

F. No. C-34011/1/2015-V&L (Pt. IV)

Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes

North Block, New Delhi
Dated: 15.03.2017

To,
All Pr. Chief Commissioners of Income Tax

**Sub: Clarification on Provisional Pension where
Departmental/Judicial proceedings are pending - Regarding.**

Sir/Madam,

It has come to the notice of the Board that in many cases where the Vigilance Clearance on superannuation is withheld due to pending Disciplinary Proceedings or any other reason, even the provisional pension is not given on time and the officer has to make representations or resort to legal remedy.

2. I am directed to invite attention to Rule 69 of CCS (Pension Rules), 1972 which states that,

"(1) (a) in respect of a Government servant referred to in sub-rule (4) of Rule 9, the Accounts Officer shall authorize the provisional pension equal to the maximum pension which would have been admissible on the basis of qualifying service up to the date of retirement of the Government Servant, or if he was under suspension on the date of retirement up to the date immediately preceding the date on which he was placed under suspension."

3. Thus, as per Rule cited above, provisional pension cannot be withheld and the accounts officer is authorized to release the same.

4. This issues with the approval of Member (P&V).

Yours faithfully


(V. Vinod Kumar)

Under Secretary to the Govt. of India
Tele: 23095390/Fax: 23092328

Copy to: The DGIT (Vig.), New Delhi

99C
15/3/17