

the national level. There are experts on roads and they are always visiting places, whether the road is under construction or has been completed.

श्री सुरेश पचौरी: आदरणीय सभापति महोदय, केन्द्र सरकार के स्तर पर जो सेंट्रल मानीटरिंग कमेटी है रोड की गुणवत्ता जानने के लिए बनाई गई है। वह गुणवत्ता यदि अच्छी पाई गई है तो क्या कारण है कि जिन राज्यों की रोड की गुणवत्ता सेंट्रल मानीटरिंग कमेटी ने अच्छी पाई उनको दूसरी किश्त नहीं दी गई? ऐसे कौन कौन से राज्य हैं जिनको इस स्कीम के तहत जो फंड दिया गया उसका यूटीलाइजेशन 90 प्रतिशत से ज्यादा है, फिर भी उनको दूसरी किश्त नहीं दी गयी? यदि नहीं दी गयी तो उन राज्यों को दूसरी किश्त नहीं दिये जाने के क्या कारण हैं?

श्री काशीराम राणा: सभापति महोदय, प्रश्न के दूसरे पार्ट का जवाब मैं अभी दे दूंगा। जिन स्टेट गवर्नमेंट्स को हम प्रधानमंत्री ग्रामीण सड़क योजना के तहत पहली किश्त देते हैं, उनको कभी भी हमने दूसरी किश्त देने में हिचकिचाहट नहीं की, हम देते ही हैं क्योंकि हमारी प्रायोरिटी ही है ग्रामों को सड़क कनेक्टिविटी देने की। इसके अतिरिक्त क्वालिटी ऑफ रोड्स की जहां तक बात है, उसके लिए जो भी रिपोर्ट मॉनिटरिंग सिस्टम के थ्रू मिलती है, उसके आधार पर हम लोग तुरंत कार्यवाही करते हैं। अभी तक ऐसा कोई केस नहीं हुआ है। किसी स्टेट में मान लीजिए सौ रोड्स हैं तो उनमें से दो-तीन पुअर या ऐवरेज ग्रेडिंग की हैं, वहां पर उन सड़कों को हमने तुरंत ठीक करने के लिए कहा है और इसके लिए हम स्टेप्स ले रहे हैं।

SHRI CHANDAN MITRA: Many of the roads that have been constructed under the Pradhan Mantri Gram Sadak Yojana, are in a very bad shape. Does the Government have any plan to set up a permanent monitoring authority to ensure that these roads are kept in a proper state of maintenance after they have been constructed because very little maintenance work is being done? These roads are in a state of disrepair.

SHRI KASHIRAM RANA: The entire system of monitoring is permanent. Whenever maintenance is required, it is done by the contractor. So far as maintenance under PMGSY is concerned, the contractors are accountable for maintenance of the roads for a period of five years.

### **Cases of corruption in bureaucracy**

\*122. SHRI S. AGNIRAJ: Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) the number of cases registered against corrupt officials in the Central Government during last five years, giving details year-wise;

(b) the total amount involved; and

(c) the action taken to punish the guilty officials?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) As per the information provided by the CBI, a total of 1916 cases were registered against Central Government officials during the last five years. The year-wise break-up is indicated below :

Year	No. of cases Registered
1999	361
2000	382
2001	386
2002	435
2003	352
<b>TOTAL :</b>	<b>1916</b>

(b) The total value of the property seized or detected in these cases is indicated below, year-wise .

Year	Total value of the property
1999	Rs. 60,98,203
2000	Rs. 54,76,104
2001	Rs. 3,53,94,248
2002	Rs. 10,08,24,393
2003	Rs. 4,03,78,366

(c) The CBI after completion of investigation or after conducting the preliminary enquiry against the erring officials either sends the case for trial and recommends sanction for prosecution from the controlling authority of the official concerned or for Regular Department Action (FDA) or otherwise recommends for closure depending upon the evidence of

the case. In case, the concerned administrative authority grants permission for prosecution of the erring officials, the case becomes *sub judice* and the quantum of punishment or otherwise to be imposed against the officials is decided by the Court of Law. In cases of Regular Departmental Action, speedy action is taken by the concerned administrative authority for imposition of appropriate penalty on the concerned official. The position of the cases registered by the CBI during the last five years is indicated below :

Sent for trial	1008
Sent for R.D.A.	293
Such Action	18
Closed/Otherwise disposed	99
Transferred to local Police	01
Pending investigation	497
<b>TOTAL :</b>	<b>1916</b>

SHRI S. AGNIRAJ: Mr. Chairman, Sir, the hon. Minister has stated that 1916 cases were registered against corrupt officials by the CBI during the last five years. I would like to know from the hon. Minister in how many cases the officials were convicted. What is the percentage of conviction with reasons for low rate of conviction?

Secondly, corruption arises from gross misuse of discretionary powers by senior bureaucrats. Surveillance must be stepped up on such officials of doubtful integrity. Something has gone amiss somewhere in the system. The criminal judicial system is on the verge of collapse. So, what does the Government propose to do to end corruption in the Government?

