

that, in order to cope up with the situation, we have made certain provisions in the amending Bill.

Sir, certain other points have also been mentioned by the hon. Members, particularly with reference to the rural indebtedness and rural credit system. Sir, it is known to the hon. House that the Finance Minister, while making his observations during the discussion on the Economic Programme, and even before that, through his radio broadcast, broadly indicated that we are going to establish certain rural banks to meet the credit requirements of the rural population. And I think it would be too premature to indicate at this moment as to what type of system could be evolved and what their functioning would be. Certain people are already working on it, and shortly, we are expected to have the details and it would be possible for the hon. Members to get a fair and comprehensive idea of it. But I entirely agree with the hon. Members that this is an area where we have to concentrate our action and where we have to pay more and more attention.

If the hon. Members take the trouble of going through the provisions of the current year's Budget proposals, I am sure they will themselves come to the conclusion that perhaps in many years this is the first time when an agriculturally oriented budget has been placed before the Parliament.

While making his observations, my friend, Chaudhari sahib, asked us to why we were putting so many taxes on agricultural implements and agricultural inputs. I hope he will agree with me that although we have imposed excise duties and other types of duties on both agricultural inputs and agricultural implements (but the rate of duty as compared to previous years has been reduced to some extent and this is an indication of having an agriculturally oriented economy. It may not be to the entire satisfaction of Mr. Chaudhary but, I hope he will agree with me that some beginning has been made in that direction.

Sir some other points have also been mentioned which are not quite relevant and directly linked up with the subject-matter of discussion. I hope the hon. House will lend its unanimous support in favour of the Bill as they have been doing practically for the whole week. I am grateful to you, Sir, and to the House for giving me an opportunity to get through some of the very important pieces of legislation brought forth as a result of emergency in this Session of Parliament of emergent nature.

Thank you.

MR. DEPUTY CHAIRMAN : You have been monopolising the House for the last few days.

Now I will put the motion.

The question is :

"That the Bill further to amend the Agricultural Refinance Corporation Act, 1963, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN : We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 15 were added to the Bill. Clause 1, the Enacting Formula and the Title were added to the Bill.

MR. DEPUTY CHAIRMAN : Sir, I move :

"That the Bill be passed."

The question was put and the motion was adopted.

THE PROVIDENT FUNDS (AMENDMENT) BILL, 1975

MR. DEPUTY CHAIRMAN : Now, again, Mr. Pranab Mukherjee, the Provident Funds (Amendment) Bill, 1975.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB MUKHERJEE): Sir, I beg to move:

"That the Bill further to amend the Provident Funds Act, 1925, as passed by the Lok Sabha, be taken into consideration."

Sir, rule 10 of the Central Civil Services (Pension) Rules, 1972, provides that if a pensioner, who immediately before his retirement, was a member of Central Service Class I, wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he should obtain the previous sanction of the President to such acceptance, and that no pension shall be payable to a pensioner who accepts a commercial employment without such sanction, in respect of any period for which he is so employed or such longer period as the President may direct. In the interests of purity of administration, it is proposed to impose similar restrictions, with suitable safeguards, in the case also of members of Central Civil Services Class I entitled to the benefits of a Contributory Provident Fund.

The salient features of the Bill are:

(i) A Central Government officer shall not have any right to Government contribution made to his credit in a Contributory Provident Fund if he takes up commercial employment at any time before the expiry of two years from the date of his retirement without the permission of the Central Government.

(ii) A Central Government retired officer shall apply in a prescribed application form for permission to take up commercial employment.

(iii) In granting or refusing permission to a retired Central Government officer for taking up any commercial employment, the Central Government shall

have regard to the following factors, namely:—

(a) the nature of the employment proposed to be taken up and the antecedents of the employer;

(b) whether his duties in the employment which he proposes to take up might be such as to bring him into conflict with Government;

(c) whether the officer while in service had any such dealings with the employer under whom he proposes to seek employment as might afford a reasonable basis for the suspicion that such officer had shown favours to such employer;

(d) any other relevant factors which may be prescribed.

