

AS INTRODUCED IN THE RAJYA SABHA ON
THE 23RD NOVEMBER, 2012

Bill No. XL of 2012

THE BIHAR REORGANISATION (AMENDMENT) BILL, 2012

A

BILL

to amend the Bihar Reorganisation Act, 2000.

WHEREAS paragraph 4 of the Eighth Schedule of the Bihar Reorganisation Act, 2000 provides for apportioning the liabilities of pension in the ratio of number of employees of each successor State is discriminately;

AND WHEREAS in all the State Reorganisation Acts passed by the Parliament ever since 1956, the apportionment of pension liability has been done in the population ratio of each successor State and therefore it is expedient to rectify the discriminatory clause of the Bihar Reorganisation Act, 2000.

BE it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

- | | |
|---|---|
| <p>1. (1) This Act may be called the Bihar Reorganisation (Amendment) Act, 2012.</p> <p>(2) It shall come into force from the date of notification of the Bihar Reorganisation Act, 2000.</p> <p>2. In the Eighth Schedule of the Bihar Reorganisation Act, 2000, in paragraph (4) for the words “in the ratio of number of employees of each successor State”, the words “in the ratio of population of each successor State” shall be substituted.</p> | <p>Short title and commencement.</p> <p>Amendment of Eighth Schedule of Act 30 of 2000.</p> |
|---|---|

STATEMENT OF OBJECTS AND REASONS

The Eighth Schedule of the Bihar Reorganisation Act, 2000 deals with apportionment of pension between two successor States of Bihar and Jharkhand. It provides for apportionment of pension liability in the ratio of number of employees whereas in the case of reorganisation of Madhya Pradesh and Uttar Pradesh happened in the year 2000 along with the State of Bihar, the apportionment of pension liability has been done in the ratio of population. The formula of population ratio has been adopted in the case of all new States created ever since 1956. This clause has put an extra burden of nearly two thousand crore over the last ten years on the State of Jharkhand. The proposed amendment to Eighth Schedule aims to substitute the existing pension liability calculated in the ratio of number of employees with ratio of population which has been done in all other newly created States.

Hence this Bill.

JAI PRAKASH NARAYAN SINGH

FINANCIAL MEMORANDUM

The Bill, if enacted will facilitate a reasonable and logical division of pension liabilities between both the successor States of Bihar and Jharkhand. Hence, the proposed Bill will not bring forth any additional expenditure on the Consolidated Fund of India.

ANNEXURE

EXTRACTS FROM THE BIHAR REORGANISATION ACT, 2000
(30 OF 2000)

* * * * *

THE EIGHTH SCHEDULE

(*See section 53*)

APPORTIONMENT OF LIABILITY IN RESPECT OF PENSIONS AND OTHER RETIREMENT BENEFITS

* * * * *

4. There shall be computed, in respect of the period commencing on the appointed day and ending on the 31st day of March of that financial year and in respect of each subsequent financial year, the total payments made in all the successor States in respect of pensions and other retirement benefits referred to in paragraphs 1 and 2. The total representing the liability of the existing State of Bihar in respect of pensions and other retirement benefits shall be apportioned between the successor States in the ratio of number of employees of each successor State and any successor State paying more than its due share shall be reimbursed the excess amount by the successor State or State paying less.

* * * * *

RAJYA SABHA

A

BILL

to amend the Bihar Reorganisation Act, 2000.

(*Shri Jai Prakash Narayan Singh, M.P.*)