

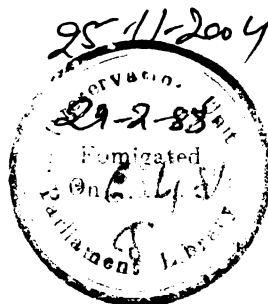
Wednesday, 25th March, 1925

THE
COUNCIL OF STATE DEBATES

Volume V

(20th January to 26th March 1925)

FIFTH SESSION
OF THE
COUNCIL OF STATE, 1925



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COUNCIL OF STATE.

Wednesday, 25th March, 1925.

The Council met in the Council Chamber at Eleven of the Clock, the Honourable the President in the Chair.

QUESTIONS AND ANSWERS.

SUBSTITUTION OF A PROVIDENT FUND IN PLACE OF PENSION FOR GOVERNMENT SERVANTS.

169. **THE HONOURABLE MR. S. VEDAMURTI:** (a) Will the Government be pleased to state what action has been taken regarding the Resolution moved by me in the Delhi Session of last year for the substitution of a Provident Fund in place of pension for Government servants?

(b) Will the Government be pleased to state whether any representations have been received since then from any Service Association or Conference in support of my Resolution?

(c) If the answer to the above is in the affirmative, will the Government be pleased to lay on the table a list of such Associations and Conferences?

THE HONOURABLE MR. A. C. MCWATTERS: (a) The question is under consideration.

(b) No.

(c) Does not arise.

THE HONOURABLE MR. S. VEDAMURTI: Will the Honourable Member be pleased to state whether the opinions of Local Governments have been obtained? If so, will he kindly lay them on the table?

THE HONOURABLE MR. A. C. MCWATTERS: I should like to verify the fact about consultation of Local Governments.

THE HONOURABLE MR. S. VEDAMURTI: Does not the Honourable Member think that one year is too long a period to arrive at such a decision?

THE HONOURABLE MR. A. C. MCWATTERS: The question at issue is an exceedingly difficult one, as the Honourable Member must know. We have, in fact, been in correspondence with the Secretary of State and the matter is being inquired into by the Actuary to the Government of India and the India Office Actuary. It is an exceedingly difficult question and I certainly do not think that a year is too much for considering a question of this kind.

REVISED PENSION RULES.

170. **THE HONOURABLE MR. S. VEDAMURTI:** Will the Government be pleased to state when the revised pension rules are expected to be published and with effect from what date?

THE HONOURABLE MR. A. C. MCWATTERS: The rules are still under the consideration of the Secretary of State, and it is not possible to furnish the information required by the Honourable Member.

THE HONOURABLE MR. S. VEDAMURTI: Is it not over a year since these rules were submitted to the Secretary of State?

THE HONOURABLE MR. A. C. MCWATTERS: I believe that is so.

THE HONOURABLE MR. S. VEDAMURTI: What is the Secretary of State for India doing?

TEMPORARY EMPLOYEES IN THE DELHI PUBLIC WORKS DEPARTMENT.

171. THE HONOURABLE MR. S. VEDAMURTI: (a) Is it a fact that the Government of India have ruled that in cases of temporary employees in the Delhi Public Works Department who have put in three years' service their service counts for pension?

(b) Will the Government of India be pleased to state whether, on the analogy of this ruling in the case of men holding substantive appointments elsewhere who are employed on deputation in the Delhi Public Works Department, the pay of the appointments held by them in the Delhi Public Works Department will count for pension under the existing pension rules, irrespective of the fact whether their service in the Delhi Public Works Department is three years or less?

(c) Will the Government of India be pleased to state whether for the purpose of calculating average leave salary, the temporary rates of pay drawn by men holding substantive appointments elsewhere and on deputation in the Delhi Public Works Department will be taken into consideration in view of the declaration of the Government of India that service of 3 years put in by purely temporary men in the Delhi Public Works Department without any substantive appointment anywhere is eligible for leave and pension?

(d) Will the Government be pleased to state whether the average or half average leave salary of men holding substantive appointments elsewhere and on deputation in the Delhi Public Works Department who went on leave prior to the Notification dated 12th November 1924 in Financial 143-C. S. R., *vide* page 1009 in Gazette of India, Part I, November 15th, 1924 and had to extend the leave after that notification will be calculated on the temporary rates of pay drawn by them in the Delhi Public Works Department?

THE HONOURABLE MR. A. H. LEY: (a) Yes. The members of certain classes of non-gazetted temporary establishment employed in the Public Works Department, Delhi, have been allowed to count their service for pension provided they have held substantively a temporary appointment in that Department for not less than 3 years.

(b) Yes, provided that the increased rate of pay drawn by such men in Delhi is granted on account of increased work and responsibility.

(c) and (d). The temporary rates of pay are taken into account in calculating leave salary but the question as to whether, when a non-gazetted Government servant takes leave and his pay is less than Rs. 300 or the leave taken does not exceed one month, the average pay for the purpose of calculating leave salary should be taken to be his temporary pay, has been referred to the Audit Department for a ruling and the decision is awaited.

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

THE HONOURABLE THE PRESIDENT: I have a Message from His Excellency the Governor General.

(The Council received the Message standing.)

"Whereas the Legislative Assembly has failed to pass in the form recommended by me the Bill to supplement the Bengal Criminal Law Amendment Act, 1925, a copy of which Bill in the form recommended by me is hereto annexed;

Now, therefore, I, Rufus Daniel, Earl of Reading, in exercise of the power conferred by sub-section (1) of section 67B of the Government of India Act, do hereby certify that the passage of the said Bill is essential for the tranquillity of the Presidency of Bengal.

(Sd.) **READING,**

Viceroy and Governor General."

The 24th March, 1925.

Further Message from the Governor General:

"In pursuance of the provisions of sub-section (1) of section 67B of the Government of India Act, I, Rufus Daniel, Earl of Reading, do hereby recommend to the Council of State that it do pass the Bill to supplement the Bengal Criminal Law Amendment Act, 1925, in the form hereto annexed.

(Sd.) **READING,**

Viceroy and Governor General."

The 24th March, 1925.

THE SECRETARY OF THE COUNCIL: Sir, I lay on the table a copy of the Bill to supplement the Bengal Criminal Law Amendment Act, 1925, in the form recommended by the Governor General.

THE HONOURABLE THE PRESIDENT: As decided yesterday, the consideration of the Bill, in respect of which Messages have now been received, will be taken up at 11 o'clock to-morrow morning, to which hour the Council will now adjourn.

The Council then adjourned till Eleven of the Clock on Thursday, the 26th March, 1925.