

Eligibility conditions and evidentiary requirements in case of Hyderabad Liberation Movement Claims

In June 1985 with the approval of the Cabinet, the Government had decided to treat sufferings in border camps related to HLM at par with the underground sufferings as defined in the Swatantrata Sainik Samman Pension Scheme (SSSP), 1980. Under the SSSP Swatantrata Sainik Samman Pension Scheme, a person who claims underground suffering for a period of six months, is eligible for pension provided he was declared a proclaimed offender, or one on whom an award for arrest on his head was announced; or one whose detention order was issued but not served.

2. The claims were recommended by Shroff Committee and later by Shri Rajeshwar Rao Committee. In view of the complaints received against the cases recommended by the Rajeshwar Rao Committee, it was decided in 1998 to get the genuineness of all the 13,500 cases verified from the State Government. The State Government was requested to ensure that the applicants had produced following documents:

- (i) A camp-in-charge certificate or where the camp-in-charge was no longer alive, two co-freedom fighter certificates with a Personal Knowledge Certificate, from a person with 2 years imprisonment and from the same district (this was subsequently relaxed to six months).
- (ii) Birth registration certificate or school certificate or voters list of 1995 or earlier to show that they were not below 15 years at the time of Hyderabad Liberation Movement.

3. Later on, it was decided in July, 2004 that only those persons who were in the camps up to September, 1948 (the Police Action) would be eligible and this decision was also conveyed to the State Government and this fact was also to be kept in view by the State Government during the verification of the claims.

4. Of late, it has been observed that these aforesaid conditions are not being strictly followed during the verification of the claims by the field agencies and the claims are being recommended by the state Government even in cases where one or all of these conditions are not met. In some

cases, on re-verification, the State Government has recommended cancellation of pension.

5. In view of these facts, the matter has been reviewed in the Ministry and it has been decided that in addition to guidelines already issued, following points may also be kept in view by the State Government during the re-verification process and subsequently recommending the cases to the Government of India:-

- (i) The eligibility of the applicant should be judged strictly with reference to the claims made in the original application and if suffering in the border camp has not been claimed, the claim should be rejected & not recommended.
- (ii) Only those personal knowledge certificate/co-freedom fighters certificate, which indicate the specific details of the authority, cases which necessitated the underground/border camp suffering as also the period of underground/border camp suffering should be accepted. PKCs/CFCs, which do not indicate the period of suffering or the details of the cases and authority should not be relied upon.
- (iii) Camp-in-Charge Certificated is a pre-requisite in all cases. The Camp-in Charge Certificate should also be specific about the period of suffering. In cases, where Camp-in-Charge, is not alive, or has been disqualified for some reasons including those whose pension has been suspended, co-prisoners certificate from two persons who have undergone suffering of six months and are in receipt of Central Samman Pension would be acceptable. They should also belong to the same district as that of applicant.

6. It is also clarified that since pension in HLM cases is being sanctioned in relaxation of rules & by giving benefit of doubt, it will be given with prospective effect only.