

CHAPTER XII : MINISTRY OF TRIBAL AFFAIRS

12.1 Reimbursement of fraudulent Leave Travel Concession claims

Employees of the Ministry of Tribal Affairs submitted fabricated Leave Travel Concession claims leading to irregular reimbursement aggregating ₹ 7.40 lakh.

Ministry of Personnel, Public Grievances and Pensions vide its Office Memorandum (O.M.) dated 19 September 2016, extended the following schemes for a period of two years, subject to specified terms and conditions:

- a) LTC for visiting North East Region (NER), Jammu and Kashmir and Andaman and Nicobar Islands (ANI) *in lieu* of a Home Town LTC.
- b) Facility of air travel to non entitled government servants for visiting NER, J&K and ANI whether they avail anywhere in India LTC or in lieu of Home Town LTC.
- c) Permission to undertake journey to J&K by private airlines.

Among the terms and conditions was the requirement that travel on LTC to NER and ANI was to be done by Air India, while for travel on LTC to J&K, service of any airline could be availed. Government servants entitled to travel by air can avail air travel from HQrs to LTC destination, whereas non entitled Government servants could travel by air only in specified sectors. This scheme was subsequently extended upto 25 September 2020 vide O.M. of September 2018.

It was provided in the aforesaid O.M. that air tickets are to be purchased directly from the airlines (booking counters, website of airlines) or by utilising the services of authorised travel agents¹. In addition, the O.M. stipulated that the employees be advised that any misuse of LTC would be viewed seriously and invite appropriate action under the rules. Ministries/Departments were also advised to randomly get some of the air tickets verified from the airline concerned with regard to the actual cost of air travel *vis-à-vis* the cost indicated on the air ticket submitted by the officials.

As per Rule 16 of the Central Civil Services (Leave Travel Concession) Rules, 1988 disciplinary proceedings may be initiated against a government servant for preferring a fraudulent claim of LTC. Where the proceedings result in imposition of any of the penalties specified in Rule 11 of the Central Civil

¹ M/s Balmer Lawrie & Company, M/s Ashok Travels & Tours and Indian Railways Catering and Tourism Corporation (IRCTC)

Services (Classification, Control and Appeal) Rules, 1965, the Government servant shall not be allowed the next two sets of the LTC in addition to the sets already withheld during the pendency of the disciplinary proceedings.

Scrutiny of LTC records of the employees of Ministry of Tribal Affairs (MoTA) for 2017-18 and 2018-19 disclosed manipulation of LTC claims by six of its employees² who performed Air journeys to ANI and NER by Air India. Audit compared the claims submitted by the employees with details made available by the airlines and found that the bills furnished with claims were fabricated. The fares claimed by the employees were higher than the amount actually paid to the airlines. Further, the air tickets in these cases were booked through private agents in violation of extant rules/instructions. This resulted in irregular reimbursement of claims aggregating ₹ 7.40 lakh.

MoTA stated (May 2019) that the difference of amount claimed by the officials and the amount actually paid to Air India has been recovered along with penal interest thereon. The concerned officials have been warned to refrain from repetition of such action in future and any such instance coming to notice again shall be dealt with strictly and would not be condoned.

The reply of MoTA is not acceptable as instead of the entire amount wrongly paid amounting to ₹ 7.40 lakh, only the difference of amount claimed by the officials and the amount actually paid to Air India, had been recovered from the concerned employees. Further, in place of initiating disciplinary proceedings against the errant employees for submission of fraudulent claims, only administrative warnings had been issued. This in effect ruled out the possibility of the employees being denied the next two sets of LTCs in terms of Rule 16 of LTC Rules. This case also highlights lack of internal control in the Ministry as tickets purchased through private agents were accepted and claims passed on that basis.

² Two Section Officers, one Personal Secretary, one Assistant Section Officer, one Senior Accountant and one Computer Operator