

**OFFICE OF THE ACCOUNTANT GENERAL (A&E)-II,
UTTAR PRADESH, PRAYAGRAJ.**

No.AE-02/03/W.M.-I/Legal/137/2018/1256

dated: 19.12.2024

ORDER

Shri Neeraj Kumar Lakra, Sr.Divisional Accounts Officer, Personal Number-802, while posted at the office of the Executive Engineer, Provincial Division, PWD, Moradabad, was placed under deemed suspension vide order No. WM-I/Legal/Suspension/261 dated 12.12.2013 with effect from 27.11.2013 in terms of sub-rule (2) of Rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 as a result of his detention in judicial custody for a period exceeding forty-eight hours.

The deemed suspension of Shri Lakra was revoked vide Order No.WM-I/Legal/Suspension/52 dated 09.11.2016 in exercise of the powers conferred by Clause (C) of sub-rule (5) of Rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 with effect from 11.11.2016.

Shri Lakra was allowed to draw subsistence allowance and other allowances equal to the leave salary which he would have drawn if he had been on leave on half average pay or on half pay for the first three months of the period of his suspension vide Order No. WM-I/Legal/Suspension/37 dated 07.03.2014 in accordance with and subject to the conditions laid down in F.R. 53. Thereafter, vide Order No.WM-I/Legal/Suspension/20 dated 27.08.2014 and Order No. No.WM-I/Legal/Suspension/39 dated 20.02.2015, the subsistence allowance, initially sanctioned to Shri Lakra, was kept unchanged. Thereafter, vide Order No. WM-I/ Legal/ Suspension/ 35 dated 03.08.2016, the subsistence allowance of Shri Lakra was increased to the extent of 50% with effect from 28.07.2016 till further orders.

A criminal case being CBI case RC 1202012A0024 (Special Case 1/14 CBI Vs. Neeraj Lakra) was instituted against Shri Lakra before the learned Court of Special Judge (PC Act), C.B.I., Court No. 1, Ghaziabad. During the pendency of the aforesaid criminal case Shri Neeraj Kumar Lakra died on 15.03.2024 and as such the learned Court vide its order dated 25.10.2024 has abated the aforesaid criminal case against accused late Neeraj Kumar Lakra.

In the event of death of Shri Lakra during pendency of criminal case against him, the provisions of F.R. 54-B(2) are attracted which are as under:

F.R.54-B(2):- Notwithstanding anything contained in Rule 53, where a Government servant under suspension dies before the disciplinary or the Court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.

As Shri Neeraj Kumar Lakra has died during pendency of criminal case against him, the family of Shri Lakra is entitled for payment of the full pay and allowances for the suspension period and the suspension period of Shri Lakra is to be treated as duty for all purposes as per provisions of F.R.54-B(2).

Accordingly, it is hereby ordered that the family of Shri Neeraj Kumar Lakra be paid full pay and allowances for the suspension period (i.e. 27.11.2013 to 10.11.2016) and the aforesaid period of suspension be treated duty for all purposes.

-Sd-
**Accountant General
(A&E)-II, U.P., Prayagraj**

No.AE-02/03/W.M.-I/Legal/137/2018/ 56390

dated:20.12.2024

Copy forwarded to the following for necessary action:-

1. Smt. Elaine Lakra, 8/312, Shashtrinagar, Izzatnagar, Bareilly-243122.
2. The Executive Engineer, Provincial Division, PWD, Moradabad -PIN 244001.
3. The Executive Engineer , Provincial Division, PWD, Bareilly.
4. The Executive Engineer, Provincial Division, PWD, Shajahanpur.
5. Sr. Accounts Officer/WM-II, O/o A.G.(A&E)-II, U.P., Prayagraj.
- ✓ 6. Sr. Accounts Officer/Computer Cell, O/o A.G. (A&E)-II, U.P., Prayagraj to upload the order on office website.


Dy. Accountant General/DACC