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# BHARAT PENSIONER



**OFFICIAL MONTHLY ORGAN OF THE BHARAT PENSIONERS SAMAJ, NEW DELHI - 110 014**

**(Federation of All India Pensioners' Associations)**

**(Associate NGO, INTERNATIONAL FEDERATION ON AGEING, TORONTO, CANADA)**

**DIRECT SUCCESSOR TO "PENSIONER" ESTABLISHED IN 1955**

**INCORPORATING 'PENSIONERS' COUNSELLOR**

## **Secretary-General BPS speech at 43<sup>rd</sup> AGM of AIFPA Chennai on 23<sup>rd</sup> July 2022**

Good morning, Chennai, Good morning AIFPA, Honourable AIFPA M C Members, Honourable guests on the Dais, Ladies & Gentlemen.

By the grace of God surviving the horrible covid-19 waves, after a long gap, I am once again with you. We have all undergone very stressful days we lost several of our comrades many of our brothers & sisters lost their near & dear ones. I pray for peace for those who are not with us today. AGMs and Annual Conferences are the occasions when we meet our friends from far & near, share our pain & happiness, discuss the issues facing us & search for remedies.

Today is one such occasion when the representatives of many Associations have assembled here. I congratulate AIFPA management for its 43 years of glorious service to the pensioners' community. AIFPA & Bharat Pensioners Samaj which is completing its 67<sup>th</sup> year of existence have been MOU partners with the pledge to struggle for common issues jointly & severely to ensure pensioners' rights & well-being.

If we look back three decades, I can confidently say that sufficient could be achieved by the Federations & Associations to enable pensioners to live with dignity.

But still, deficiencies & disparities exist which we shall have to take care of in the coming years. Several of the issues raised by us, like an increase in FMA, an age-related additional pension from the age of 65 years, increment to those retired on 30<sup>th</sup> June, MACP wef 1.1.2006. All India Pension Adalat Twice a year, Pre-litigation grievance resolving mechanism, sensitization of Bank officials & creation of pension ombudsman to resolve pension-related issues with banks, ease of sanction of family pension to secondary pensioners, strengthening of grievance redressal mechanism, linking all C.G pensioners to one platform, Medical facilities at par in all Central Govt healthcare schemes etc were favourably considered by the Department-Related Parliamentary Standing Committee. Their favourable recommendations & observations are recorded in their 110<sup>th</sup> & 113<sup>th</sup> the reports.

Currently govt. is working out financial implications for the implementation of these recommendations. In the meantime, we like a nagging wife, are after the Govt. for the early implementation of these recommendations.

Similarly, the issue of comprehensive health care through integration of all existing govt schemes was pleaded before the 7<sup>th</sup> CPC whose recommendations vide their Para 9.5.18(ii) were favourable. However, looking to the indifferent attitude of the ministries and departments over this recommendation of the 7<sup>th</sup> CPC and the short comings in the CGHS system which is the mother of two other schemes i.e., RELHS & CGHS. In March 2017 a petition was filed before the Rajya Sabha committee for petitions which came up for hearing in Nov. 2021. On being asked by Rajya Sabha Secretariat BPS filed its written submission on the subject & then tendered oral evidence on 7<sup>th</sup> June 2022 which was received well by the committee & the suggestions given were appreciated. Some positive results can be expected. Regarding, the sanction of secondary family pensioner, other than the spouse: Due to our combined efforts, pressure is building on ministries and departments to launch special drives to clear pending cases. Southern Railway already launched such a drive. We are insisting on launching similar special drives by other Ministries and departments.

**The parliamentary committee has recommended that “Ministries & Departments of the Centl Govt be proactive, reach out to the family pensioners and assist them in claiming family pensions. The Committee has also recommended that the procedure of obtaining a medical certificate and disability certificate by children of a deceased Government Servant needs to be simplified”.**

Improvement in the grievance redressal mechanism has been achieved. Now to close pension-related Grievances on CPENGRAM speaking order is required to be passed. If the aggrieved is not satisfied, a provision of appeal has been made, medical facility-related grievances are also in its ambit now. Priority will be given to redress grievances of super Sr citizens & family pensioners. Unresolved grievances will be decided in All India Pension Adalat. We are insisting on proper implementation. Each one of us should monitor it to bring out deficiencies if any. We hope that soon

**BHARAT PENSIONER**

speech to text facility will also be provided for recording the grievance.

Digital life certificate through face recognition App: Our demand to enable pensioners to generate & submit digital life certificates from the comfort of our walls of their home has been accepted. Now you can generate & submit a digital life certificate to your pension disbursing authority through the face recognition App.

Our demand to connect all central government pensioners to one platform is under process. The Ministry of Rlys has already agreed to bring Rly pensioners under the jurisdiction of DOP & PW. In the Lok Sabha & Rajya Sabha budget session 21-22 there was a spate of pensioners-related questions by the Honourable MPs.

