

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:2620
ANSWERED ON:29.03.2012
CONTESTING OF ELECTIONS BY GOVERNMENT OFFICIALS
Muttamwar Shri Vilas Baburao

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether a number of retired senior civil police officers have shown keen interest in politics and entered the election arena immediately after their retirement;
- (b) if so, whether the Election Commission have urged upon the Government to bring in a `cooling off period` clause for Government Officers who contest the elections;
- (c) whether the Government has considered the proposal; and
- (d) the reaction of the Government thereto?

Answer

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

- (a): The Election Commission of India has stated that no specific information is available with them.
- (b): Yes, Madam.
- (c) & (d): Rule-26(1) of the All India Service (Death-Cum-Retirement Benefits) Rules, 1958 provides that a pensioner shall not accept any commercial employment before the expiry of one year from the date of his retirement, except with the previous sanction of the Central Government by submitting an application in Schedule `L`. If a pensioner accepts a commercial employment without such sanction, it shall be competent for the Central Government to declare by an order in writing that he shall not be entitled to the whole or such part of the pension and for such period as may be specified. There are no provisions regarding `cooling-off period` after retirement for joining in a political party or contesting elections. The proposal of the Election Commission to provide for a `cooling-off period` is under active consideration of the Department of Personnel and Training.