(iv) Central Government shall grant permission subject to such conditions, if any, as may be deemed necessary or refuse permission for reasons to be recorded in writing in the order.

(v) Where the Central Government grants permission applied for, subject to any conditions or refuses permission, the applicant can make representation within thirty days of the receipt of the order against such condition or refusal. The Central Government shall make orders on the representation as it deems fit. If the Central Government does not cancel such order, the person making the representation shall be given an opportunity to show cause against the order proposed to be made on the representation.

(vi) If within a period of sixty days of the date of receipt of an application seeking permission for taking up commercial employment, Government does not communicate any decision thereon to the retired Central officer, it shall be deemed that permission applied for has been granted.

(vii) If a retired Central Government officer takes up any commercial

employment within two years of retirement without Government permission, or in violation of any condition of permission, he will not be entitled to such part of the Government contribution as may be specified in the order or will be required to refund it if he has received payment thereof. In making such an order, Government shall take into consideration the following factors :—

(a) the financial circumstances of the officer concerned;

(b) the nature of and the emoluments from the commercial employment taken up by the officer concerned;

(c) such other relevant factors as may be prescribed; and will give opportunity to the officer of showing cause against it. If the officer does not refund Government contribution within a prescribed period, it shall be recovered as arrears of land revenue.

Sir, I am confident that the Bill will receive unanimous support of the House.

Sir, I move.

The question was proposed.

SHRI BIR CHANDRA DEB BURMAN (Tripura): Deputy Chairman, Sir, this Bill superficially looks to be quite a simple one. Here, rule 10 of the Central Civil Services (Pension) Rules of 1972 is going to be extended to contributory provident fund. So, there is nothing new superficially. But if we go into this Bill somewhat critically we will find the basis or the factors for granting permission laid down in section 6A(4) as is proposed now and which says, "the nature of the employment proposed to be taken up and the antecedents of the employer";

So, we find that there may be cases where the antecedents of a certain

employer of commercial enterprise may be bad. Secondly, the duties in the employment which he proposes to take up might bring him into conflict with the policies of the Government. That is to say, there may be activities in certain commercial enterprises which are in conflict with the policies of the Government and thus they are detrimental to the interest of the nation. Thirdly, there may be a suspicion that the concerned officer might have shown favour to the employer when he was in service. That also means that there are certain persons who may show undue favours to those commercial enterprises. Mr. Deputy Chairman, Sir, in the context of the present emergency and specially when 21-point economic programme is to be translated into action, we have to view the matter from this angle. If there are public enterprises whose antecedents are bad if there are such commercial enterprises whose activities are detrimental to the interest of the nation and if there are some officers whose dealings with those commercial enterprises will show that they have shown undue favours to those commercial enterprises, what steps have we taken to curb those activities? Sir, we know the activities of multi-national corporations, we know the activities of C.I.A. we know how their activities are detrimental to the interest of our nation as a whole.

It has been spoken in the Lok Sabha that retired defence personnel including retired Defence Secretary are in the employment of the commercial enterprises. We have to curb the activities of these enterprises and also the activities of these retired officials who were once in the key position of the Government and now after retirement they are in service of these commercial enterprises. Sir, this provision of the Bill is not retrospective. So, what will happen to those retired officers who are already in the service of these commercial enterprises? Why at all should we allow them to work in these commercial enterprises whose activities are detrimental to the interest of our nation? Why at all should we allow these officers to serve in

[Shri Bir Chandra Deb Burman]

these commercial enterprises ? These first-class officers who got good salaries during their employment, will continue to get good pension and other benefits. So, why should we allow these officers to serve in these public enterprises ?

Sir, it is known that sons and relations of these officials are often employed in these commercial enterprises with a view to getting favour from the top officials. So, what steps are you going to take to curb their activities ? Their activities will go deep into the very root of our nation and bring about a total collapse of our economic programme. So, in the present context of emergency, what special steps are you going to take to curb the activities of these multi-national corporations whose activities are well-known and who are doing much harm to the national economy and integrity ?