All this could be achieved by joint efforts of BPS, AIFPA & NFRP Palakkad & our affiliates.

The purpose of this appraisal is to emphasize that the desired results can even be achieved through advocacy and persuasion, without hitting the streets & going to the courts. Remember, if the repeated movement of rope to draw water from the Well can make a mark on the stone slab at the edge of the Well; Our joint & repeated efforts in the right direction will also bear fruits.

Digital and Social platforms play a big role in all this. BPS had been sharing all its representations with MOU partners, on social media, with MPs, concerned ministries & journalists through email and WhatsApp etc, which helped in creating a favourable Ambience.

Comrades, managing Penrs organs is entirely different from the trade unions, though at times we seek their support, we can't afford confrontation with the administration. We must very diligently identify the issues with clinching justification, seek consensus from our comrades & then very patiently pursue it through advocacy without hitting the ego of the bureaucrats who finally decide the issue.

Nowadays, without ensuring compliance DOPPW is patting its back claiming that they have done a lot for penrs to ensure their ease of living. But what is the ground reality? Claimants of secondary family pension (other than the spouse) are still being harassed, pension-related issues are still being closed w/o complete redress & speaking order, and penrs are still being pushed to court seeking redress

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## BHARAT PENSIONERS SAMAJ, NEW DELHI

(Federation of All India Pensioners' Associations), Regd No. S - 2023 of 1962 - 63.

Niti Ayog Unique Identity No. = DL/2016/0102111)

Associate NGO, INTERNATIONAL FEDERATION ON AGEING, TORONTO, CANADA

2/13-A, LGF (Backside), Jangpura - 'A', Hospital Road, New Delhi - 110 014, Tel-011-24376642 &amp; 49027335

Details of Managing committee elected by 66th virtual AGM on 30.11.2021

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## BPS Contact details

**Telephone:** Office-011-24376642, 011-49027335, **Mobile/Whatsapp No.:** 8860412898 (Only 'SMS' No Voice Call) Contact Time: 11.30-2.30 pm only, Visitors Time: 11.00-2.00 pm Membership Rates wef 01.04.2020 (Individual) One year Rs. 375/- (Foreign) \$ 70 Two years Rs.700/- Three years Rs.1000/- Annual Affiliation (Assn/Institution etc) : Rs. 600/- Annual Postage Charges by Speed Post/Regd Book Post: Speed Post Charges : Rs. 240/- for Delhi / NCR : Registered Book Post Charges : Rs. 340/- for Outside Delhi/NCR. {You may also deposit amount for membership, donation thru our website bps1955.in} Please prepare drafts/ Multi City cheques in favour of BHARAT PENSIONERS SAMAJ OR send eMO with complete details to Bharat Pensioners Samaj - 2/13A, LGF (Back side) Jangpura 'A' Hospital Road, New Delhi.

**You May Also Deposit subscription/Donations in BPS Bank Account Or online through payment Portal**

## Details as follows :

Bank A/C: CANARA Bank New Delhi-110014, Jangpura, Bhogal Branch A/C No: 2007101019420. IFSC: CNRB0002007. Account Holder: Bharat Pensioners Samaj. Do intimate details after depositing in Bank a/c by SMS/e-mail etc for correctly crediting to your account.

## Online payment details

Visit website www.bps1955. URL :

http://www.bps1955.in/web/payment\_bps.php

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on issues already decided. Hospital after the hospital is withdrawing cashless service due to non-payment of bills & very low rates. Nodal Min under the Prime minister feels that their duty is over by framing rules, issuing OMS, corrigendum & notification, etc. We will have to make them understand that the DOP &PW must play a proactive role to ensure compliance, as they have the power of the Prime minister with them. The parliamentary committee also has made it clear to them. I congratulate Comrade D. Balasubramaniam & Comrade Krishna Murthy for very strongly raising this & other penrs' issues recently on 28.6.22 in the penrs' conference organized by DOPPW at Puducherry.

**In the recent crisis in CGHS over non-payment of hospital bills, because of BPS pressure: Union Health Minister Mansukh Mandaviya on 5.7.22 ordered clearing pending CGHS dues worth Rs 1,400 Crore within a month. However, we need to monitor it.**

Friends: Combined, BPS, AIFPA Chennai & NFRP Palakkad represent over 20lac penrs and family penrs. Our strength is our affiliates & members. Out of these 20 lac penrs/family penrs, I wish to start with 1000 men and women to connect with us on Social & Digital Media i.e., Twitter, Facebook, WhatsApp, Instagram, YouTube & e-mail etc.

