

REPORT NO. 120 PARLIAMENT OF INDIA RAJYA SABHA-ACTION TAKEN REPORT

- [December 14, 2022](#)

REPORT NO.

120

PARLIAMENT OF INDIA

RAJYA SABHA

**DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON PERSONNEL,
PUBLIC GRIEVANCES, LAW AND JUSTICE**

**ONE HUNDRED TWENTIETH REPORT ON ACTION TAKEN ON ONE HUNDRED TENTH
REPORT OF THE COMMITTEE ON "PENSIONER'S GRIEVANCES - IMPACT OF PENSION
ADALATS AND CENTRALIZED PENSION GRIEVANCES REDRESS AND MONITORING
SYSTEM (CPENGRAMS)"**

PERTAINING TO

THE DEPARTMENT OF PENSION & PENSIONERS' WELFARE

(MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS)

(Presented to the Rajya Sabha on 8th December, 2022)

(Laid on the Table of the Lok Sabha on 8th December, 2022)

Rajya Sabha Secretariat, New Delhi

December, 2022 / Agrahayana, 1944 (Saka) 2

RE P O R T

This Action Taken Report of the Committee deals with the action taken by the Department of Pensions & Pensioners' Welfare (Ministry of Personnel, Public Grievances and Pensions) on the recommendations / observations of the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice in its One Hundred Tenth (110th) Report on "Pensioners Grievances - Impact of Pension Adalats and Centralized Pensioners Grievance Redress and Monitoring System (CPENGRAMS)", which was presented to the Rajya Sabha and laid on the Table of the Lok Sabha on the 10th December, 2021.

2. The Committee had made 28 recommendations/observations in its 110th Report. Replies of the Department thereto have been categorized and scrutinized under three chapters on the basis of satisfaction of the Committee. These replies have been categorized as follows:

Chapter – I: Recommendations/observations (5) which have been accepted by the Department, i.e. in respect of paras 2.12, 3.12, 3.23, 3.31 and 4.7 of the Report. The Committee is pleased to note that the Department has accepted those recommendations.

Chapter – II: Recommendations/observations (16) which the Committee does not desire to pursue in view of the replies given by the Department, i.e. in respect of paras 3.3, 3.4, 3.10, 3.13, 3.19, 3.20, 3.21, 3.22, 3.28, 3.35, 4.9, 4.14, 4.15, 5.11, 5.12 and 5.16 of the Report. The Committee is satisfied with the explanations advanced by the Department and does not wish to pursue those as of now.

Chapter – III: Recommendations/observations (7) in respect of which Committee has not accepted the replies of the Department, i.e. with regard to paras 2.10, 2.16, 2.212, 2.30, 2.33, 3.37, and 4.13 of the Report. The Committee does not accept the reasons given by the Department and reiterates the same.

3. The Committee desires that the Department should furnish pointed and detailed Action Taken Notes in respect of all the further Recommendations/Observations made by the Committee in this report.

4. The details of the ATR have been discussed in the respective Chapters in the succeeding pages. For reference purpose, para numbers of the original report (i.e. of 110th Report) have been mentioned at the end of each recommendation/observation.

CHAPTER I

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE MINISTRY

EFFECTIVENESS OF CPENGRAMS AND PENSION ADALATS - WAY FORWARD

Recommendation/Observation

1.0 The Committee notes the fact that the Department has identified core grievance prone areas which account for a large number of complaints lodged on CPENGRAMS portal. It appears to the Committee that majority of grievances lodged on CPENGRAMS portal are related to Delay or incorrect sanction of pension/family pension and other retirement benefits, Non-payment of arrears of pension, Revision of pension/family pension/pension payment Order, Issues related to medical facilities and Other service-related issues such as fixation of pay, MACP. The Committee recommends the Department to rope in Quality Council of India and enable the agencies involved in Pension authorization, sanctioning, processing and disbursement to streamline their systems so as to mitigate the volume of grievances and also to ensure citizen satisfaction. (2.12)

Action Taken

1.1 As advised by DRPSC, DoPPW has already roped in independent third parties viz, Quality Council of India as well as Indian Institute of Public Administration (IIPA) at different intervals to enable the agencies involved in Pension authorization, sanctioning, processing and disbursement to streamline their systems so as to mitigate the volume of grievances and also to ensure citizen satisfaction. This effort shall be continued.

Further observation

1.2 The Committee takes note of the reply and appreciates the efforts of the Department in this regard.

GRIEVANCES PERTAINING TO PENSION POLICY, PENSION STRUCTURE AND OTHER RETIREMENT BENEFITS

Recommendation/Observation

1.3 The Committee desires that retirees should not be regarded as recipients of welfare dole but as the claimants of their rightful entitlements. As per the extant instructions laid down under Rule 64 of the CCS (Pension) Rules, 1972, the payment of provisional pension will initially continue for a period not exceeding six months from the date of retirement. The period of provisional pension may be further extended, in exceptional cases, with the concurrence of PAO and after approval by the Head of Department. However, the total period of provisional pension shall, in no case, be more than one year from the date of retirement. The Committee believes that every retiree should have a basic right to get "provisional" pension till their regular Pension Payment Order (PPO) is issued and other procedural formalities are completed. The Committee recommends that the Government may consider payment of "Provisional Pension" until the final pension is sanctioned to the retired Government servant. (3.12) 10

Action Taken

1.4 The recommendation of the Committee has been complied vide DoPPW's OM No. 12(9)/2020-P&PW(C)/E-6450 dated 23rd February, 2022.