4 P.M.

And these commercial enterprises should also include the monopoly houses.

Mr. Deputy Chairman, Sir, in sub-section (5) of Section 6A, it has been laid down : "Where within a period of sixty days of the date of receipt of an application....., the Central Government does not refuse to grant the permission applied for or does not communicate the refusal to the applicant, the Central Government shall be deemed to have granted the permission applied for." Knowing about redtapism, we can say this period of six months is nothing. They can manage to pass six months. The big officers have got their own channels. And just after six months, it is to be presumed that the Central Government has given the necessary permission. So this provision should also be carefully looked into.

Mr Deputy Chairman, Sir, what will happen to those officers who are retired naturally on ground of charges of corruption ? We know from the construction of this Amendment Bill that he may have an

application filed and get this six-month period elapsed. We know all sorts of activities are there under red-tapism. After this period of six-months has elapsed, he will be able to say that he has got the permission. Moreover, my contention or submission is : During this emergency, during this period of national crisis on account of internal disturbances, why at all these Class I officers should be allowed to work in these commercial enterprises ?

Mr. Deputy Chairman, there is one more matter. Of course, this is not within the purview of this Bill. I think there is a large number of arrears of provident fund cases. The employers are required to contribute to the Contributory Provident Fund of the employees, but that has not been done. It is creating unnecessary difficulties for the workers. The Government should gear up a strong machinery to see that these arrears of provident fund contributions are duly contributed by the employers so that the workers may get the benefit.

So, in brief, I want to say that I support the Provident Funds (Amendment) Bill. I want to say that this Bill should be more stringent in dealing with the activities of the multi-national corporations and the Class I officers who are getting good salaries during employment and good pension after retirement, they should not be allowed to work in these multi-national private enterprises, particularly in reference to the present emergency.

SHRI S. W. DHABE (Maharashtra) : Mr. Deputy Chairman, Sir, this Bill has provided a new restriction about forfeiture of the provident fund dues along with pension. My friend has already read just now the rules and restrictions which are sought to be imposed and which are, in fact, superficial in nature.

Sir, the question of putting these restrictions on the provident fund dues and thereby having a deterrent for not seeking any

employment, is really illusory. In fact, we have to consider the main question which the Government is avoiding in spite of the demands from the trade-unions and that is to decide a principle of what we call a national wage policy. I would not go into the details but the main question is, the Government must see why Class I officers want to seek an employment during their old age. I do not agree with the friends on the other side that salaries given to them are very fat and their pensions are very good and in spite of that, they are attracted to do a job. It is not correct, Sir, if we see in this connection, the Pay Commission's report. What is the principle of fair comparison? The principle is that there should be a fair comparison between the pay-scales and emoluments between the Government servants and those who are working in the big establishments, like Reserve Bank, public corporations, big steel corporations and other public corporations.

This is what the Pay Commission have stated, in para 33, Fair Comparison.

"We have been discussing the principle of 'equal pay for equal work' in the limited context of Government employment. The principle however, may also be assumed to have general applicability and it could be argued that equal work, whether in the public or the private sector, should be equally remunerated. We now propose to discuss this wider issue."

After giving the comparative figures of nationalised banks, Reserve Bank, engineering companies, electrical companies and pharmaceuticals, it has come to a conclusion in para 44 :

"It will be noticed that for these categories the prevailing Central Government rates even after including the three instalments of interim relief do not compare favourably with those of the banks or reputable concerns in the private sector."

So this is the main reason why all these indirect ways of restrictions are being brought into. Let the Government do as was done in England right in 1955 when the Priestley Commission was appointed to find out what should be the pay scale in a private sector and what should be the pay scale in the Government service and public sector. Their experience also was like ours that many officers in the Labour Department or the Industries Department used to leave their jobs and go to the private sector because they got higher emoluments and higher salaries. And that is our experience also. When the Second Pay Commission was appointed, there was a demand from the public sector employees that they wanted Government pay scales.

