

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:2462
ANSWERED ON:28.03.2012
PROVISION FOR ACTION AFTER RETIREMENT
Singh Shri Ijyaraj ;Sinh Dr. Sanjay

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) whether various Government organizations and Public Sector Undertakings have no provision under which action can be taken against guilty officers after their retirement;
- (b) if so, the details thereof; and
- (c) the remedial measures taken by the Government in this regard and the outcome thereof?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(SHRI V. NARAYANASAMY)

(a) to (c): So far as Central Government officials are concerned, they are governed by relevant disciplinary rules, where the disciplinary proceedings instituted before retirement can be continued after their retirement, and if found guilty of grave misconduct, cut in pension can also be imposed under relevant Pension Rules.

In Public Sector Banks also, similar provisions as in the case of Central Government employees are provided in the Service Regulation and Pension Regulation.

As regards officials of Public Sector Undertakings (PSUs), disciplinary proceedings are initiated as per provision contained in the Conduct Discipline and Appeal Rules (CDA Rules)/ Service Rules of the concerned organization. The Central Vigilance Commission (CVC) had observed that many of the PSUs have no provision of initiating disciplinary proceedings after retirement of their officials and, therefore, vide Circular No. 44/12/07 dated 28.12.2007 advised all CPSUs to amend their CDA Rules to incorporate a provision that disciplinary proceeding can be continued after retirement. The Department of Public Enterprises has also issued guidelines requesting all administrative Ministries/Departments to advise the PSUs under their control to incorporate suitable provisions in their respective CDA Rules to provide for continuation of disciplinary proceedings after retirement and withholding of payment of gratuity, for ordering the recovery from gratuity, whole or part, if any pecuniary loss caused to the Company.