

KARNATAKA LOKAYUKTA

No:COMPT/LOK/BGM/3268/2019/ARE-20

M.S. Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru, Dt: 18-10-2021

**REPORT UNDER SECTION 12(1) OF
KARNATAKA LOKAYUKTA ACT, 1984**

Sub: Proceedings for compliance to pay arrears of old age pension to Sri. Shivu Ganapa Hallera from November-2018 till September-2020- Reg.

On the basis of complaint filed by Ganapathi Narayana Bhat, Aruna Building, Lions Nagar, Market Post Sirsi, Sirsi Taluk, Uttara Kannada District (herein after referred to as complainant for short) against 1. Deputy Commissioner, Karwar, Uttara Kannada District and 2. Tahasildar, Taluk Officer, Honnavara Taluk, Uttara Kannada District (herein after referred to as respondent Nos. 1 & 2 for short) an investigation was taken up under Section 9 of Karnataka Lokayukta Act, 1984.

2) **Brief facts of the complaint:**

It is alleged in the complaint that one Sri.Shivu Ganapa Hallera is entitled for old age pension which was being paid earlier, but same has not been paid to him since August-2018.

3) Respondent No.2 has stated in his comments that as per the directions of the Director of the Directorate of Social Security Schemes and Pensions, Bengaluru, the old age pension amount



is credited directly to the Bank accounts of the beneficiaries. As per the report of Revenue Inspector, the said Sri.Shivu Ganapa Hallera was residing at Sirasi and he was not residing in the given address and as such the old age pension amount was not credited to his Bank account.

4) Pursuant to the order dated 06/06/2020 made by me, records are produced by the Respondent No.2 with the report to the effect that on the basis of fresh application, old age pension has been granted to the Sri.Shivu Ganapa Halera vide No.SSY 8523062766 dated 21-9-2020 and already old age pension for three months at the rate of Rs.1,000/- per month has been credited to his Bank account from October-2020.

5) However, a direction was issued to the respondents to take necessary steps to redress the grievance of the complainant with regard to payment of arrears of pension amount to Sri.Shivu Ganapa Hallera from 1-9-2018 **in accordance with law.**

6) Subsequently, a letter dated 30-1-2021 of Respondent No.2 was received stating that since Sri.Shivu Ganapa Hallera was not residing in the address, his name for old age pension was cancelled while linking Aadhar in August-2018 to Khajane-1. According to him, though there is no provision to pay arrears of old age pension, necessary proposal would be submitted to the Directorate of Social Security and Pensions, Revenue Department for making arrears of old age pension to Sri.Shivu Ganapa Hallera.



7) Thereafter, a letter dated 29-1-2021 of the Deputy Commissioner, Karwar was received stating that steps have already been taken for payment of old age pension to Sri.Shivu Ganapa Hallera and presently pension amount has been directly credited to his bank account; he has no authority to pay the arrears of pension amount to said beneficiary. Hence he has written to the Directorate of Social Security and Pensions, Revenue Department to take steps to pay arrears of pension to said Sri.Shivu Ganapa Hallera.

8) Further, a letter dated 9-3-2021 of the Deputy Commissioner, Uttara Kannada, Karwar was received along with a copy of letter dated 23-2-2021 of Directorate of Social Security and Pensions, Revenue Department, Bengaluru. It is useful to extract the letter of the Deputy Commissioner which reads as hereunder:

“ಅದರಂತೆ, ಉಲ್ಲೇಖ(4) ರ ನಿರ್ದೇಶಕರು, ಸಮಾಜಿಕ ಭದ್ರತೆ ಮತ್ತು ಪಿಂಚಣಿಗಳ ನಿರ್ದೇಶನಾಲಯ ಬೆಂಗಳೂರು ರವರ ಪತ್ರದಲ್ಲಿ ಶ್ರೀ ಶಿವು ಗಣಪಾ ಹಳ್ಳೇರ ಇವರ ದಾಖಲೆಯು ಖಜಾನ್-1 ದತ್ತಾಂಶದಲ್ಲಿ ದಿನಾಂಕ: 28-11-2018 ರಲ್ಲಿ ತಹಶೀಲ್ದಾರರ ಪತ್ರ ಸಂಖ್ಯೆ: NSAP/MISC/2018-19 ದಿನಾಂಕ: 24-8-2018 ರ ಮೇರೆಗೆ ಖಜಾನಾಧಿಕಾರಿಗಳು ರದ್ದುಗೊಳಿಸಿರುವ ಕಾರಣ ಪಿಂಚಣಿ ಸಂದಾಯವಾಗಿರುವುದಿಲ್ಲ. ಸ್ಥಾನಿಕ ಪರಿಶೀಲನೆ ಸಮಯದಲ್ಲಿ ಫಲಾನುಭವಿ ಗ್ರಾಮದಲ್ಲಿ ವಾಸವಿಲ್ಲದಿರುವ ಬಗ್ಗೆ ತಹಶೀಲ್ದಾರರು ಉಲ್ಲೇಖಿಸಿರುತ್ತಾರೆ. ಖಜಾನ್-2 ದಾಖಲೆಗಳನ್ನು ವರ್ಗಾಹಿಸುವ ಸಂದರ್ಭದಲ್ಲಿ ಖಜಾನ್-1 ರಲ್ಲಿ ಜಾಲ್ತಿಯಲ್ಲಿದ್ದ ಪ್ರಕರಣಗಳನ್ನು ಮಾತ್ರ ಪರಿಗಣಿಸಲಾಗಿರುತ್ತದೆ. ಮುಂದುವರೆದು, ಫಲಾನುಭವಿಯಿಂದ ಅರ್ಜಿ ಸ್ವೀಕರಿಸಿ ಹೊಸದಾಗಿ ದಿನಾಂಕ: 21-9-2020 ರಲ್ಲಿ ಪಿಂಚಣಿ ಮಂಜೂರು ಮಾಡಿರುತ್ತಾರೆ. ಪ್ರಸ್ತುತ ಆರ್.ಡಿ. 0038523062766 ದಾಖಲೆಯು ಖಜಾನ್-2 ರಲ್ಲಿ ಜಾಲ್ತಿಯಲ್ಲಿದ್ದು, ಮಂಜೂರಾತಿ ದಿನಾಂಕ:21-9-2020 ರನ್ವಯ ಅಕ್ಟೋಬರ್ 2020 ರಿಂದ ಪಿಂಚಣಿ ಪಾವತಿಯಾಗಿರುತ್ತದೆ. ಕಾರಣ ಬಾಕಿ ಪಿಂಚಣಿ ಪಾವತಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ ಎಂದು ತಿಳಿಸಿರುತ್ತಾರೆ.


ಉಲ್ಲೇಖ(5)ರ ಮಾನ್ಯರ ಪತ್ರದಲ್ಲಿ ಶ್ರೀ ಶಿವು ಗಣಪಾ ಹಳ್ಳೇರ, ಸಾಹೇರಂಗಡಿ, ತಾ:ಹೊನ್ನಾವರ ಇವರಿಗೆ ಅಗಸ್ಟ್ 2018 ರಿಂದ ತಡೆಹಿಡಿದಿರುವ ವೃದ್ಧಾಪ್ಯ ವೇತನ ಬಿಡುಗಡೆ ಮಾಡಿ, ಸದರಿಯವರ ಸಮಸ್ಯೆಯನ್ನು ಬಗೆಹರಿಸುವ ಸಂಬಂಧ ಕ್ರಮ

ಕೈಗೊಂಡು, ಕೈಗೊಂಡ ಕ್ರಮದ ಬಗ್ಗೆ ಮುಂದುವರೆದ ವರದಿಯನ್ನು ದಿನಾಂಕ: 18-3-2021 ರೊಳಗಾತಿ ಮಾನ್ಯರ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಲು ತಿಳಿಸಿದ್ದು ಇರುತ್ತದೆ.

ಉಲ್ಲೇಖ(4) ರ ನಿರ್ದೇಶಕರು, ಸಾಮಾಜಿಕ ಭದ್ರತೆ ಮತ್ತು ಪಿಂಚಣಿಗಳ ನಿರ್ದೇಶನಾಲಯ ಬೆಂಗಳೂರು ರವರ ಪತ್ರದಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಶ್ರೀ ಶಿವು ಗಣಪಾ ಹಳ್ಳೇರ ಇವರಿಗೆ ಬಾಕಿ ಪಿಂಚಣಿಯ ಪಾವತಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ಹಾಗೂ ಈ ಕಾರ್ಯಾಲಯದಿಂದ / ತಹಶೀಲ್ದಾರ ಕಾರ್ಯಾಲಯದಿಂದಲೂ ಸಹ ಪಾವತಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ಕಾರಣ ನಿರ್ದೇಶಕರು, ಸಾಮಾಜಿಕ ಭದ್ರತೆ ಮತ್ತು ಪಿಂಚಣಿಗಳ ನಿರ್ದೇಶನಾಲಯ ಬೆಂಗಳೂರು ರವರ ಪತ್ರವನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಅನುಬಂಧಿಸಿದ್ದು, ಶ್ರೀ ಶಿವು ಗಣಪಾ ಹಳ್ಳೇರ ಇವರಿಗೆ ಬಾಕಿ ಪಿಂಚಣಿಯ ಮೊತ್ತವನ್ನು ಪಾವತಿಸಲು ಬಾರದಾಗಿದೆ ಎಂಬ ವಿಷಯವನ್ನು ಮಾನ್ಯರ ಘನ ಅವಗಾಹನೆಗಾಗಿ ಸಲ್ಲಿಸಿದೆ. ಹಾಗೂ ಸದರಿ ಪ್ರಕರಣವನ್ನು ಮುಕ್ತಾಯಗೊಳಿಸಲು ಮಾನ್ಯರಲ್ಲಿ ವಿನಂತಿಸಿದೆ.”