Whenever any of us i.e., BPS, AIFPA & NFRP Palakkad raise an issue on social and digital media. Rising above, departments & affiliations. Each one of these 1000 persons should repeat the same or repeat the issue in their own way. Share the original & their own to the maximum extent possible on social digital media platforms. Share it with concerned authorities, Lok Sabha & Rajya Sabha MPS through e-mail & also share it with Journalists. If after 30 days no action is visible. Shoot RTI query online seeking the status of the issue & the representation with file notings. In addition, launch a Hash tag campaign on Twitter & video campaign on Youtube raising the related issue. Please help us & yourself by following this procedure.

Do not get disheartened if you do not get a positive result in the first instant. Combined efforts in the right direction always bear fruits. Remember, repeated movement of rope to draw water from the well makes a mark on the stone slab at the edge of the well.

WE WILL SUCCEED. HUM HONGE KAMYAB.

JAI HIND

S C Maheshwari Secy Genl B P S

No BPS/SG/AB/SB/2022/04 Dated:11.7.2022  
To, Shri V. Srinivas, IAS Secy, GoI Ministry of Personnel, PG & Pensions-DOP &PW

Sub: Welfare of Pensioners of Autonomous/ Statutory Bodies of Central Government

Sir, Bharat Pensioners Samaj congratulate and appreciate the various welfare measures undertaken by the DOP &PW under your leadership, to make pensioners life easier. Pensioners Associations & the Federation of Autonomous/Statutory Bodies of Central Govt are also our affiliates. One of their Association viz. Jipmer Pensioners Association, Puducherry is on the list of identified associations of DOP &PW and is recipient of grant-in-aid. JIPMER was declared as an Autonomous Body by the Centl Govt in January 2012, Drawing your kind attention to Para 329 to 3.32 of 113th report of DRPSC; BPS requests you to kindly take penrs of Autonomous & Statutory Bodies under your cover. The Autonomous/Statutory Bodies of Central Government, which have been constituted by an Act of Parliament and their pension and other benefits, are regulated in terms of CCS (Pension) Rules, 1972/2021 with the specific approval of the Central Government, are being paid from out of the grants sanctioned under the Consolidated Fund of India. Thus pensioners of Autonomous/ Statutory Bodies of the Central Government like Coffee Board, Rubber Board, Tea Board, Spices Board, Central Silk Board, etc, which have been constituted by Acts of Parliament have been working under the administrative control of Central Ministries, are part of central Govt. pensioners. Thus they deserve your coverage in the matter of Pension & redressal of their pension related grievances through CPENGRAMS Portal.

Hoping for favourable consideration of BPS request. Yours faithfully, S C Maheshwari, Secy Genl; B P S

No BPS/SG/ease of living/022/1 Dated: 21.07.2022  
To, Shri V. Srinivas, I.A.S. Secretary, DOP, DAR&PG & Director General, NCGG

Subject: Good Governance vs Ease of living

Sir, Bharat Pensioners Samaj the All-India Federation of Pensioners founded in Jan 1955 presently has a reach to over 10 lac penrs, an Associate NGO of the International Fedn on Ageing (IFA) wishes to share its experience in the field of

Centl Govt Penrs Welfare with the hope to bring some improvement in present officialdom to achieve better impact & implementation of Notifications, OMs, Corrigendum, C G healthcare schemes etc; especially in the case of Penrs/family penrs.

1. Delay in implementation of Notifications, OMs & Corrigenda, etc.:

Even in this age of digitalization & online facilities in the country; All Mins/Deptts wait for printed Notifications, OMs, Corrigenda, etc., issued by DOP & PW which, every Min/deptt re-circulates under their covering letter to the subordinate offices for implementation. This takes 3 to 6 months to reach the field offices responsible to implement it. This besides avoidable delay in implementation, increases the burden on National resources and is a hindrance to good governance.

2. The loophole in rules: Attention is invited to CCS (Pension) Rules, 2021 Rule 50(1) (b) (iii) According to which, the Head of Office may rely on any other document produced by the said member of the family in support of his or her claim regarding income and decide the eligibility of the said member of the family for family pension accordingly.

This is a loophole in the statutory Rule which may ultimately promote corruption. This loophole needs to be plugged. Bharat Pensioners Samaj suggests that it may be replaced with self-declaration of income under oath.

3. Discrimination within the homogenous group of C.G. Penrs: It is disturbing to note that based on Mines & Deptts DOP & PW discriminates against Central Govt Penrs, especially against Rly Penrs. In the interest of good governance, this needs to be addressed immediately. All C.G. Pensioners for the matter of Pension rules & Medical facilities may be brought under the jurisdiction of DOP&PW to ensure uniformity & equality.

4. DOPW being part of M/O Personnel, AR, PG & pensions with cabinet Minister Sh Narendra Modi the Prime Minister of India himself, must be proactive to ensure the implementation of Notifications OMS & Corrigenda etc. issued by it. In the interest of good governance, An AI-based mechanism to monitor compliance needs to be developed on priority.

