

STATEMENT OF OBJECTS AND REASONS

Article 314 of the Constitution guarantees to persons who were appointed by the Secretary of State or Secretary of State in Council to a civil service of the Crown in India and who continued to serve after the commencement of the Constitution under the Government of India or of a State the same conditions of service as respects remuneration, leave and pension and the same rights as respects disciplinary matters or rights as similar thereto as changed circumstances may permit, as such persons were entitled to immediately before such commencement. The concept of a class of officers with immutable conditions of service is incompatible with the changed social order. It is, therefore, considered necessary to amend the Constitution to provide for the deletion of article 314 and for the inclusion of a new article 312A which confers powers on Parliament to vary or revoke by law the conditions of service of the officers aforesaid and contains appropriate consequential and incidental provisions.

2. The Bill seeks to give effect to the above objects.

NEW DELHI;
The 22nd May, 1972.

RAM NIWAS MIRDHA.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE
CONSTITUTION OF INDIA

[Copy of letter No. 14/2/72-AIS(II), dated the 20th May, 1972, from Shri Ram Niwas Mirdha, Minister of State in the Ministry of Home Affairs and in the Department of Personnel, to the Secretary, Lok Sabha.]

The President having been informed of the subject matter of the Bill further to amend the Constitution of India, recommends, under clause (1) of article 117, the introduction of the said Bill in the Lok Sabha.