

thoroughfares and the like? What about statues, statuaries and legends that are in churches and in graveyards where the legends are such that they are much more offensive than the beautiful statues themselves?

**Shri Joachim Alva** The hon Member is always off the point when gods and goddesses are concerned

**Mr. Speaker:** That is an entirely different question

**Shri Datar** That is an entirely different matter

**Mr. Speaker** This House has no jurisdiction over private churches. Hon Members who go to churches will boycott them if they do not want them

**Shri P N Singh.** On a point of information

**Mr. Speaker.** What is a point of information except a question?

**Shri P N. Singh** Will the hon Minister state in how many years this national museum is going to be constructed?

**Shri Datar.** The building is going up, and it might be ready in a few years

**Shri Ansar Harvani:** On a point of clarification The hon Minister had pointed out that only those statues have been removed which are offensive I want to know whether the statue of Lord Willingdon who sent Mahatma Gandhi to jail and butchered many of us is not offensive

**Mr. Speaker:** If the hon Member had been butchered, he would not have been here, and we would not have had the benefit of his presence here

#### Retirement Age

\*1201 **Shri Harish Chandra Mathur:** Will the Minister of Home Affairs be pleased to state,

(a) whether superannuation age fixed for various services in the Central Government differs,

(b) if it is so, what are the different limits and the reasons for such variation,

(c) when was the matter regarding the finalisation of superannuation age last considered, and

(d) whether any fresh instructions have been issued regarding the retirement of officials and their re-employment?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes

(b) The age of superannuation of non-ministerial Government servants has always been 55 while it has been 60 for members of the Class IV Services. The age of superannuation of ministerial employees was 60 up to 1938 when it was revised to 55, persons who had entered service prior to 1st April, 1938 being permitted to continue up to 60 years

(c) In June 1958

(d) Yes A copy of the instructions issued in this regard is laid on the Table of the House [See Appendix IV, annexure No 1]

**Shri Harish Chandra Mathur:** Part (b) of my question has only been partly answered I had asked if it is so, what are the different limits and the reasons for such variations? He has not said what are the reasons for such variation

**Shri Datar** Generally it is 55, except with regard to those who entered before a certain date. In the case of Class IV servants, it was considered that they might continue till 60

**Shri Harish Chandra Mathur:** Is it not a fact that the age limit for superannuation varies from 55—65? My question was what are the reasons for these variations and whether they have been considered recently by some qualified committee or body?

**Shri Datar:** I have pointed out that these are the rules that govern the age of superannuation. There are certain other services where the age of superannuation has been laid down

by the Constitution itself. In those cases, it is not necessary to do anything

**Shri Harish Chandra Mathur** rose—

**Mr. Speaker:** Shri Tangamani The hon Member asks questions which are sometimes not understood. Let him ask clear questions—instead of labouring the point—‘yes’ or ‘no’ I will allow him five questions

**Shri Harish Chandra Mathur.** Thank you I would like to ask further questions on this very question

**Shri Tangamani.** In the statement, we find that the period of extension of Class I officers is given as 3 years. That is, the age of superannuation will go from 55 to 58. I want to know whether it is being strictly followed. If so, what is the gain by way of payment of gratuity and pension to those officials who would have otherwise retired at the age of 55?

**Shri Datar:** Here we are concerned with the age of superannuation

**Mr. Speaker.** It is an ancient story. All members of the services have been given the option to choose either the one or the other. All these considerations are before them. Are we going into that matter here?

**Shri Tangamani.** I know the matter has been referred to the Second Pay Commission also. Now the age of superannuation can be extended from 55 to 58. I would like to know whether this extension of 3 years is given to all Class I officers. If so, what is the gain by way of gratuity and pension, because they would otherwise have retired in 1955 and then gratuity and pension would have to be paid. There is the question of efficiency also.

