

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Grievance No. PGC/2015/DSW/304(Re-opened)

Date of hearing: 03.4.2019

Complainant : Smt. Murti Devi.

Respondent : The Director,
Deptt.of Social Welfare,
Govt.of NCT of Delhi,
Through Sh.Rajeev Saksena, Dy.Dir(FAS) - Present.

1. Brief facts of the case

1.1 Smt. Murti Devi had filed a complaint in PGC on 07.10.2015 regarding non receiving of her old age pension since 30.9.2014 despite inquiry by the officers of the Social Welfare Department. She had requested for resumption of his old age pension.

1.2 The Commission held first hearing in the case on **16.11.2015** wherein the Welfare Officer of the department had filed a status report stating *that the age of the Smt. Murti Devi, complainant(herein) is less than 60 years i.e. under age for getting old age pension, but the complainant had been getting old age pension since 2008.*

The case was closed on 16.11.2015 with the *direction to fix responsibility of the officials who had wrongly released the pension to the complainant in 2008 and also directed that criminal cases should be lodged with the concerned local police stations against those complainants who have been wrongly drawing pensions and also against the officials who had granted it wrongly.*

1.3 The Commission heard the case again on **1.3.2016** wherein it was held *that directions of the Commission given on 16.11.2015 have been ignored and so far no criminal action has been taken against those persons who were involved in sanctioning of pension to wrong persons.* The Commission gave following directions to the respondent department :-

1. *Identify all cases where the pensions were sanctioned wrongly.*

2. *Fixing responsibility on those officials who had participated and allowed the fraud.*
3. *Identify those private persons/politicians who might have recommended such cases due to which such sanctions were accorded in the past. Department should complete this exercise expeditiously.*
4. *Place such officials under suspension and initiate speedy departmental action for the dismissal of their services in case the fraud is proved.*
5. *Preserve all the concerned record in safe custody to prove the scam.*
6. *The Director (Social Welfare), GNCTD, will ensure that in all such similar cases, action be taken immediately and interim report be sent to PGC and also attend the next date of hearing personally in PGC.*
7. *An FIR be lodged by Anti-Corruption Branch, Delhi to investigate all the cases of fraud by the officials, beneficiaries and the private persons involved in them.*

1.4 The Commission heard the case again on **12.4.2016 and closed** in view of the following action taken by the respondent department :-

1. *FIR has been lodged against Smt. Murti Devi for using forged documents to avail assistance under Old Age Pension Scheme.*
2. *Regarding the fixing of responsibility of the concerned officials of the Department/politicians/private persons, the matter requires detailed investigation and the process for the same has been initiated.*
2. *Department has already identified ineligible cases during the re-verification exercise conducted from June, 2013 – January 2016 and has stopped pension in all such cases. It is pertinent to mention here that the case of Smt. Murti Devi had come to light during such re-verification exercise only.*
4. *Directions have been issued to all District Social Welfare Officers to preserve all concerned records in safe custody.*

1.5 The case was again **re-opened on 28.6.2017** in the Commission with the observations that for one and a half years, the respondent department has not got the FIRs registered implying thereby that the department is all out to protect the corrupt officials and also touts who were involved in the fraud. The Commission took a serious view of the non-compliance of its advice given on 01.3.2016.

The Commission advised Director (Social Welfare), GNCTD to ensure immediate action as advised on 01.3.2016.

1.6 Thereafter the Commission heard the case on **30.8.2017** with directions to Director (Social Welfare), GNCTD to ensure that FIR is registered not against for Smt. Murti Devi case alone, but also for 700-800 cases which were found ineligible and not to delay registration of FIRs any longer and all FIRS should be registered in one month's time.

1.7 In the hearing held on **5.10.2017**, Director(Social Welfare), GNCTD was directed to make a beginning at least by selecting few instances to get the FIRs registered which may be completed within next one month's time.

1.8 In the hearing held on **17.1.2018**, Commission had directed the respondent department to ensure that cases are kept ready so that the FIRs could be filed in Anti Corruption Branch since conspiracy and corruption are also part of the entire plot. Bunching of cases in terms of periods, officials, places etc. may be considered to facilitate lodging of FIRs as a result of which number of FIRs will thus be lesser. Separate FIR in each case is not required.

