



HPGCL

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18001 CERTIFIED COMPANY

## HARYANA POWER GENERATION CORPORATION LIMITED

Regd. Office: C-7, Urja Bhawan, Sector-6, Panchkula

Corporate Identity Number: U45207HR1997SGC033517

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### Fax Message

From

The Chief Engineer/Admn.  
HPGCL, Panchkula.

To

1. All Chief Engineers in HPGCL.
2. FA/HQ, HPGCL, Panchkula.
3. All FA&CAO, HPGCL, Plants.
4. Chief Accounts Officer, HPGCL, Panchkula.
5. Dy. Secy./Estt (G), HPGCL, Panchkula.
6. Under Secy./NGE, HPGCL, Panchkula.

Memo No. Ch-59/HPG/Genl-377

Dated: 03.06.2014

**Subject:** Clearance / settlement of long pending pension cases.

**Reference:** This office memo no. Ch. 35/HPG/Genl-377 dated 21.04.2014 on subject cited matter.

I. It has been desired that the retiral benefits should be released to all the employees on or before the date of his retirement. Accordingly, the corporation has decided as under:-

1. The orders of the Hon'ble Courts be implemented on their receipt within the stipulated time frame & cogent reasons for non implementation of court orders be given, whenever the same cannot be implemented in case an appeal is warranted in the matter, it must be filed in time alongwith request for staying the adverse order of the lower court.
2. The cases of the retirees are not being decided by the Concerned CEs as well as CAO office in time. The affected employees are constrained to file CWP, COCP against the Managing Director by name which has been viewed seriously and it has been desired to minimize the court cases and in future wherever COCP is filed in such cases it will invite immediate disciplinary action for major penalty against the officers/officials for non compliance of court orders.
3. All speaking orders should be issued by the concerned office within the time frame fixed by the Hon'ble Court.
4. The Court cases i.e. CWP & COCP be monitored by the concerned cadre controlling authority i.e. FA/CAO, SEs & CEs and a certificate be issued monthly that no court orders/COCP is lying pending.
5. A register of the court cases be maintained in the plant level and a separate register should be maintained by the nodal officer for all the court cases of HPGCL.
6. Monthly report of the CWP/COCP should be sent to the Legal nodal officer of HPGCL for appraisal of the Management.
7. The pension cases should be cleared before the retirement of the retiree, unless there is specific charge-sheet or criminal case pending in the matter.
8. The NDC and other shortcomings should be completed three months prior to the date of retirement.
9. The service book of the retiree should be sent to the concerned CAO/Pay Fixation for its pre-audit one year prior to the date of retirement and CAO should clear the service book of the retiree three months before retirement. In case service book of the retiree is not cleared three months prior to the retirement by concerned CAO office, the CAO shall be charge sheeted under rule-7. If any, shortcoming is noticed by CAO office the same be got cleared from the concerned DDO personally.
10. The amount if any outstanding should be intimated to the officers/officials one year before the retirement.
11. The interest/penalty imposed by the courts will be deducted from the salary of the concerned officers/officials proportionately. any payment of interest on account of delayed release of retiral benefits shall not only invite disciplinary action against the concerned Drawing and Disbursing authority, retiring authority as well as accounts officers/officials but the amount of such interest shall also be recovered from the pocket of these concerned officials without fail.
12. Whenever any amount is to be placed in miscellaneous advances of any officers/officials, due to non submission of account or shortage of material etc, due



notice/intimation should be given to the concerned officer/official. Disciplinary action/proceedings like issuance of show cause notice / charge sheet should be initiated immediately. Similarly, in case of embezzlement FIR should be got registered against the officers/officials as per prescribed procedure to enable the Corporation to defend the cases in the courts in a forceful manner.

13. Chief Accounts Officer/concerned authorities shall also organize Pension Adalats to clear all the pending pension cases in the next two months on a war-footing. The staff of the concerned Chief Engineer and concerned FA/CAO shall also remain present in the Pension Adalats alongwith the staff of the Chief Accounts Officer on the fixed dates. These officials shall complete all the formalities and remove short coming up there and then.
14. Review of pending pension cases alongwith their specific seniority/period of delay should be put up in every Board of Directors meeting. Therefore, a standard agenda item may be accordingly prepared for perusal of the BOD. It should contain details about each case and should explain delay and other procedural formalities and should also fix responsibility of the officials responsible for the delay.

