

(b) and (c). Shri Kulbhusan Kumar a parcel clerk at New Delhi Railway Station who is the Secretary of Uttari Railway Mazdoor Union, issued some wall posters alleging smuggling of Chinese torches worth lakhs of rupees through the railway parcel office in connivance with the employees of that office. The allegation of smuggling has been enquired into by the Custom authorities and no action is required to be taken by the police authorities.

Replacement of Pensions Act of 1871

4179. SHRI N. V. RATNAM : Will the PRIME MINISTER be pleased to state :

(a) the Act that applies to the pension of Central Government retired employees;

(b) whether Government propose to replace the Pensions Act of 1871;

(c) if not, the reasons therefor;

(d) whether the Liberalised Pension Scheme, in pursuance of the Supreme Court Judgment has been applied to those who had retired prior to 1 April, 1979; and

(e) if not, the reasons therefor and the steps taken to remove the anomalies ?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL AND TRAINING, ADMINISTRATIVE REFORMS AND PUBLIC GRIEVANCES AND PENSION AND IN THE DEPARTMENT OF CULTURE (SHRI K. P. SINGH DEO) :

(a) Pensions' Act, 1871.

(b) No, Sir.

(c) This Act does not in any way adversely affect the interest of the pensioners; rather, it is a protective law. For example, Section 11 of the Act protects pensioners against attachment and Section 12 thereof makes any assignment of future interest in pension void. The changes in the administrative structure, employment position and pay structure of the employees have not rendered the provisions of the Act obsolete or out of date.

The Pensions' Act, 1871, does not regulate matters such as scales of pensions, grant of relief to pensioners and the procedure for sanctioning pension. These matters are regulated by the Central Civil Services (Pension) Rules, 1972, and the various executive instructions issued from time to

time. Any liberalisation of the Pension Rules can be achieved by amending these rules or by issue of executive instructions and not merely by scrapping the Pensions' Act, 1871.

Even though the Pensions' Act is over 100 years old, it has not been felt necessary for scrapping it or replacing it by a fresh law as it is serving its purpose and is not standing in the way of any liberalisation that may need to be made. Incidentally; certain provisions of this Act have been amended in 1982. So as to facilitate payment of life-time arrears of pension which might remain undisbursed at the time of death of a pensioner by means of nomination. Rules to provide for nomination for payment of life-time arrears of pensions of the pensioners to the nominees have also been issued and laid on the Table of both Houses of the Parliament.

(d) Yes, Sir.

(e) Does not arise.

Indira Gandhi-Bandaranayake Agreement, 1974

4180. SHRI R. ANNANAMBI : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the salient features of the 1974 Indira Gandhi-Bandaranayake agreement;

(b) whether it is a fact that pilgrims and fishermen from India are entitled to visit Kachatheevu and there is no necessity for visa for the purpose; and

(c) whether Government are aware that Sri Lankan Government have violated the 1974 agreement ?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI KHURSHEED ALAM KHAN) : (a) The 1974 Indira Gandhi-Bandaranayake agreement concerned the 150,000 persons not covered by the earlier 1964 agreement. According to this agreement 50% of these 150,000 persons were to be granted citizenship by the Sri Lankan Government and the remaining 50% were to be accepted as repatriates and granted citizenship by the Government of India.

(b) Yes, Sir.