When the Third Pay Commission came, the position was reversed. Though the public sector undertakings were making losses, the pay scales of their employees were rising so much that the Government servants wanted that their pay scales should be comparable with the public sector. This question was dealt with by the Royal Commission on Civil Service appointed by the United Kingdom Government in 1953. The famous Priestley Commission gave its report in 1955. On page 194 of their report, they have said:—

"The primary principle of civil service pay should be fair comparison with the current remuneration of outside staffs employed on broadly comparable work, taking account of differences in other conditions of service."

They have a Standing Committee, after the recommendations of the Priestley Commission, for removing anomalies from time to time and advise the Government as to what should be the pay scales in Government service and what they should be in the private sector. The latest Report of the Pay Board is Advisory Report I on Anomalies arising out of the pay standstill of November 1972 and it is dated September, 1973. At page 15 they have given a recommendation thus :—

"Principles : The primary principle should be fair comparison with the cur-

[Shri S. W. Dhabe]

rent remuneration of outside staffs employed on broadly comparable work, taking..."

They have accepted it *in toto*. It is really surprising that the officer who passes an order sanctioning something to the public sector companies is paid much less than the one for whom he makes the sanction. The position has become so anomalous that the time has come when the Government must consider the question of laying down norms, so that this question does not appear again.

I further say that they should provide for more provident fund contribution. It is the demand of the working-class that the contribution should be ten per cent, but the Government has not raised the rate of provident fund contribution. In fact, when the compulsory deposit scheme came up, we said that if ten per cent provident fund contribution is made, the Government will get a big amount and they can take advantage of it. It would be wrong to say that, if anybody who has reached the age of fifty-five again wants to take up a job, it is a delightful thing for him. At that stage he wants a job because that is necessary to make both ends meet. There are some countries like Germany where the terminal benefits are more attractive than the pay scales. Their pension rate is comparable to the remuneration which the person has drawn last. In our country the pension is so meagre that it is not possible for a family to maintain itself. I find in this Bill that there are restrictions mentioned, which are superficial. In practice I do not find any Government passing an order within sixty days. It is stated that if within sixty days the order has not been passed, it is deemed to have been given. *Ipsa facto* they will get permission.

But the question still remains that this situation has resulted in an unfair advantage to the great detriment of the country and to the community. Many big establishments have got good relations with some

Class I officers. Having established relations, they get into these companies. As it is rightly put in this country, they take advantage of it and others are put to disadvantage. These big companies have got the capacity to pay more. Therefore, their experience is used for all purposes.

Lastly, I do not find it in the Bill. I would be satisfied if the Minister-in-charge makes a statement. When we are considering so many malpractices, so many economic offences, what steps have the Government taken against the employers or industrial houses who employ such Class I officers after retirement? If that is a bad practice, they can cancel the licence. They can make it one of the terms of the industrial licence that if you employ officers after their retirement, you shall not get any benefit, or subsidy or permission from the Government. If they write to the employers putting down such conditions, I think such a situation will not arise at all. But I do not find from the statement of the Minister as to what action they are going to take against the employers who are the abettors of the offence.

In this connection I would say that a national policy on employment is essential. When there is large unemployment in the country, when thousands of people are not getting employment why should retired people be employed again? Why should they be allowed to be employed again at all? This question has been rightly put by my hon. friend. After retirement, judges are allowed to practise in the Supreme Court. If you go to the Supreme Court Bar Association, you throw a stone anywhere and it will hit a retired judge who is practising. Why should the judges of the High Court be allowed to practise at the Supreme Court and at other places? Why should likewise retired officers be again employed? Section 6A of the parent Act has been excluded, for the purpose of taking permission by amending section 8. Sub-section (2) of section 8 says that the provisions of this Act shall apply to a number of things which are mentioned in the

Schedule. There are so many of them—the Imperial Bank of India, the Calcutta University, the Central Board of Irrigation, the Banaras Hindu University, the Central Board of Irrigation, Air India International. There are 102 institutions listed which are excluded for the purpose of employment without the permission of the Central Government. My submission therefore is, if at all we want to make a legislation of this type which does not speak of a national policy on wage, why should the amount of provident fund be stopped? It is wrong to stop what we call the terminal benefit. Even this provision is not in the Employees Provident Fund Act, 1952.

