

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

UNSTARRED QUESTION NO:2550

ANSWERED ON:05.08.2015

Prosecution of Retired Officers

Shekhawat Shri Gajendra Singh

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

- (a) the number of senior retired officers of Indian Administrative Service, Indian Police Service and Indian Revenue Service prosecuted during the last three years, service-wise and cadre-wise;
- (b) whether pension benefits have been discontinued permanently in any particular case related to such prosecuted officers;
- (c) if so, the details thereof; and
- (d) the rules under which such pension benefits have been discontinued can be discontinued?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(DR. JITENDRA SINGH)

(a): Sanction for prosecution under section 19 (1) of PC Act, 1988 is required only in case of serving public servant and if he ceased to be a public servant, no sanction would be necessary for taking cognizance of the offence against him. Hence the details of the retired officers who have been prosecuted by different courts are not maintained.

(b) to (d): In view of the reply at (a) above, the questions do not rise.

However, as per AIS (Death- cum -Retirement-Benefit) Rules, 1958, Rule 6 (2) and CCS (Pension) Rules, 1972, an officer against whom criminal proceedings are pending is granted only provisional pension and no gratuity is payable to him until the conclusion of such proceedings and issue of final orders thereon.