DEPUTY PRIME MINISTER, IN CHARGE OF THE MINISTER OF HOME AFFAIRS AND MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI L.K. ADVANI): Sir, in all, 1916 cases of corruption relating to the Central Government employees have come to notice, out of which 1008 cases have been sent for trial; 293 cases have been sent to the Government Departments for departmental action and 99 cases have been closed. So far as those sent for trial are

concerned, since the trials are going on in various courts of the country. I do not have full details of the number of convictions. But in five years—since it is related to the last five years—the pace of judicial decision has been slow. I think the cases are still in place, maybe, at some point of appeal or something of that kind. At the moment, I do not have this information. If a fresh notice is given, I will find it out.

DR. P.C. ALEXANDER: Sir, the question that has been put is about the number of cases registered after the Central Government has completed the investigations. I would like to know from the hon. Minister about the delays that take place before the case is registered, that is, during the period of inquiry. Secondly, there are delays that take place, after investigations by the CBI, for sanction of prosecution. Thirdly, there are delays in the Court after prosecution is started. I am concerned about the immense delay which takes place in sanctioning the prosecution at the Government level, after the CBI has conducted the inquiry. I would also like to have information about the percentage of cases pending with the Government, at least roughly, before the sanction of prosecution is given.

SHRI L.K. ADVANI: Sir, the hon. Member is rightly concerned about the delays that take place before matters go for prosecution, and, therefore, in this regard, the Government has stipulated a time-frame by which the cases referred to for sanction of prosecution are disposed of. The Administrative Authorities are required to decide the cases related to sanction of prosecution within a period of three months. They can take one more month if the advice of the Attorney-General or the legal officer is required by the competent authority. The Government has also created Special Courts for speedy disposal of cases related to corruption. Besides, as the House is aware, these are cases being dealt with by the CBI, and we have seen to it that the CBI comes within the superintendence of the Central Vigilance Commission which has been made a Statutory Authority now.

SHRI PRANAB MUKHERJEE: Sir, I would like to know from the hon. Minister whether he has the break-up figures of the 497 pending cases. If they have the break-up, then, how many of them are related to 1999-2000? Secondly, I would also like to have some clarification on one aspect. When he has classified the cases in the third category, he has

stated, 'Such Action'. What is meant by 'Such Action'? One can understand, 'Sent for Trial', 'Sent for R.D.A.' or 'Transferred to local police'. But what is meant by the phrase 'Such Action' used in the Table in part 'c' of the reply?

SHRI L.K. ADVANI: Sir, there are cases where the CBI itself feels that a Departmental Action is called for, and there are cases where they feel that these should be closed. But there are cases where they leave it to the discretion of the Department concerned, and, therefore, it is for the Department to decide whether to take Departmental Action or not to take Departmental Action, and here the phrase used is 'Such Action'.

SHRI PREM CHAND GUPTA: Sir, the reply states that around 1900 such cases were registered during the last five years. Now, it is a fact that no Central Government officer can get a posting in Delhi or in any Central Government Department, without the clearance of the Department of Personnel. My supplementary to the hon. Minister is this. There have been cases of habitual corrupt officers. Now, in such cases, why is it that the permission is granted for posting them in vital positions? I read it in a newspaper; I can mention the name also, but I don't want to do that. The Chairman of a nationalised bank...

श्री सभापति : आप छोड़िए।

SHRI PREM CHAND GUPTA: He was raided by the CBI. He was forced...

MR. CHAIRMAN: It does not come under the scope of this question.

SHRI PREM CHAND GUPTA: There was a 'Caution Notice' against him. Still, the Department of Personnel cleared his case. Now, why does such a thing happen? Why does the Government not stop such officials from holding key positions? That is my supplementary.

SHRI L.K. ADVANI: Sir, we have to go through the legal process. Even in cases of corruption, which we feel are revolting *prima facie*, the process of law, has to be gone through. But it is certainly true that a Departmental Action is more swift, and there are many officials who are found corrupt, who are, on that ground, suspended, or, are sometimes removed from office. All kinds of cases are there. These cases that have been identified here are those which have been considered by the CBI and action taken.

SHRI PREM CHAND GUPTA : How does these officers get key positions after having been found corrupt, after having been raided by the CBI... After having been cautioned, they still get important and key positions. That is my question.

SHRI L.K. ADVANI : If the hon. Member refers any case to me, I will certainly probe it.

\*123. [The questioner (Shri Ekanath Thakur) was absent. For answer *vide* page 35—36 *infra*.]

\*124. [The questioner (Dr. Prabha Thakur) was absent. For answer *vide* page 36—37 *infra*.]

### **Private coal mining**

\*125. SHRI R.K. ANAND:†

SHRI ABANI ROY:

Will the Minister of COAL be pleased to state:

(a) whether Government propose to bring about legislative changes allowing private mining while liberalizing norms for allotment of captive blocks for trading in coal; and

(b) if so, the details thereof?

THE MINISTER OF COAL (SHRI KARIYA MUNDA): (a) and (b) A Statement is laid on the table of the House.

### **Statement**

(a) and (b) The Coal Mines (Nationalization) Bill which was introduced in the Rajya Sabha on 24-4-2000, seeks to amend the Coal Mines (Nationalization) Act, 1973 *inter-alia* for the following purposes:

To allow the Indian Companies to (i) mine coal and lignite without the existing restriction of captive consumption; (ii) engage in exploration of coal and lignite resources in the country.

As regards allotment of captive blocks, Companies engaged in the production of iron and steel, generation of power, manufacture of cement, washing of coal obtained from a mine, or such other end-use as the

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† The question was actually asked on the floor of the House by Shri R. K. Anand.