1.9 In the hearing held on **17.4.2018**, Commission had directed that care must be taken to ensure that in the complaints to be lodged for the FIRs, the role of officials, touts and any other persons like politicians who would have influenced the system and were part of the conspiracy along with the beneficiaries be specifically mentioned.

Director (Social Welfare), GNCT of Delhi, is advised to make sure that Sanctioning Authorities of these pensions who may figure in the FIRs are not given the same posting until investigations are over since they are bound to interfere with the investigations. The concerned District Social Welfare Officers are advised to lodge FIRs with the Anti Corruption Branch and also assist the Anti Corruption Branch Officers during investigations to unearth the truth in all the instances.

Shri Arvind Deep, Spl. C.P, Anti-Corruption Branch, GNCT of Delhi, is advised to ensure that impartial, prompt and effective investigations are conducted on a day-to-day basis in these cases.

1.10 In the hearing held on **19.6.2018**, Commission had directed Director (Social Welfare), GNCTD to independently examine such instances of old age pension in all the districts where old age pension has been granted on the strength of forged documents on priority and the officials who figure in the such cases should be shifted to unearth the truth. The Vigilance should depute teams for the purpose of collecting sample surveys and submit its findings on five more districts on or before the next date of hearing. Director(SW), GNCTD, may consider deploying few additional hands to Vigilance Branch for this purpose.

1.11 In the hearing held on **11.9.2018**, it was informed by the Dy.Director(Vig.), of the respondent that sample survey of 05 districts have been examined to unearth the truth as to whether the old age pension has been granted on the basis of forged documents.

The Commission directed Dy.Director(FAS) of respondent department, to provide complete detail of 301 cases unearthed in North-West District along with the amount disbursed to the each beneficiary; to provide list of all beneficiaries from the year 2015 to 2018 also in respect of all the districts along with amount disbursed to each of them supported by bank documents; to conduct sample survey/re-verification of North-West as well all others districts in a time bound manner to check any discrepancy and furnish a report to the Commission as the number of ineligible beneficiaries seems to be very less compared to total number of beneficiaries getting the pension; to provide list of all those beneficiaries whose

pension has been stopped should be provided to the Commission which should be authenticated/endorsed by the Bank; to conduct in-depth investigation to fix responsibility and recover money and take action against those who were instrumental in preparing fake records for underage/ineligible individuals and make them eligible for pension; to provide a detailed list of ineligible beneficiaries found in the survey, containing their names and ID Nos., against whom penal action as per Section 8 of the Old Age Pension Schemes Rules have been taken; to organize ward-wise camps to verify beneficiaries of pension schemes to ensure that financial assistance reaches only those eligible. The beneficiaries should be asked to bring all requisite documents like Aadhar Card, Bank Passbook, residence and age proof etc. ; and as an alternative, a proposal be moved for voluntarily quitting the pension scheme by the beneficiaries in such cases. Action be taken against those who fail to voluntarily quit the scheme. Those found ineligible in the survey will be liable to pay back the pension already received.

1.12 In the hearing held on **22.1.2019**, the Commission suggested that the department should set in motion process of re-verification of all the beneficiaries every six months to ensure their eligibility. The verification agents/officials should personally meet the beneficiaries at their place of residence. These officials can be given tablets for uploading correct details of the beneficiaries then and there. These officials can utilize iris or fingerprint recognition to cross-check the beneficiaries details with the UIDAI data. Data on beneficiaries house and living standards may also be collected. Assess physical background of applicant to ensure that pension reaches only the most deserving people. Drive should ensure about migration, change in address, problem with bank account or death of actual recipient of the old age pension. The department can explore the possibility of introducing quarterly pension scheme to bring about greater transparency in the system. Scheme of introduction of new forms with the new criteria to be filled up by all pensioners including the existing ones can be started in order to streamline the process and free the beneficiaries from the clutches of Sarpanches and Nambarbards. Action against the officers or officials found to have wrongly included a beneficiary should be initiated to make the system fool proof. Further, the Commission was of the view that beneficiaries should be given direct access to log in to their user account for updating their details, if any, as per guidelines issued from time to time, which will have a correct database as well as help them to know their rights. The Department should make efforts to educate and assist illiterate beneficiaries and who are not computer savvy so that they can access their accounts by themselves. Mass training as well as awareness camps be organized by the department at convenient places from time to time.