9) The letter extracted above indicates that at present the old age pension is being paid through Khajane-2 and there is no provision for making payment of arrears of old age pension. The letter dated 9-3-2021 of the Deputy Commissioner indicates that Treasury Officer has canceled the name of said Sri.Shivu Ganapa Hallera from Khajane-1 on the basis of the letter dated 24-8-2018 of the Tahsildar, which was sent on the basis of report of Revenue Inspector submitted stating that said Sri.Shivu Ganapa Hallera is not residing in the address.

10) It is relevant to point out that the old age pension is being given by the Government to the beneficiaries with a sole object to support the old aged persons who are unable to earn income by doing work. It is well known that a small amount of Rs.1,000/- per month only is being paid as old age pension to the beneficiaries. Undisputedly the old age pension was previously sanctioned to Sri.Shivu Ganapa Hallera. Treasury officer cancelled the name of said Sri.Shivu Ganapa Hallera on 28.11.2018 from Khajane-1 on the basis of letter dated: 24.8.2018 written by the Tahsildar stating that the said Sri.Shivu Ganapa Hallera is residing in Sirsi. Due to this reason



said Sri.Shivu Ganapa Hallera was not paid with old age pension from November 2018 till September 2020. After getting fresh application from said Sri.Shivu Ganapa Hallera, authorities have again sanctioned old age pension to him as per sanction order dated: 21.9.2020 and then old age pension is being paid to him from October 2020.

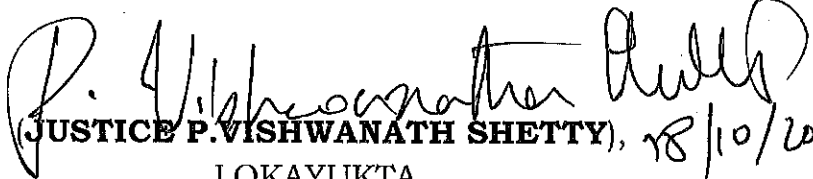
11) Prior to sending letter dated: 24.8.2018 to the Treasury Officer for cancellation of name of said Sri.Shivu Ganapa Hallera, Tahsildar concerned ought to have enquired about the temporary absence, if any, of said Sri.Shivu Ganapa Hallera in the given address. Nothing is placed by the respondents to show that said Sri.Shivu Ganapa Hallera had migrated permanently to Sirsi and as such Tahsildar had to file report dated: 24.8.2018 to Treasury Officer requesting to cancel name of said Sri.Shivu Ganapa Hallera from Khajane-1 of the old age pension scheme. Under these circumstances, it appears that, without verifying properly, a report was filed by the Revenue Inspector to the Tahasildar stating that said Sri.Shivu Ganapa Hallera is residing at Sirsi and believing this report, Tahsildar wrote letter dated: 24.8.2018 to the Treasury Officer who cancelled name of said Sri.Shivu Ganapa Hallera from Khajane-1 of the old age pension scheme. Due to such type of act of the officials, old aged citizen should not suffer injustice and hardship. Therefore, in my considered view, this is a fit case to make a recommendation to the competent authority to make payment of arrears of the pension amount to Sri Shiva Ganapa Hallera.



12) In the light of what is stated above, exercising the powers conferred on me under Section 12(1) of the Karnataka Lokayukta Act, 1984 a recommendation is made to the Competent Authority to pay arrears of old age pension to said Sri.Shivu Ganapa Hallera from November-2018 till September-2020.

13) Further, as per Section 12(2) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate this Authority within **one month** after expiry of three months time fixed for compliance, the action taken or proposed to be taken on this report.

Connected records are enclosed.


(JUSTICE P.VISHWANATH SHETTY), 18/10/2021.
LOKAYUKTA,
STATE OF KARNATAKA.