**Mr. Speaker:** The hon Member may table a separate question for that.

**Shri Tangamani.** If it is strictly enforced, what is the gain?

**Mr. Speaker:** He cannot have all those statistics from the hon Minister off-hand.

**Shri Tangamani:** Has it been enforced?

**Mr. Speaker.** Questions become very much involved and argumentative.

**Shri Tangamani:** I only want to know whether it is done in all cases.

**Shri Datar:** May I make it clear that so far as extension is concerned, extension, or even to a certain extent, re-employment, is not granted as a matter of course? It should first be in the public interest. We have made a more liberal rule so far as the scientific and technical personnel are concerned.

**Shri S. M. Banerjee:** In view of the shortage of technical officers in the country, may I know whether Government propose to raise the limit of superannuation of technical personnel in industry from 55 to 60?

**Shri Datar:** It is not necessary to raise it. But each case is considered on merits.

**Shri Hem Barua:** May I know whether the Pay Commission have been asked to make recommendations as to the age of retirement, service conditions, salaries and allowances of all superannuated officers re-employed?

**Shri Datar:** I am not aware whether all these details have been given there.

**Shri Muhammed Elias:** What are the salaries and other amenities given to those who are re-employed after retirement?

**Shri Datar:** It depends upon the consideration of the need of their work, their qualifications and experience.

**Shri Harish Chandra Mathur:** In view of the fact that in spite of strong protests by the Union Public Service Commission the grant of extension has been taken away from their purview, and because it involves

a lot of demoralisation, may I know what machinery Government have evolved to see that extensions are granted in proper cases?

**Shri Datar:** The hon Member's preamble is entirely wrong. The rule of exception that we have made was with the consent of the UPSC.

**Shri Harish Chandra Mathur:** Is it not a fact that three years back in two consecutive reports, the UPSC had very strongly, in the published reports laid on the Table of the House, protested against this?

**Shri Datar:** These rules under which certain matters were exempted from the purview of the UPSC were placed before the House and there was also a discussion on them here.

**Shri Harish Chandra Mathur:** I am asking what machinery they have evolved for granting extensions. Previously it was in consultation with the UPSC. Now it is recorded in the reports of the UPSC that there is no consultation. I need not go into that. But I only ask what machinery Government have evolved now for granting these extensions.

**Shri Datar:** The question of extension or re-employment is considered at the highest level.

**Shri Harish Chandra Mathur:** I am asking what is the machinery evolved.

**Mr. Speaker:** The machinery is the head of the department.

**Shri Harish Chandra Mathur:** Is it the head of the department?

**Mr. Speaker:** Why does not hon Member feel that the head of the department ought to be ignored and some other machinery should be evolved?

**Shri Harish Chandra Mathur:** I only ask what is the machinery.

**Mr. Speaker:** The hon Minister has again and again said 'no'. If there was a machinery established, he would have said so. The machinery is the officer who appoints him.

**Shri Harish Chandra Mathur:** May I ask another question?

**Mr. Speaker:** Next question.

**Shri Morarka:** My question is No. 1202. But in view of your ruling the other day about the Auditor General's Report and PAC's consideration of the same, I am not sure whether I can ask this question. In case I cannot put this question, may I request you to allow me to ask question No. 1230, which has nothing to do with the Auditor General's Report?

**Mr. Speaker:** Let us wait and see.

**Shri Morarka:** In that case, I will be forfeiting my very valuable right.

**Mr. Speaker:** The hon. Member has anticipated my ruling. Therefore, even if he should put the question, I would rule it out.

**Shri Morarka:** Since the ruling was given only day before yesterday and my questions have been admitted long before that, I thought I must in all fairness bring it to your notice, in view of your ruling which was given subsequently. Otherwise, the question would have come in the proper place.

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** I am prepared to reply to the question.

**Mr. Speaker:** My ruling is not a new one. My ruling must always be taken to interpret the existing law. I am not making law here, I only interpret the rule. The rule is as ancient as this House itself.

**Shri Morarka:** Question No 1230 may be answered.

**Mr. Speaker:** Let me see if there is time.

**Shri Thirumala Rao:** The other day he was given identical treatment. When his first question was ruled out, he was allowed to put the question which was lower in the list.

**Mr. Speaker:** I shall try to give him time towards the end.