Dy.Director(FAS), of the respondent also suggested to have a mechanism where every beneficiary should provide his Life Certificate in November/December every year, as is being done in case of other retired Govt. pensioners, to ensure that relatives of the beneficiary should not continue to receive money in case of beneficiary death and will also check any loss to Government exchequer.

The Commission directed Dy.Director(FAS), DSW, GNCTD, to provide a duly verified and authenticated/attested report with the approval of the competent authority/HOD, giving complete detail of random sample survey conducted in respect of 100 cases in each district of Delhi on the next date of hearing. The details

should include name of district, name of beneficiary, enrolment no., aadhar card no., address, A/C. No. of the beneficiary, amount disbursed etc.; to file a detailed report in respect of about ten beneficiaries in the areas of each district of Delhi, in respect of whom, Old Age Pension has been stopped/freeze due to discrepancies. Information should contain name of district, name of beneficiary, enrolment no., aadhar card no., Bank A/c. No., date of freezing the account/stoppage of pension etc. An authenticated/attested report from the Bank in this regard be furnished to the Commission; Department should also explore the possibility of conducting ward-wise camps making the citizens of Delhi aware of their rights /entitlement under OAP / Disability Pension and other welfare schemes so that the benefit of the scheme reaches the genuine persons; to carry out exercise on regular basis to weed out ineligible beneficiaries by mobilizing their own resources on war footing.

2. Facts emerged during the proceedings

2.1 Shri Rajeev Saksena, Dy. Director(FAS) of the respondent filed an ATR containing verification report in respect of correct cases at their level. Similarly, provided a list obtained from Districts in respect of cases whose pension were stopped due to various reasons. Further actions are being taken by the Department to conduct awareness about the schemes throughout Delhi such as, all the schemes are available at department website which is visible to all citizens; the officials from all districts are regularly sent to the MLA offices to make people aware about financial assistance schemes run by the department; the department has been sending its representatives to the offices of Deputy Chief Minister and Chief Minister of Delhi respectively. Apart from the above, people are being made aware of the schemes of the department through camp office of Hon'ble Minister, Welfare Welfare. Further, in order to weed out more ineligible cases, a circular has been issued to the Districts to scrutinize the ineligible cases and also initiate Police complaint/FIR wherever necessary.

3. Directions

3.1 In view of the due action taken by the respondent department in the present case of Smt. Murti Devi, complainant(herein), the case is disposed of in the Commission with the advise to have effective monitoring and proper verification of the cases under old age pension and all other such social welfare schemes to ensure that the benefits meant for genuinely needy and eligible persons should reach them positively and without any delay.

3.2 Dy. Director(FAS), DSW, GNCTD, to circulate the instructions, as mentioned by him to all the Districts and concerned competent authorities/agencies to scrutinize the ineligible cases and also initiate Police complaint/FIR wherever necessary.

3.3 The Commission records its appreciation for the diligence, positive attitude of Shri Rajeev Saksena, Dy. Director (FAS) and also strenuous efforts taken by him in the matter for prompt action and in complying with the directions of the Commission in disposing of the case.

(MRS. MADHU SHARAN)
MEMBER(PGC)

No. PGC/2015/DSW/304(*Re-opened*)

Dated:

Copy to:

1. The Director, Deptt. of Social Welfare, Govt. of NCT of Delhi, GLNS Complex, Delhi Gate, New Delhi-110001.
2. Sh. Rajeev Saksena, Deputy Director (FAS), FAS Branch, Deptt. of Social Welfare, Govt. of NCT of Delhi, GLNS Complex, Delhi Gate, New Delhi-110001.