Further observation

1.5 The Committee takes note of the reply and appreciates the prompt action taken by the Department in implementing the recommendation of the Committee in this regard.

Recommendation/Observation

1.6 The Committee notes that the Central Government provides health care facilities for both, serving as well as, retired employees. However, the Committee observes that serving employees of central government are covered under the Central Service (Medical Attendance) Rules, 1944 (CS (MA) Rules), which provides facilities for availing medical facilities outside CGHS covered areas. However, these Rules are not applicable to pensioners, and instead pensioners residing outside CGHS covered area are entitled to Fixed Medical Allowance (FMA). The Committee is of the view that non-applicability of CS (MA) Rules to pensioners residing outside CGHS areas has placed them at disadvantaged

position vis-à-vis serving employees. Accordingly, the Committee feels that either the provisions for medical facilities available to serving employees also needs to be extended to pensioners or instead of increasing FMA year after year, DoPPW may moot a proposal for introducing cashless health insurance facilities for such pensioners in nearby Private Health Centers in lieu of FMA on voluntary basis. (3.23)

Action Taken

1.7 Ministry of Health & Family Welfare is the administrative Department concerned with providing health and medical facilities to the serving Government servants as well as pensioner retired from Central Civil service. Therefore, the matter was taken up with that Ministry.

1.8 Ministry of Health & Family Welfare has informed that Central Government pensioners, not residing in a CGHS city have the option to avail the CGHS facility for both IPD (indoor) and OPD (outdoor) treatment by paying the required CGHS contributions. The pensioners availing the CGHS facility for both IPD (indoor) and OPD (outdoor) treatment can have OPD treatment from a CGHS dispensary in a nearby city and indoor medical treatment in any Government hospital and empanelled private hospitals in the cities covered by CGHS. They can also get indoor medical treatment in any private hospital in emergent circumstances.

1.9 Alternatively, Central Government pensioners not residing in a CGHS city can avail CGHS facility for IPD (indoor) treatment by paying the required CGHS contributions and also receive Fixed Medical Allowance in lieu of the OPD (outdoor) treatment.

1.10 Those pensioners who are residing in a non-CGHS area and do not choose to avail CGHS facility by paying the required CGHS contributions are entitled to receive monthly Fixed Medical Allowance. At present, the amount of Fixed Medical Allowance is Rs. 1000/- per month. Department of Pension & Pensioners' Welfare has separately mooted a proposal for increasing the amount of Fixed Medical Allowance in pursuance of the recommendation No.3.21 in the 110th Report of the Parliamentary Standing Committee.

1.11 Thus, the pensioners have the option to avail CGHS facility while residing in a non-CGHS area. Since serving Government servants residing in non-CGHS areas do not have the option to avail CGHS facility, they are covered by CS (MA) Rules.

Further observation

1.12 The Committee takes note of the reply.

Recommendation/Observation

1.13 The Committee is of the view that Pensioners' associations play an instrumental role in promoting Pensioners' Welfare besides providing a platform for the retirees to project their grievances to the concerned agencies/authorities for their overall welfare. The Committee is satisfied with the reply of the Department and hopes that additional funds will be provided to deserving associations based on their previous performance and fund utilization. (3.31)

Action Taken

1.14 DoPPW has decided to provide the additional funds to deserving associations. Accordingly a proposal for increase of Grant-in-Aid to Pensioners' Associations from Rs. 75000/- p.a. to Rs. 5,00,000/- has been submitted to IFD.

Further observation

1.15 The Committee appreciates the efforts of the government in providing additional funds to the deserving associations.

GRIEVANCES PERTAINING TO AUTHORIZATION, SANCTION AND PROCESSING OF PENSION AUTHORIZATION, SANCTION AND PROCESSING OF PENSION

Recommendation/Observation

1.16 The Committee is of the view that end-to-end digitization of the pension process, right from the stage of submission of pension papers by the retiring Government servant to Head of Office to the stage of forwarding of PPO and Special seal of Authority to the Pension Disbursing authority by Central Pension accounting Office will smoothen the pension process further, arrest the minutes of delays besides significantly bringing down the volume of grievances being registered on CPENGRAMS. The Committee recommends the Department to apprise it whether Bhavishya software renders end-to-end digitization of the whole pension process possible in its Action Taken Replies. The Department may also inform the Committee about the status of implementation of Bhavishya Software by non-civil Ministries in its Action Taken Replies. (4.7) 12

Action Taken

1.17 Bhavishya software enables online filling of Pension forms and digitized till generation of e-PPO which may further be stored in DigiLocker of the retiree.

1.18 M/o Defence after introduction of SPARSH Portal, D/o Telecommunication with SAMPANN Portal, Railways with ARPAN software and D/o Posts with SAP module have made considerable headway in digitization of the pension settlement of their employees.