My last submission is that the recommendation of the Third Pay Commission is that wages should be comparable; they should be sufficient for a Government servant to do his job efficiently. One of the references made was, what should be the remuneration payable to the Government servant for doing his job efficiently? And for that purpose, one of the principles they have laid down is, it is no use saying equal pay for equal work in Government employment. The Government is the biggest employer in this country. If they do not give a proper wage to their own employees, how can they say that the discrimination at other places should go? Therefore, on the lines of the Pay Commission's recommendations, we should lay down a national wage policy with comparable pay scales in government service so that improved benefits, provident fund and pension may be there for the employees so that they are not required to work at the old age when they retire.

I am sorry to say that the dearness allowance dues are not paid to the employees. Four or five instalments are still due. Why should not the Government pay the dues over which negotiations are going on? It is necessary to have a proper employment policy of the Government, and Government service should be made an attractive service so that talented people could join

it and we can get efficient and proper services for this country.

Therefore, while welcoming the Bill, I request the Minister to reconsider the clauses which are attached to the Bill.

SHRI KHURSHED ALAM KHAN
(Delhi). Sir, I rise to support the Bill. In fact this Bill should have the whole-hearted support of the entire House. It is a step in the right direction in changing the pattern of our society. In view of the new concepts, aims and objects and aspirations of the people we have to give a new direction to all basic matters relevant to the service conditions of our officers. Hence such patch works or charges in phases will not do. We must be prepared to meet the demands and requirements of the new changes in a new climate which is being created in the country.

It is also a fact that prematurely retired officers or officers retired on the basis of corruption charges should not be allowed under any circumstances to take up appointment or accept any job in any commercial house or company as that would mean spreading corruption all over without any check: it would mean giving a premium to the people who are discharged from government service for corrupt practices and yet they get better service conditions, better pay, better emoluments when they join other services of the private sector.

Sir, of late a very dangerous trend has set in which we find that the vested interest encourage and attract government officers while in service to extend favours in the hope of getting lucrative executive jobs after retirement. It is a very serious matter and we should give it a really serious thought. It is a very subtle method of corruption and, therefore, it will have to be tackled very tactfully. Besides, it is also necessary to put some restrictions on the officers who are in service particularly in key positions to find out as to how their sons and other relations get into the jobs of big business houses known for unfair

[Shri Khurshed Alam Khan.]

practices and unfair means used both for increasing their business and advancing their interest.

This period of two years, in my opinion, is too short a period and, therefore, it must be increased to at least five years so that whatever contacts the officer may have made with some firms or with the executives of some firms are actually forgotten by the time he is able or he is allowed to take up appointment with that firm. It will also help in the sense that the officer after retirement will have very little contacts left behind in the place or in the department from where he retired.

Sir, the 20-point economic programme announced by the Prime Minister is in fact the Magna Carta for awakening and realisation of a new era of prosperity and well being. Therefore, it is very essential that our executive, our officers are committed and they give off their best as unless they give off their best it will not be possible to achieve the desired results.

Sir, it is also a renewed and vigorous battle against poverty, suffering of the weaker sections and for a new social order and, therefore, the government officers and the committed officers have to play their own role to make their own contribution. Unless they make their Contribution the real objectives will not be achieved.

Sir, no doubt we set forth with confident steps 28 years ago at the stroke of midnight hour towards democratic socialism as our destiny. But crises, intrigues, conflicts, intimidation and many other such factors have tried to deprive us of our self-assurance. But they have failed miserably. Therefore, we have to be more alert, more cautious and more careful. Obviously the frustrated enemies of democracy are a danger and this peril of to-day is more repugnant as it is from a conspiracy of our own countrymen. So we must take precautions to safeguard ourselves against this, and our officers have to play their role and

their role is very significant and very important in this regard.