II. It has been further observed that the pensionary benefits are not released in time generally on account of non completion of LPC, NDC, completion of service book, verification of service book, pay fixation/pre-audit, MAS accounts etc. Though these formalities are required to be completed by the concerned DDO/HOD/FA & CAO prior to the retirement of any employee but non availability/non completion of these leads to delay in disbursement of pensionary benefits, thereby causing mental agony and harassment to the retiree. It has been settled in number of judgments that pension is not a bounty but is earned by an employee for the services rendered, therefore retiral benefits are required to be disbursed at the time of retirement or immediately thereafter which is unfortunately not being done. Thus in order to ensure timely disbursement of pensionary benefits it has been decided as under:-

1. In the event of transfer of an employee his service book along with LPC should be sent to his next place of posting within 15 days from the date he is relieved from his previous place of posting.
2. The CAO office shall visit and hold mobile camps/pension adalats in every plant in such a way that all plants are covered in six months, for scrutiny/pre audit of the service book so that it does not stand in the way of retiree of pensionary benefits or to release the pensionary benefits by promptly removing the impediment standing in way of release of retiral benefits.
3. It has been noticed that amount outstanding against the employees is placed under miscellaneous head without any prior notice the employee concerned. In the event of placement of any amount in the miscellaneous head of the employee, 15 days notice to clear the same should be given. In case of failure of the employee to clear the amount, appropriate departmental proceedings be initiated against him by way of issuing show cause notice or charge sheet. However, in case the employee is on the verge of retirement then charge sheet under regulation 7 is required to be issued in terms of provision contained in Rule 2.2 (b) of Pb. CSR Vo;-II.
4. All the DDOs shall prepare lists of all such employees who are due to retire within next two years every six months i.e. on 1<sup>st</sup> January and 1<sup>st</sup> July of each year. The cases of the employees who are due to retire be processed two years prior to the date of retirement.
5. It shall be the duty of the concerned DDO to get the pension papers completed from all the employee and he will co-ordinate with all the offices to ensure completion of all formalities. The service books of the employees who are due to retire be sent to concerned FA/CAO, HPGCL for pre-audit at least six months prior to the date of retirement after due verification of service. The CAO shall scrutinize/pre-audit/clear service book of the employee within three months in all respects from the date of its receipt.
6. In case any recovery comes to the notice after pre-audit of the service book the concerned DDOs should prepare the charge-sheet to recover the outstanding amount at least two months prior to the date of retirement so that the dues are recovered out of gratuity before releasing the payment by giving notice for one month from the date of event and in case no reply is received within the stipulated period, the official be issued a charge-sheet to clear the outstanding amount. In case no action is taken initiated against the employee regarding outstanding amount by the concerned DDO, he shall be held responsible for the outstanding amount and disciplinary action shall be taken against him.

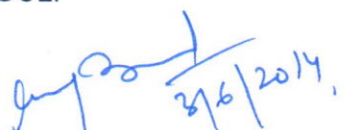


7. The pension sanctioning authority shall forward the pension case along with service book complete in all respects with a covering letter in form PEN-16 to CAO/Pension for releasing the pensionary benefits and the CAO/Pension shall clear the case within fifteen days from the date of receipt and return to concerned DDOs.
8. In case of retirement of an employee on superannuation all the pensionary benefits like PPO, GPO, leave encashment and GPF shall be released on the date of retirement. However, in case an employee seeks voluntary retirement or due to the death of the employee pensionary benefits should be released within four months from the date of voluntary retirement or date of death of the employee. It shall be incumbent upon the respective DDO to make sure that all pensionary benefits are released within the prescribed time line, failing which he will be held responsible for any delay and disciplinary action shall be initiated against him'.
9. In case an employee is facing any departmental or criminal action at the time of retirement, his gratuity can be withheld in view of judgment dated 09.0.2012 passed in LPA no. 113 of 2012 (O&M) while all other retiral benefits be released subject to outcome of departmental/ criminal proceedings.
10. The orders of the Hon'ble Courts where Corporation is directed to consider and decide the legal notices and release of pensionary benefits as per instructions issued by the Corporation from time to time, should be disposed off within the stipulated time frame. In case of any delay the concerned officers/officials shall be held responsible for consequences arising therein. The concerned officers/officials shall ensure that replies to the court cases are got vetted from LR office before being sent to the Hon'ble Court and the LR office shall ensure that replies are vetted within fifteen days.
11. The process for issuance of NDC should be started at least one year prior to the date of retirement and endeavour should be made to receive all NDCs prior to the date of retirement. Non receipt of NDC from any office within 15 days from the date of communications shall not stand in the way of release of retiral benefits as the same would be disbursed at the risk and cost of concerned office.
12. The retirement order be issued by 7<sup>th</sup> of the month of retirement.
13. The order of leave encashment should be issued fifteen days prior to the date of retirement. It should be ensured that this payment is made on the date of retirement.

The status of retirees viz-a-viz disbursement of benefits shall be reviewed in each Apex meeting.

The above guidelines should be implemented meticulously by all concerned in letter and spirit, failing which disciplinary action under rule-7 of P&A-1990, shall be initiated against the responsible officers/officials.

This issues with the approval of the Managing Director, HPGCL.

  
Chief Engineer/Admn.,  
HPGCL, Panchkula.

CC

- (i) Sr. PS to Managing Director, HPGCL Panchkula.
- (ii) Sr. PS to COO (FM) HPGCL, Panchkula
- (iii) Sr. PS to Director/Technical, HPGCL, Panchkula.
- (iv) Sr. PS to Director/Generation, HPGCL, Panchkula.
- (v) Sr. PS to Director/Finance, HPGCL, Panchkula.
- (vi) PS to Chief Engineer/Admn., HPGCL, Panchkula.