

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

UNSTARRED QUESTION NO:621

ANSWERED ON:07.08.2013

CONFISCATING OF PROPERTY OF RETIRED BUREAUCRATS

Siddeswara Shri Gowdar Mallikarjunappa

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

- (a) whether the Government has framed new guidelines for confiscation of property of retired corrupt bureaucrats;
- (b) if so, the salient features of these guidelines; and
- (c) the manner by which it is different from the earlier guidelines and the way it is going to check corruption?

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): At present, attachment/confiscation of property in cases under the Prevention of Corruption Act, 1988 is done as per the provisions of the Criminal Law Amendment Ordinance, 1944. Provisions for forfeiture of property acquired by corrupt means also exist under the Prevention of Money Laundering Act, 2002. Offences under sections 7, 8, 9, 10 and 13 of the Prevention of the Corruption Act, 1988 are predicate offences under the Prevention of Money Laundering Act. These provisions are equally applicable to property acquired by means of offences under the Prevention of Corruption Act, irrespective of whether the public servant concerned is still in service or has retired/demitted office. As the matter relating to confiscation of property acquired through corrupt means is governed by law and not by any executive guidelines, the question of government issuing any new guidelines for confiscation of property of retired corrupt bureaucrats does not arise.

(b) & (c): Do not arise.