Further observation

1.19 The Committee appreciates the digitalization push by the Government in the matters of pension.

CHAPTER - II

RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DOES NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES GIVEN BY THE MINISTRY

GRIEVANCES PERTAINING TO PENSION POLICY, PENSION STRUCTURE AND OTHER RETIREMENT BENEFITS

Recommendation/Observation

2.0 The Committee is of the view that the benefits provided by social security systems should improve quality of life, support independence and compensate for the loss of income after retirement. As regards CGEGIS, the Committee notes that the monthly deduction as well as the insurance amount have remained unchanged since 1990. In the present context, the insurance cover provided by CGEGIS seems to be too meagre to be commensurate with the elevated cost of living. Therefore, the Committee recommends the Government to implement the recommendations of Seventh Central Pay Commission and increase the Insurance amount to Rs. 50,00,000, Rs.25,00,000 and Rs.15,00,000 for Group 'A', 'B' and C officers/ staff respectively with commensurate enhancement in monthly contribution of Rs.5000, Rs.2500 and Rs.1500 for respective Groups of officers/ staff. (3.3)

Action Taken

2.1 Reference has been made to the Department of Expenditure vide OM dated 21 December 2021.

Further observation

2.2 The Committee takes note of the reply. The DPPW is expected to pursue the matter actively with the Department of Expenditure.

Recommendation/Observation

2.3 The Committee takes note of the fact that India has been undergoing rapid demographic changes over the last three decades. The mortality and morbidity rates have also changed remarkably. The Committee also notes that the 'Table of Benefits' published by the Ministry of Finance is based on the mortality rate of 3.75 per thousand per annum upto 31.12.1987 and 3.60 per thousand per annum thereafter. Therefore, the Committee is of the opinion that there is a need to review the current mortality rate and accordingly revise the apportionment between the Savings and Insurance funds. The Committee agrees with the observation made by the Seventh Central Pay Commission in this regard and recommends that the ratio of Savings Fund to Insurance Fund be modified from the present 70:30 to 75:25 at the earliest. (3.4)

Action Taken

2.4 Reference has been made to Department of Expenditure vide OM dated 21 December 2021. 14

Further observation

2.5 The Committee takes note of the reply. The DPPW is expected to pursue the matter actively with the Department of Expenditure.

Recommendation/Observation

2.6 The Committee is appreciative of the remedial action taken by the Department of Pension and Pensioners' Welfare to resolve GPF related grievances of pensioners vide their OM dated 17th July, 2020 and expects that the same would help in the regular updation of GPF account and in addressing the issue of missing credit. The Committee further observes that in this era of digitization and online banking, Government accounting system operates as an integrated unit. The Committee, accordingly, recommends that the

extant practice of opening multiple GPF accounts by an employee in transferable establishment should be done away with and that only single GPF account should be in operation throughout the duration of his/ her service. Further, if a Government servant is posted in an Establishment where GPF Rules are not applicable, the monthly deposit in the Fund should be made from the salary of the subscriber and transferred by the borrowing organization to his/ her parent department where his/her GPF account is maintained through electronic mode under intimation to the subscriber.(3.10)

Action Taken

2.7 Reference has been taken up with Comptroller General of Accounts (CGA) Vide ID Note dated 03.02.2022.

Further observation

2.8 The Committee takes note of the reply. The DPPW is expected to pursue the matter actively with the CGA.

Recommendation/Observation

2.9 It was brought to the notice of the Committee that on-going pandemic has further caused delay in disbursement of pensionary benefits to employees who got retired during this pandemic as they faced difficulties in submitting their Pension Forms to the Head of Office or furnishing the hard copy of Claim Form along with Service Book to the concerned Pay and Accounts Office in time. The retiree belonging to Central Armed Police Forces (CAPFs) who usually are posted at different locations and whose Heads of Offices sit in offices of cities different from where their Pay and Accounts Office is located, faced more difficulties during this period. The Department should intervene in the matter and come up with a viable solution and apprise the Committee in this regard. (3.13)

Action Taken

2.10 After Inter-departmental consultations, the Department will come-up with a viable solution and apprise the Committee in this regard. 15

Further observation

2.11 The Committee takes note of the reply and expects the Department to pursue the matter actively.

Recommendation/Observation

2.12 The Committee notes that despite favorable decision of apex Court in a number of cases, all the expenditure incurred by a beneficiary of Central Government Health Scheme on his or her treatment in non- empanelled Private Hospitals should be reimbursed to the beneficiary, the Government has not yet issued any general instructions in this regard and the pensioners/beneficiaries have to approach the Court of law for justice by spending a lot of money and time. The Committee believes that rules and procedures are just a means to achieve a larger goal i.e. welfare of pensioners and they should not become an end in themselves. Strict adherence and conformity to norms, rules and procedures might lead to a situation where strictly following these norms, rules and procedures instead of being means, become ends in themselves which create stumbling blocks in achieving mandated objectives/ends. The Committee is of the view there may be exigencies when the old age pensioners may directly approach non- empanelled hospitals for treatment without first approaching a Government hospital. They should not be deprived of their rightful entitlements under any circumstances. The Committee recommends the Department to play a pro-active role and pursue the matter with the Ministry of Health and Family welfare.

