

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:1494

ANSWERED ON:22.08.2007

RECOMMENDATIONS OF ADMINISTRATIVE REFORMS COMMISSION

Adhalrao Patil Shri Shivaji;Patil Smt. Rupatai Diliprao Nilangekar;Rana Shri Kashi Ram;Rawat Shri Bachi Singh;Renge Patil Shri Tukaram Ganpatrao;Rijju Shri Kiren;Singh Shri Mohan

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Administrative Reforms Commission has recommended sweeping powers to the Centre to deploy armed forces in States and favour a new law to empower CBI to probe crimes like Terrorism and human trafficking as reported in the Times of India, dated June 26, 2007;

(b) if so, the details of the recommendations made by the Commission;

(c) whether the Union Government has sought comments of the State Governments on these recommendations;

(d) if so, the details thereof; and

(e) the response of the States thereto?

Answer

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS.(SHRI SURESH PACHOURI)

(a) & (b): Second Administrative Reforms Commission in its report on Public Order has recommended that:

(I) A law should be enacted to empower the Union Government to deploy its Forces and to even direct such Forces in case of major public order problems which may lead to the breakdown of the constitutional machinery in a state. However, such deployment should take place only after the state concerned fails to act on a `direction` issued by the Union under Article 256 of the Constitution. All such deployments should be only for a temporary period not exceeding three months, which could be extended by another three months after authorization by Parliament.

(II) The law should spell out the hierarchy of the civil administration which would supervise the forces under such circumstances.

(III) There is need to re-examine certain offences which have inter-state or national ramification and include them in a new law. The law should also prescribe the procedure for investigation and trails of such offences. The following offences may be included in this category:

i. Organised Crime

ii. Terrorism

iii. Acts threatening National security

iv. Trafficking in arms and human beings

v. Sedition

vi. Major crimes with inter-state ramifications

vii. Assassination of (including attempts on) major public figures

viii. Serious economic offences.

(IV) A new law should be enacted to govern the working of the CBI. This law should also stipulate its jurisdiction including the power to investigate the new category of crimes.

(V) The empowered committee recommended in the Commission's Report on `Ethics in Governance` would decide on cases to be taken over by the CBI.

(c)(e): These recommendations are being examined. The States would also be consulted whenever required.