



## Amended Rules Relating to Retirement Benefits of IAS, IPS, IFOS Pensioners

**For Prelims:** [All India Services \(AIS\)](#), Department of Personnel and Training (DoPT), Government Policies & Interventions, Civil services rules, Death Cum Retirement Benefits Amendments Rules 2023.

**For Mains:** [Indian Administrative Service \(Cadre\) Rules 1954](#), All India Services (AIS), Deputation of AIS Officer, Federal Nature of AIS Officers, [Centre State Relations](#), [Role of Civil Services in a Democracy](#)

**Source:** [IE](#)

### Why in News?

The Central government has amended All India Services (Death-cum-Retirement Benefits) **Rules 1958** relating to retirement benefits of IAS, IPS (Indian Police Service) and IFos (Indian Forest Service) pensioners.

- The **Rules 1958** were amended by the **Department of Personnel and Training (DoPT)**, to **Rules 2023**.
- It mainly **focuses on retired intelligence or security related organizations**.

### What are the Changes Made by the 2023 Rule?

- The central government empowers itself to act against IAS, IPS and IFos and withhold or **withdraw their pension even without a reference from the state government** if they are **found guilty of grave misconduct** or are convicted of a serious crime.
- The amended rules reiterate that the **decision of the Central Government** on withholding or withdrawing the pension **“shall be final”**.
  - Rules added **‘grave misconduct’** includes communication or disclosure of any document or information mentioned in the **Official Secrets Act** and a **‘serious crime’** includes any crime involving an offence under the Official Secrets Act.
    - **Earlier rule 3(3) in the All-India Services (Death-cum-Retirement Benefits) Rules, 1958**, which stated that the Central government may withhold or **withdraw pension** or any part of it **“on a reference from the State Government concerned**.
- Members of intelligence or security-related organizations who have served in such capacities shall not write or publish any writings without obtaining prior clearance from the head of their respective organization.

### What will be the Effect of Changed Rules?

- **The Centre may not have to wait for a reference from the state government** to act against a pensioner found guilty of grave misconduct or convicted of a serious crime by a Court.
  - If the state government concerned does not send such references in such cases, the

### **central government may initiate a process of action.**

- Expressing and writing in the media and writing books which disclose sensitive information by the officials of security and intelligence organisations will result in action against officials of security and intelligence organisations concerned.
- The proposed amendment would weaken the State's political control over the bureaucracy.
- It would hobble effective governance and create avoidable legal and administrative disputes. Because amended rules will provide unrestricted power to central govt to act against retired officers.

### **What is All India Services (Death-cum-Retirement Benefits) Rules, 1958?**

- Section 3 of the All-India Services Act, 1951(61 of 1951) empowers the Central Government, after consultation with the Governments of the States concerned, to make such rules.
- They shall apply to all people who retired from the Service on or after the 29th of October 1951.
- They do not apply to those members of the Service who were promoted to the Service from the State Services or were appointed to the Service under the Indian Administrative Service (Extension to States) Scheme or the Indian Police Service
- Nothing contained in these rules shall apply to the people appointed to the service on or after the 1st day of January 2004.

### **UPSC Civil Services Examination, Previous Year's Question (PYQs)**

**Q.** "Institutional quality is a crucial driver of economic performance". In this context suggests reforms in the Civil Service for strengthening democracy. **(2020)**

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