

I commend the Bill for the consideration of the House.

MR. CHAIRMAN: As there are no speakers, I will put the consideration motion to the House.

The question is:

"That the Bill further to amend the All India Services Act, 1951, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We will now take up clause by clause consideration.

There are no amendments. The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

MR. CHAIRMAN: The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI F. H. MOHSIN: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed".

The motion was adopted.

16.27 hrs.

FORMER SECRETARY OF STATE SERVICE OFFICERS (CONDITIONS OF SERVICE) AMENDMENT BILL

MR. CHAIRMAN: Now, we take up the Former Secretary of State Service Officers (Conditions of Service) (Amendment) Bill. Shri Mohsin.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): I beg to move:

"That the Bill to amend the Former Secretary of State Service Officers (Conditions of Service) Act, 1972, as passed by Rajya Sabha, be taken into consideration."

Section 8 of the Principal Act not only extinguished the right of the Former Secretary of State Service Officers to claim pension in sterling but also imposed a statutory obligation on such officers to refund to the Government the pension drawn by them at a rate in excess of rate of rupees thirteen and one third to the pound sterling. This provision was made mainly to prevent certain retired I. C. S. Officers to claim higher pensions through courts after the devaluation of rupee. However, certain officers were entitled to higher rate of pension under the Civil Service Regulations. Because of the retrospective operation of Section 8 of the principal Act these officers not only lose heavily in their future pensions but are also required to refund excess pension drawn by them in the past for several years. The average age of these 9 officers is about 64 years. They deserve sympathetic consideration. A few retired officers who are foreigners, have been residing abroad prior to the 1st October, 1972. 3 of these officers have been receiving their pension in sterling through the High Commission India in London. The remaining few (according to the information available, their number is also 3) officers could not, however,

[Shri F H Mohsin]

draw their pension in the sterling for one reason or the other but had continued to serve even after Independence. Because of Section 8 of the principal Act none of these two categories of officers can get pension in sterling. To mitigate the unintended hardships faced by these few persons, it is necessary to amend Section 8 of the principal Act. The Bill contains the necessary consequential and incidental provisions.

On the recommendations of the Third Central Pay Commission, the Government has liberalised the provisions regarding the date of retirement and retirement benefits etc for all categories of pensioners. However on account of the provisions of the principal Act it is not possible to extend these benefits to the Former Secretary of State Service Officers. Consequently it is necessary to amend the principal Act to allow these liberalised provisions to the Former Secretary of State Service Officers. The Bill contains the necessary consequential and incidental provisions.

I commend the Bill for the consideration of the House.

SHRI JAGANNATH RAO (Chattrapur) What are the names of the officers who are put to difficulty?

SHRI F H MOHSIN There are 9 officers and one of them is dead.

Their names are—

- 1 Shri I B Mundle
- 2 Shri Ram Chandra
- 3 Shri B K Gokhale
- 4 Shri C D Deshmukh
- 5 Shri C M Trivedi

6 Shri D E Reuben.

7 Shri K C Sen

8 Shri P S Rau

9 Shri P V Karamchandani

Out of these, Shri B K Gokhale died on 10-10-73. The former Secretary of State Service officers (foreigners) who have taken up permanent residence outside India are Shri Keith G Roy, Shri G O Cooray and Shri Y R Parpia.

MR CHAIRMAN The question is

‘That the Bill to amend the Former Secretary of State Service Officers (Conditions of Service) Act,

1972 as passed by Rajya Sabha, be taken into consideration.”

The motion was adopted.

MR CHAIRMAN We will take up clause by clause consideration.

The question is

That clauses 2 and 3 stand part of the Bill’

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI F H MOHSIN I beg to move

‘That the Bill be passed’

MR CHAIRMAN The question is:

That the Bill be passed.”

The motion was adopted.