2.13 The Committee also recommends the Department to seek details of action taken by the Ministry of Health and Family Welfare on the judgments of the Apex Court in this regard and furnish them to the Committee in its Action Taken Replies. (3.19)

Action Taken

2.14 Inter-departmental consultations with Ministry of Health & Family Welfare will be held in this regard.

2.15 In so far as, the action taken by the Ministry of Health and Family Welfare on the judgements of the Apex Court in this regard is concerned, it has been informed by the Ministry of Health and Family Welfare that the directions of the Hon'ble Supreme Court have been complied with and a high powered committee was constituted vide MoHFW's OM dated 22.05.2018. The judgement of Hon'ble Supreme Court of India in the case WP(C) No. 694 of 2015, Hon'ble Supreme Court of India clarified that the order for reimbursement of balance amount is in respect of that particular case only.

Further observation

2.16 The Committee takes note of the reply. The DPPW is expected to pursue the matter actively with the Ministry of Health & Family Welfare.

Recommendation/Observation

2.17 The Committee is in agreement with the views of Pensioners' Associations that CGHS should not confine its operations to metro cities, state capitals and a few large urban centres only. The Government may explore opening of CGHS centres at district locations or 16

designate already functional Government hospitals in district headquarters as CGHS Centres to provide treatment to CGHS beneficiaries. The Government may also include settlement of medical facility related grievances of pensioners on the portal of CPENGRAMS as requested by pensioners and the DoPPW should work in tandem with Health Ministry in this regard. (3.20)

Action Taken

2.18 Inter-departmental consultations with Ministry of Health & Family Welfare will be held in this regard.

Further observation

2.19 The Committee takes note of the reply and expects the Department to pursue the matter actively.

Recommendation/Observation

2.20 The Committee takes note of the fact that Fixed Medical Allowance is granted to pensioners who reside outside the CGHS areas for meeting expenditure on day-to-day medical expenses (OPD) that do not require hospitalization. The Committee also takes note of the request of Pensioners' Associations for enhancement of Fixed Medical Allowance from Rs.1000 to Rs.3000 per month as most pensioners are suffering from different diseases at old age and are unable to manage with meager pension as CGHS hospital is not available in every town. The Committee recommends DoPPW to take up this issue of enhancement of Fixed Medical Allowance with the Finance Ministry as Rs.1000 is a very meager amount for an old age pensioner and apprise the views of the Finance Ministry to the Committee in its Action Taken Replies. (3.21)

Action Taken

2.21 DoPPW will take-up the issue of enhancement of Fixed Medical Allowance with the Finance Ministry.

Further observation

2.22 The Committee takes note of the reply and expects the Department to pursue the matter actively.

Recommendation/Observation

2.23 The Committee takes note of the difficulties faced by pensioners in surrendering their Fixed Medical Allowance (FMA) and getting FMA Surrender Certificate to avail CGHS indoor & outdoor (OPD) facilities, and, accordingly, recommends DoPPW and CGA that the procedural loopholes coming in this way should be plugged and ensure that all such pensioners should get FMA Surrender Certificates in a hassle free manner through online mode under intimation to the bank concerned and a timeline should be fixed in this regard. (3.22) 17

Action Taken

2.24 Matter will be examined with the Controller General of Accounts (CGA).

Further observation

2.25 The Committee takes note of the reply and expects the Department to pursue the matter actively with the CGA.

Recommendation/Observation

2.26 The Committee is very much cognizant of the social churning taking place in our society over the years. The joint family system is breaking down giving way to nuclear families. The growth of nuclear families due to geographical and social mobility have further led to rise in individualism and individualistic thinking and the generation who want to live away from shackles of joint families and patronage of elderly parents or grandparents. According to one estimate, by 2050, the share of population over the age of 60 is likely to increase significantly in the country. In view of such changes at societal level, we need to have a robust pension system for elderly which can help them survive in

this world without being a burden on anyone. The Committee is of the view that the Government should sympathetically consider the demand of Pensioners' Associations for 5% additional quantum of Pension on attaining the age of 65 years, 10% on 70 years, 15% on 75 years and 20% on 80 years to the Pensioners. The Committee recommends DoPPW to pursue vigorously with Finance Ministry and apprise the Committee of the outcome. (3.28)

Action Taken

2.27 On the basis of the recommendation of the Committee, before the proposal was moved to Department of Expenditure, the CPAO (in respect of civil pensioners), Railway Board (in respect of Railway Pensioners), Department of Posts (in respect of Postal pensioners) and CGDA/PCDA (in respect of Defence civilian pensioners) were requested vide letter dated 20.01.2022 to furnish the information relating to number of pensioners and monthly pension disbursement to these age groups of pensioners (from 65-70, 70-75 and 75-80 years) to work out additional quantum of pension to be involved for these age groups.

2.28 Accordingly, after working out the financial implications in this regard, the proposal was sent to Department of Expenditure (DOE) on 21.03.2022 for seeking their concurrence to the proposal.

2.29 Department of Expenditure vide their ID Note dated 05.04.2022 advised as under:

"DOPPW has not stated as to how the additional financial implications would be met by the Government. Hence, it is advised to first seek the comments of the Budget Division of Department of Economic Affairs and then refer the proposal to DOE".

2.30 Therefore, the matter was referred to Budget Division of Department of Economic Affairs on 07.04.2022 for seeking their comments on the proposal as advised by DOE.