Sir, there is a time in the life of every nation when all its energies and resources must be devoted to the achievement of great and noble aims. Such time has come for us to-day, and the situation warrants a major operation as a minor surgery will not do. Government officers have to play a very significant role at the commencement of this new era which also happens to be the beginning of the end of a dreadful period. We have to produce or perish. Such is the situation and we expect that the officers, wherever they are and in whatever position they are, will be committed to the Government's policies and will ensure that whatever is the Government's objective is achieved. In this period, when new history is being made, we have to take care of their requirements, their service conditions not only adequately but rather generously.

Sir, another big problem which we have to face to-day—and we must admit that the problem is there; it has been there, although we have not admitted it in so many words—is that the Government servants and the public sector undertaking executives are not on par in the matter of pay-scales and other amenities and facilities. This obviously diverts the attention of the Government servant towards the public sector undertakings and there is a drain in the services as the public sector undertakings are attracting more people. The problem does not end there. Apart from this, the public sector executives are faced with a peculiar problem themselves because they have to face competition not in work, not in business but in the matter of pay-scales and other emoluments of the private sector executives. This has a very bad influence as the private sector companies and private sector houses make fantastic offers to the best executives of the public sector. And they get them because they are able to pay whatever the public sector executive asks for. So, some restrictions have to be imposed, something

has to be done, something has to be thought of, so that this problem is met and met adequately.

Sir, most of the companies and the banks are paying a higher rate of interest on fixed deposits. Therefore, it is necessary that on the provident fund of the Government employees, a higher rate of interest is paid, and they should be benefited on this account. Besides, it has also to be ensured that there should be no difficulty regarding the payment of the provident fund amount to the Government servants after their retirement or in case of death during their service period.

At present it is a known fact that lot of difficulties have to be experienced and payment is delayed and lot of difficulties are created in the payment of the provident fund amount to the nominees or to the dependents of the deceased person.

I should like to say that the working and account keeping of the provident fund leaves much room for improvement and streamlining. This must get the attention of the concerned authorities. In the changing circumstances the whole question of provident fund and service conditions must be reviewed and must be studied in depth so that all the anomalies and difficulties which are encountered from time to time and which necessitate these changes in the rules and regulations every now and then are met at time and adequately for a considerable period.

Today we are faced with a very peculiar problem of spiralling cost. It is a fact that Government servants are in difficulty regarding emoluments and other matters. Therefore, some thought has to be given so that we can provide certain basic facilities such as travel facilities and other allied facilities. With these words I support this Bill.

SHRI JAGAN NATH BHARDWAJ
(Himachal Pradesh) : Mr. Deputy Chairman, Sir, I support this Bill because this

is just a procedural matter and is meant to safeguard the public interest against the clever ways that some retiring officers may adopt.

I agree with Mr. Dhabe and Mr. Khurshed Alam Khan when they said that a national wage policy must be formulated so that there is left little difference between the incentives available for Government officers and officers in the public sector undertakings and private undertakings so that officers from one side are not attracted to the other sector. Since this Bill is just a formality, I support this Bill.

Having done this, I feel tempted to say something about the provident fund as it relates to the workers. One thing I have to say about provident fund is that there is a lot of irregularity and delay in the matter of payment of provident fund. It is highly essential that something must be done to stop this sort of irregular practice. When I was discussing this matter with the Labour Minister, he said that he was trying to decentralise these offices and split them into small offices so that this sort of mischief does not occur. Further responsibility should be fixed on the officers and employees in the Provident Fund Commissioner's offices so that it could be known that such and such officer is responsible for the delay and this fact should be recorded in his service book.

Another suggestion I have to make is that the State Regional Provident Fund Committee should be made to work effectively. Now the committees either do not meet for many months or when they meet there is no serious or strenuous effort to remove the difficulties of the workers.

Another point and the last point I will say is that these small schemes like provident fund, Employees' State Insurance, etc. are working in a way which is just time serving method.

