

Rep. by Act..... 38 1978, S.2 + Sch. I

**THE FORMER SECRETARY OF STATE SERVICE OFFICERS
(CONDITIONS OF SERVICE) AMENDMENT ACT, 1975**

No. 24 OF 1975

[9th May, 1975.]

**An Act to amend the Former Secretary of State Service Officers
(Conditions of Service) Act, 1972.**

Be it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Former Secretary of State Service Officers (Conditions of Service) Amendment Act, 1975.

Short
title.

2. In the Former Secretary of State Service Officers (Conditions of Service) Act, 1972 (hereinafter referred to as the principal Act), in section 8,—

59 of 1972.

Amend-
ment of
section 8.

(a) in sub-section (1), after clause (c), the following provisos and Explanations shall be inserted, and shall be deemed always to have been inserted, namely:—

‘Provided that in relation to every former Secretary of State Service officer who, having been in service on the 1st day of February, 1921, and domiciled in India on that date, is entitled immediately before the appointed day to claim his pension computed in the rupee equivalent of the amount fixed in sterling at a rate of exchange of rupees fifteen to a pound sterling, clause (c) shall have effect as if for the words “thirteen and one-third”, the word “fifteen” were substituted:

Provided further that every former Secretary of State Service officer whose pension was expressed in sterling or in respect of whose pension a fixed sterling minimum was applicable, and who, immediately before the appointed day, is a foreigner having taken up permanent residence outside India, shall, so long as he continues to be a foreigner permanently residing outside India, be allowed to convert the annuity of rupees thirteen thousand three hundred and thirty-three and one-third or the annuity actually payable to him in rupees, whichever is less, into pound sterling at the rate of rupees thirteen and one-third to a pound sterling, and the annuity so converted into pound sterling shall be paid outside India.

Explanation 1.—Nothing contained in the foregoing proviso shall be deemed to entitle any former Secretary of State Service officer to claim conversion of amounts representing the annuity or the commuted value thereof, already drawn in rupees before the commencement of the Former Secretary of State Service Officers (Conditions of Service) Amendment Act, 1975, into pound sterling.

Explanation 2.—In this sub-section, the expression “foreigner” means a person who is not a citizen of India;’

(b) in sub-section (2), after the words “every former Secretary of State Service officer”, the brackets, words and figure “[not being an officer to whom the first proviso or the second proviso to sub-section (1) applies]” shall be inserted and shall be deemed always to have been inserted.

3. After section 10 of the principal Act, the following section shall be inserted, namely:—

“10A. (1) If the Central Government is satisfied that the conditions of service as respects any matter applicable to, or in relation to, any class or category of former Secretary of State Service officers under section 6, 7 or 8 or as respects any benefits by way of compensation for the increase in cost of living or any other reason, have become less favourable than those applicable to or in relation to any corresponding class or category of other officers of the Indian Administrative Service or the Indian Police Service or, as the case may be, any comparable service, it may, notwithstanding anything contained in those sections, by general or special order and subject to such conditions and restrictions (including conditions as to refund adjustment or recovery), as may be specified therein, make such provisions as it may deem fit for securing, so far as may be, parity in such cases.

(2) Any order under sub-section (1) may be made so as to have retrospective effect.

(3) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session

Insertion of new section 10A.
Power of Central Government to make orders in certain cases to ensure parity.

~~REPEALED~~

OF 1975]

*Former Secretary of State Service Officers (Conditions of
Service) Amendment*

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or the successive sessions aforesaid, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.”.