2.31 Department of Economic Affairs vide their OM dated 02.05.2022 observed as under:

(i) The Government's pension liabilities on account of old pension scheme are not only huge (Rs. 2.07 lakh crore in BE 2022-2023), but also increasing year after year.

Further increase in these liabilities on account of present proposal will put significant pressure on the Govt. finances, which may not be desirable, when, Govt. focus is to provide higher resources for productive investment while adhering to the path of fiscal consolidation. Further, with the improvement in health infrastructure and demographic changes, the overall life expectancy is expected to further go up.

(ii) Govt. has taken a policy decision to implement NPS for new entrants in the Govt. Service, which is based on the principle that, the Govt. won't have to bear pension liabilities of the Govt. employees covered under NPS, after their retirement. Therefore, the present proposal needs to be evaluated with careful consideration of the above fact/policy.

(iii) Further, the current proposal, if accepted is also likely to have a cascading effect on the State Finances since similar demand will arise from the retired State Govt. employees.

(iv) Therefore, from fiscal perspective, such proposal may not be desirable.

2.32 The matter was re-examined in the Department and with reference to the justifications given in the 110th Report of the Committee itself and the grounds given in the 6th CPC recommendation for additional pension to pensioners/family pensioners of 80 years and above, the proposal was again sent to Department of Expenditure to consider the proposal for grant of 5% additional quantum of Pension on attaining the age of 65 years, 10% on 70 years, 15% on 75 years and 20% on 80 years to the pensioners/family pensioners vide note dated 19.05.2022.

2.33 However, Department of Expenditure vide their ID Note dated 01.06.2022 has stated that the proposal has been examined in that Department and in line with the views offered by Budget Division of DEA considering the fiscal perspective of the Govt., the proposal is not agreed to. This has the approval of the Finance Secretary & Secretary Expenditure.

Further observation

2.34 The Committee takes note of the reply and do not wish to pursue this matter for now in wake of the reply of the Department.

Recommendation/Observation

2.35 The Committee feels that DoPPW should pursue the matter of implementation of MACP w.e.f 1st January, 2006 with DoPT as it will give relief to pensioners retiring in the

intervening period i.e. from January, 2006 to August, 2008 as all other benefits were given to them from January 2006 as per 6th CPC recommendations. The Committee also recommends DOPPW to consider the case of Pensioners' who retired on 30th June and were denied the increment on the plea that next date of retirement is 1st July. (3.35)

Action Taken

2.36 As advised by DRPSC, the DoPPW pursued the matter with DOPT vide OM dated 19.01.2022 who, in turn, have informed that the issue of effective date of implementation of MACPS has been addressed by Hon'ble Supreme Court of India in its Order dated 28.04.2021 in Civil Appeal No. 1579/2021 [arising out of SLP (C) No. 15572/2019] of Union of India V/s R. K. Sharma & Others wherein the Apex Court has upheld that date of implementation of the MACP Scheme is from 01.09.2008. In its order, the Hon'ble Court has also overturned the earlier decision in Balbir Singh Turn case and held that benefits under the MACPS cannot be claimed from 1.1.2006. Instructions have been issued to Ministries/Departments vide DoP&T OM No. 35034/3/2015-Estt. (D) dated 13.07.2021 to defend all matters and dispose of representations based on Order dated 28.04.2021 of Apex Court.

2.37 It is mentioned that the subject-matter of increment and retirement age/date are administered by DOPT. Therefore, the reference in this regard was made to DOPT who have examined the matter and declined the request with the following grounds:

(i) In terms of the provisions of Rule 40 of CCS (Leave) Rules, 1972, the Government servants who are on Earned Leave/Commuted Leave/Half Pay Leave/Leave Not Due etc. on the due date of their increment, are not granted the benefit of annual increment till they join duty on expiry of such leave. Accordingly, in the present case since the employees have retired from Government service on 30th June and therefore not on duty as on 1st July, the annual increment cannot be released on 1st July to these employees.

(ii) Further, as per the provisions of FR 9 (21), 9 (6), 17 (1), 22, 26 (a), 56 (a) and Rule 14 of Pension Rules, as person is entitled for pay, increment and other allowances only when he is entitled to receive pay out of Consolidated Fund of India and continues to be in Government Service. Accordingly, a person who retires on the last working day would not be entitled for any increment falling due on the next day and also payable on the next day thereafter as he shall cease to be in Government Service. Granting him the increment earlier than the date on which it falls due and becomes payable, shall imply that he has

been granted increment in the same month in which he has retired, i.e. one month earlier. Thus, the official will not complete the necessary qualifying service required for earning an increment, which shall be in contravention of the extant provisions.

(iii) Further, Hon'ble High Court of Andhra Pradesh, Hyderabad in its judgement in the case of C. Subbarao in the year 2005 (WP No. 22042 of 2003) had also observed that "as per Rule 14 of the Pension Rules, a person who retires on the last working day would not be entitled for any increment falling due on the next day and payable next day thereafter, because he would not answer the tests in these Rules."

