Sri Lanka Joint Working Group (JWG) to deal with issues relating to straying fishermen, work out modalities for prevention of use