Now, the best thing under the circumstances, particularly in view of the

[Shri Jagan Nath Bhardwaj.]

determination of our Prime Minister to do something for the welfare of the people, is that the name of the Labour Ministry, its powers and its way of functioning should be changed. The word "labour" is a borrowed word from countries like the U.K. and other countries also because these are all countries with a small population and there is always a shortage of labour in these countries. They always think in terms of importing labour from other countries and that was why this word "labour" became very popular there. But, in our country, what we have is only the labour welfare problem and social security for weaker sections. There is no shortage problem here. Our problem is the problem of welfare of the labour and not that of importing labour. So, this sort of confusion because of the use of the word "labour" is, I think, very much misleading in the tasks that are entrusted to the Labour Ministry. The Labour Ministry should, as far as I can think, be named as the Ministry of Social Security and Welfare. There should be a planning cell in this Ministry which should continuously and properly think of the ways and means of improving the lot of the worker. Now, for example, there are many schemes like the Old Age Pension Scheme and there are other schemes relating to insurance against unemployment which need to be brought about and implemented properly. Now, there is this Provident Fund Scheme. This scheme should be extended to the rural people also. When we talk of workers, we should think in terms of their welfare and social security for them. Such unique and beneficial schemes should be extended to the rural areas also. Similarly, there is the ESI scheme. All these schemes need to be modified and made universal so that every labourer or poor man in the country gets benefit out of these measures.

Sir, these are all just my ideas and they can be properly elaborated further.

Again, Sir, I would like to state that I support the Bill under discussion now. Thank you, Sir.

SHRI PRANAB MUKHERJEE : Mr. Deputy Chairman, Sir, I am grateful to the honourable Members for their almost unanimous support to the provisions of this Bill.

Sir, the Bill is simple in the sense that what already exists in the case of pensioners we are extending it to those people who have contributed to the PF. Questions relating to allowing or not allowing the people to have employment in the commercial firms or questions as to what should be the broad principle of national wages, etc. are relevant, no doubt, but they are relevant in a larger context. But, so far as the present Bill is concerned, it is very limited in the sense that we are putting additional restrictions on Class I officers who want to have employment in the commercial sector with the approval of the Government of India. The existing provisions is that they can opt for this type of employment. But they will have to apply to the Government for approval and if they do not get the approval of the Government of India, as per the present arrangement, their pensions would be affected and, along with their pension, we are now going to add their contribution to the PF., also which would be affected. On the question whether this permission should be given or not, there are certain clearly laid down provisions and conditions. Such cases usually come to the Ministers in their respective Ministries and there we have the opportunity of looking into each case on its merits and, on the basis of that and within the framework of the existing set of rules, we are to apply our judgement to see whether permission should be given or not. Almost every case is decided on its merits.

Now, Sir, somebody may ask why we are giving an opportunity for employment to people even after retirement. Perhaps here also we cannot take that stand that nobody will be allowed to have employment because, after all, to seek or have an employment is one of the fundamental rights guaranteed in our Cons-

titution. But there are certain restrictions in certain cases.

Now, it has been correctly pointed out whether we can raise the limit from two years to five years. The whole objective to see that if somebody requires at all any employment considering his financial position, either social and family commitments, and if you allow him to have employment after five years, practically the opportunity will be denied to him. That is why, two years is a reasonable time in the sense that even if somebody establishes some contact and if it can be established straightaway, the permission will be refused. Even if it is found that the reputation of the organisation is not good, if it is black-listed or some sort of such thing, there, too, permission may be straightaway refused. Therefore, these safeguards are already there. And even if there be some link, that, too I think with the passage of two years, could be removed in that sense.

Therefore, I hope hon. Members will agree with me that this is just an extension of the existing provision for pensioners and it aims to cover also the contributors to the provident fund.

I hope hon. Members will agree with me and pass it unanimously.

MR. DEPUTY CHAIRMAN : The question is :

"That the Bill further to amend the Provident Funds Act, 1925, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN : We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 and 3 were added to the Bill.

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

SHRI PRANAB MUKHERJEE : Sir, I move :

"That the Bill be passed."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN : The House stands adjourned till 11.00 A.M. on Monday.

The House adjourned at forty-two minutes past four of the clock till eleven of the clock on Monday, the 4th August, 1975.