Further observation

2.38 The Committee takes note of the reply.

GRIEVANCES PERTAINING TO AUTHORIZATION, SANCTION AND PROCESSING OF PENSION

Recommendation/Observation

2.39 The Committee notes that CPAO's web responsive Pensioners' service offers a single point web solution for pensioners to obtain comprehensive information relating to status of pensions and pension payments. However, the Committee observes that this web portal needs more publicity. The Committee is of the view that the success of any initiative depends upon the extent of its reachability to the targeted population groups. The Committee also emphasizes that CPAO should publicise the portal through all possible means including the print and electronic media so that the benefits of the portal reach targeted beneficiaries. (4.9)

Action Taken

2.40 Reference has been made to CPAO vide OM dated 09.03.2021.

Further observation

2.41 The Committee takes note of the reply and expects the Department to pursue the matter actively with the CPAO.

Recommendation/Observation

2.42 The Committee is of the view that Head of Office in a Ministry/Department may consider obtaining the forms/ pension papers from the retiring Government servant one year instead of six months before his or her date of retirement and determining the amount of Government dues (like House Building Advance & other advances, excess payment of pay and allowances, etc.) to be recovered from the gratuity and intimating the same to Pay & Accounts Office. Besides, in cases of authorization of Family Pension on death of a serving Government servant, the concerned Ministry/Department may keep a record of dependents of serving employees in a descending order in terms of their eligibility as it will help fast pace verification and decision in regard to the eligible claimant for family pension. (4.14)

Action Taken

2.43 Earlier, the work of preparation of pension papers was required to be undertaken two years before a Government servant was due to retire on superannuation. This period of two years was considered to be on a higher side. The rules were, therefore, amended on 29.08.2014 and as per the amended rules, the work of verification of service, determination of qualifying service and emoluments and assessment of outstanding dues against the retiring Government servant is required to be undertaken one year before the date of his retirement. The period of one year provided in the existing rules for this purpose is also in line with the recommendation of the Committee.

2.44 With the introduction of Bhavishya, the online pension sanction and tracking system, the period of six months provided in the existing rules for submission of pension papers by the retiring Government servant is considered to be adequate.

2.45 A serving Government servant is required to submit the details of all members of his/her family in Form 4 of the CCS (Pension) Rules, 2021. Similarly, the retiring Government servant is also required to submit the details of all members of his/her family in Form 4 of the CCS (Pension) Rules, 2021. This Form is kept in the pension file of the retired Government servant and the family pension file of the deceased Government servant/pensioner. Thus, the details of all members of the family are already being kept in record and the same are used for determining the eligibility of family members for family pension as and when the need arises.

Further observation

2.46 The Committee takes note of the reply and does not wish to further pursue the matter in light of reply furnished by the Department.

Recommendation/Observation

2.47 The Committee also expresses its concern with regard to discontinuation/ delay in disbursement of Family Pension, especially in the case of pensioners and family pensioners of paramilitary forces based in rural areas due to various reasons. Further, as per the existing instructions, the last place of posting is considered as place of pension disbursement leading to harassment of family pensioners of paramilitary forces who have laid their life in the line of duty. The Committee, accordingly, recommends that for the benefit of pensioners/family pensioners' of paramilitary forces, the Battalion Headquarter should be made place of pension's disbursement, instead of last place of posting. Further, the Committee also feels that Department needs to explore the feasibility of giving a choice to pensioners to choose place of pension disbursement in case of transferable job. (4.15)

Action Taken

2.48 Meeting with Ministry of Home Affairs and all CAPFs will be convened in this regard.

Further observation

2.49 The Committee takes note of the reply and expects the Department to pursue the matter actively with the CAPFs.

GRIEVANCES PERTAINING TO DISBURSEMENT OF PENSION

Recommendation/Observation

2.50 The Committee is highly appreciative of the Department for leveraging advanced technology to the maximum possible extent and for leaving no stone unturned in redressing pensioners' grievances and promoting their welfare. Infact, the Committee wishes that each Ministry and Department of the Government should work with similar conviction in public interest. The Committee recommends the Department to gradually expand the scope of DLC from Home project, Doorstep Banking and submission of DLC through postal agent to all major cities and towns. The Committee recommends the

Department to ensure that Video based Customer Identification Process and Facial recognition technologies are operationalized on a wider scale at the earliest. (5.11)

Action Taken

2.51 DoPPW will comply with the recommendations.

2.52 Video based Customer Identification Process to submit Life Certificate has been implemented by some of the Banks like State Bank of India (SBI), Punjab National Bank (PNB), UCO Bank.

2.53 Further, Face Authentication Technology has been launched by Hon'ble MOS(PP) on 29.11.2021 to submit Life Certificate in which one can submit Life Certificate with Android Mobile without any external device.

Further observation

2.54 The Committee takes note of the reply and does not wish to further pursue the matter in light of reply furnished by the Department.

Recommendation/Observation

2.55 The Committee is of the view that elderly people, especially those aged 70 and above and those with physical infirmities experience inconvenience in withdrawing their pension amount from the Bank. Therefore, the Committee recommends the Department to take up the matter with Reserve Bank of India and Ministry of Finance and assess the feasibility of utilizing the Business Correspondent network to enable senior citizens to withdraw their pension amount from the comfort of their homes. (5.12)

Action Taken

2.56 As advised by DRPSC, DoPPW will take up the matter with RBI and M/o Finance.

Further observation

2.57 The Committee takes note of the reply and expects the Department to pursue the matter actively with the RBI and M/o Finance.

Recommendation/Observation

2.58 The Committee notes that Central Pension Processing Centres (CPPC) had been established as the central repository of data to facilitate data management and processing in a centralised manner. The intention was that the CPCC, one for each bank, would function as a back office to support the functioning of the large number of pension paying branches. The pension paying branches were to continue to be interface with individual pensioners. The Committee notes that pension paying branches, instead of resolving issues raised by the pensioners, either direct the pensioners to approach the CPPC or pass on the responsibility for delays and inaccuracy in payment to the CPPC. The Committee takes cognizance of the difficulties faced by Banks in processing family pension cases but also feels that Bank officials need to be properly sensitised about their role and to appreciate the special needs of senior citizens. The Committee also recommends the Department to discuss the matter with RBI and Ministry of Finance and assess the feasibility of appointing a Pensioner Ombudsman on the lines of Bank Ombudsman for resolving grievances arising out of disbursement of pensions and apprise the Committee regarding the same in its Action Taken Replies. (5.16)

Action Taken

2.59 As advised by DRPSC, DoPPW will take up the matter with RBI and M/o Finance.

Further observation

2.60 The Committee takes note of the reply and expects the Department to pursue the matter actively with the RBI and M/o Finance.

CHAPTER III

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH THE COMMITTEE DOES NOT ACCEPT THE REASONS GIVEN BY THE GOVERNMENT AND REITERATES ITS RECOMMENDATIONS

EFFECTIVENESS OF CPENGRAMS AND PENSION ADALATS - WAY FORWARD

Recommendation/Observation

3.1 The Committee is concerned to note that, on an average 20% of grievances are not being disposed of within the stipulated time limit of 60 days. The Committee recommends

the Department to instruct the Ministries/Departments of Central Government to constitute social audit panels to identify core grievance prone areas and streamline their systems accordingly. The Committee further recommends DoPPW to take up the matter with higher authorities of the concerned Ministries/Departments and impress upon them to resolve the grievances within the prescribed time limit. (2.10)

Action Taken

3.2 As advised by DRPSC, Department of Pension & Pensioners' Welfare (DoPPW) will instruct all Ministries/Departments of Central Government to constitute social audit panels to identify core grievance prone areas and streamline their systems accordingly.

3.3 DoPPW has identified the Ministry/Department where delays have been observed in disposal of grievances and regular Inter-Ministerial Review meetings are being held with them.

3.4 DoPPW has issued an advisory vide OM dated 6.08.2021 to all Ministries/Departments stipulating that every Nodal Officer undertake a weekly review of pending grievances in the portal and that the responsibility lies of the concerned Ministry/Department to follow up the matter with subordinate/attached units for an early resolution/disposal of the pension grievance.

Further observation

3.5 The Committee takes note of the reply of the Department. Of late there has been a trend that Grievances are not accorded priority they deserve by various Ministries/ Departments/ Organizations. Firstly the grievances are not addressed on time and the quality of redressal is also a matter of concern. Thus, there is a need for a system of reward and punishment while dealing with the grievances, especially pensioners grievances. Otherwise the guidelines and instructions issued by the DPPW will remain only on paper and the individuals/organizations will be violating them with impunity. There is also a need to sensitise the officials dealing with grievances by providing them right training in order to make them mindful of the citizen's grievances.

Recommendation/Observation

3.6 The Committee notes that there is a steep increase in the number of re-registered grievances over the years. This, coupled with the feedback given by the aggrieved, drives

home the point that the quality of grievance redressal is not satisfactory. The Department may 24

put an accountability mechanism in place and explore the feasibility of holding the grievance redressal authorities concerned answerable for summarily disposing of grievances without appropriate qualitative action. (2.16)

Action Taken

3.7 An Appeal module to attend such grievances/cases which have been summarily disposed of without appropriate qualitative action has been introduced in CPENGRAMs. In cases where wilful lapses for summarily disposing of grievances without appropriate qualitative action are observed, the concerned departments are free to take disciplinary action.

Further observation

3.8 As suggested above, the Department should devise a mechanism to punish erring officials by imposing monetary cost or recommending disciplinary action against them. It should not be left to the concerned organisation.

Recommendation/Observation

3.9 The Committee acknowledges the consistent efforts being made by the Department to improve the effectiveness of grievance redressal machinery. The Committee in its 100th Report recommended the Department to strengthen the Grievance Redressal mechanism and make it more citizens friendly. The Committee desired that there should be a nodal authority in the department to whom complaints against the orders/decisions of individual Ministries/Departments can be made. The Committee hopes that the appellate mechanism shall be operationalized at the earliest. The Department may apprise the Committee about the status of appellate mechanism in its Action Taken Replies. (2.21)

Action Taken

3.10 There is already an Appellate Authority for each Ministry/Department who may take an appropriate decision on the appeal filed by the dissatisfied Petitioner.

Further observation

3.11 The Committee takes note of the reply. However, the appellate authority should be of appropriate seniority and he/she should also be empowered to recommend action as deem fit against those officials who are habitually responsible for delayed action or summary disposal of grievances without any qualitative action.

Recommendation/Observation

3.12 The Committee is pleased to note that Pension Adalat has emerged as an effective platform for the redressal of pension grievances. The Committee recommends the Department to harness video conferencing technology and hold Virtual All India Pension Adalats on a half-yearly basis so that the grievances which could not be resolved through CPENGRAMS during the six-month period and beyond can be redressed at once. The Committee urges the Department to ensure that pension Adalats cover all Ministries/Departments having long pending grievances on a rotational basis so that no Ministry/ Department is left out. Further, the Committee impresses upon individual 25

Ministries/Departments to ensure that pension adalats should be presided over by officers of appropriate level and reasonable seniority having sufficient knowledge of current as well as past rules and procedures. (2.30)

Action Taken

3.13 DoP&PW is convening a Nation-wide Pension Adalat in third week of March, 2022, by each Ministry/Department/Organization/Field formation through Video Conferencing.

Further observation

3.14 Considering the effectiveness of Pension Adalats in disposing off the grievances of the pensioners, the frequency of conducting it should be increased. The Department should explore the feasibility of holding Pension Adalats regularly and more frequently. Further, as per the experience gained during COVID times, the practice of holding Pension Adalats through video conferencing should be promoted.

Recommendation/Observation

3.15 The Committee believes that denial of timely justice amounts to denial of justice itself. The Committee is of the considered view that the elderly should not be forced to approach Courts to claim their rightful entitlements. The Committee accordingly recommends the Department to explore the feasibility of institutionalizing an alternative dispute resolution mechanism such as pre-litigation conciliation to resolve the grievances of pensioners at pre-litigation stage itself. (2.33)

Action Taken

3.16 DoPPW will consult Department of Legislative Affairs and informed the Parliamentary Standing Committee.

Further observation

3.17 There are about 310 cases relating to pension matters pending in various Courts/Tribunals. It is very disheartening to note that the pensioner, who also happens to be senior citizens, have to take recourse to litigation for claiming their post retirement entitlements. Litigation somewhere is a pointer towards failure of grievance redressal mechanism. Litigation is a long drawn and costly process and considering the old age of the pensioners, the Committee recommends that the DPPW should explore the feasibility of resolving disputes between the pensioners and the Government by way of ADR mechanisms like Mediation etc., which is a cost effective and efficient system of dispute resolution. The Department may consult the Department of Legal Affairs and try to institutionalize pre-litigation Mediation.

GRIEVANCES PERTAINING TO PENSION POLICY, PENSION STRUCTURE AND OTHER RETIREMENT BENEFITS

Recommendation/Observation

3.18 The Committee feels that widows of paramilitary/ civilian govt. servants should not be discriminated against widows of Defence forces Personnel and recommends that the Government should sympathetically consider the plight of such women and explore the

feasibility of amending Central Civil Services Pension rules to enable widows of Paramilitary/Civil Government Servants to get full liberalized pension at par with widows of defence personnel even after their remarriage. (3.37)

Action Taken

3.19 Central Government Civil Employees who sustained injury or contract diseases or die or a disabled or in capacitated on account of causes which are accepted as attributable to or aggravated by Government Service are eligible for special benefits under CCS (EOP) Rules, 1939. Families of Central Government civilian employees paid from civil estimates who sustain injuries or contract diseases and die on account of causes which are accepted as attributable to or aggravated by Government services, are eligible for an extraordinary family pension under the CCS (Extraordinary Pension Rules). The rates of extraordinary family pension and disability pension under the EOP Rules are higher than the normal family pension and invalid pension under the CCS (Pension) Rules.

Further observation

3.20 The Paramilitary Forces have to face hardship in the line of their duty. They have also been kept outside the old pension scheme and thus on death or disability on active duty the family pensioner do not get sufficient amount of pension to sustain their lives. The Committee therefore feels that Government should have a liberal view and consider the case of widows of Paramilitary Personnel to get full liberalized pension at par with the widows of defence personnel.

GRIEVANCES PERTAINING TO AUTHORIZATION, SANCTION AND PROCESSING OF PENSION AUTHORIZATION, SANCTION AND PROCESSING OF PENSION

Recommendation/Observation

3.21 The Committee recommends the Department to instruct the Ministries/Departments of the Central Government to be proactive, reach out to the family pensioners and also assist them in claiming family pension.

3.22 The Committee notes that the procedure of obtaining medical certificate/disability certificate by children of a deceased Government Servant is Kafkaesque and needs to be simplified. (4.13)

Action Taken

3.23 DoPPW will instruct the Ministries/Departments of the Central Government to be proactive, reach out to the family pensioners and also assist them in claiming family pension.

Obtaining medical certificate/disability certificate by children of a deceased Government Servant has been simplified. One can obtain disability certificate from:

(i) an authority competent to issue disability certificate in accordance with the Rights of Persons with Disabilities Act, 2016 (49 of 2016), the Rights of Persons with Disabilities Rules, 2017 and the guidelines and notifications issued by the Central Government or a State Government or a Union territory administration; or

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(ii) a Medical Board comprising of a Medical Superintendent or a Principal or a Director or Head of the Institution or his nominee as Chairman and two other members, out of which at least one shall be a Specialist in the particular area of disability including mental retardation.

Further observation

3.24 Family pensioners have to face many hurdles to get their pension on time. On one hand they have to grapple with the loss of the breadwinner and on other hand they struggle to procure all the documents to get their pension started. Accordingly, the Departments/Organizations should be sensitive and forthcoming in dealing with family pension cases.