5. Grievance redressal: Bharat Pensioners Samaj welcomes the changes in CPENGRAMS with

reference to pension/medical facilities grievances & the provision for appeal. However, it is noted with concern that the Nodal officer/Appellate authority is from the same office against which the grievance is recorded. It is feared that due to departmental affinity such appellate authority may not decide the appeal impartially. In the interest of good governance, the issue may be revisited.

Thanking you.

With regards Yours Sincerely,

S.C. Maheshwari, Secy Genl. Bharat Penrs Samaj

No SG /BPS/DRPSCrepots/02 Dated: 25.07.022

To, Dr Jitendra Singh Ji, Honourable Union Minister of State (Ind. Charge) PMO, PP/DOPT Sh. V. Srinivas; IAS, Secretary, DOP, DAR&PG & Director General, NCGG

Sub: Implementation of recommendations of DRPSC reports

Ref: DRPSC report 110<sup>th</sup> & 113<sup>th</sup>

Sir, Considering 110th Report on the Subject 'Pensioner's Grievances-Impact of Pension Adalats and Centralized Pensioners Grievance Redress and Monitoring System (CPENGRAMS)' para 1.0 "The Committee attaches paramount importance to the concerns of the elderly. The Committee acknowledges the contribution of retired personnel to nation-building and holds them in high esteem". And the fact that the old pensioners covered by the pre-2004 C.G. Pension Scheme even in the evening of their lives are still serving the Nation by (1) Saving electricity & promoting the installation of rooftop Solar Panels (2) Saving water & promoting water harvesting (3) Saving environment by tree plantation & inspiring the younger generation to do mass tree plantation (4) Avoiding Food & food grain wastage and inspiring the younger generation to do so. (5) Saving stationery (Paper). As more and more of them resort to paperless working by adopting e-mail, WhatsApp & Webinar for their communications, even though they know the fact that several of the Central Govt. officers still do not open their email, leave aside WhatsApp communications.

Keeping in view the above facts & the DRPSC observation vide their para 1.2 of 110<sup>th</sup>'s report "Pension" is an essential component of the social safety net. It is a means to smoothen life sustenance

and maintain the standard of living after retirement. Traditionally, old age income security in India has been provided by the joint family system, which was ingrained in the Indian ethos. However, the joint family system has been gradually disintegrating due to urbanization, occupational diversification, and the emergence of nuclear families and this, in turn, is increasing the dependency of the elderly on pension". & Para 3.12.110<sup>th</sup> report **"The Committee desires that retirees should not be regarded as recipients of welfare dole but as the claimants of their rightful entitlements"**

Early Implementation of DRPSC recommendations & observations made in their 110<sup>th</sup> & 113<sup>th</sup> reports is necessary. Otherwise, not only that pensioners' will be ditched. The entire effort of the committee & expenditure on it will go waste.

Bharat Pensioners Samaj Suggests that for the implementation the recommendations/observations of the committee be divided in two parts:

(1) which do not involve any additional expenditure or can be managed within the available budget to DOP&PW Viz 113th report Para 3.30,3.31 & 3.32 and 110th report Para 2.31-2.33, **3.31, 3.12, 3.20, 3.19, 3.14 (ii), 4.13, 4.9,5.12,5.16,3.14 (ii) with specific reference to the last line of para 3.14(ii) i.e. At par medical facilities in all Central Government health schemes for pensioners need to be ensured.** (Here Central Govt. *Health schemes are taken to mean CGHS, RELHS & ECHS*)

The above recommendation may be implemented immediately because there are no financial implications needing additional funds.

(2) Which will need additional finances: Viz 110<sup>th</sup> report Para 3.21 -3.21,3.28, **3.35, 3.37** etc.BPS understands that the process to arrive at financial implications is in progress. This should be expedited to ensure early implementation.

In view of the above submission, Bharat Pensioners Samaj (Federation) appeals to you to kindly instruct the concerned authorities to expedite the implementation process.

Thanking you

With regards.

Sincerely yours,

S.C.Maheshwari, Secy Genl B P S

#### Response to BPS representation.

**File No.E-1-2158011/1/2020-E1-SGO**

No.01- 4114/2158-Lok Shikayat dated: 15.07.2022  
To, Shri G S Oberai, E-64, Sector-21, Jalvayu Vihar, Noida (UP)

Sub: Survey of India Removal of anomaly created due to inaction on Vth CPC Report para 168.3 in case of pensioners retired from the post of erstwhile Director, Survey of India (before it become defunct in 1989)

Regarding: (i) Your letter No.255/Need for action recommendation on Vth CPC Report dt 25.06.2022  
(ii) Your e-mail dt 26.06.2022 to this office  
(iii) Your e-mail dt 26.06.2022 addressed to Secretary, DST with copy to DoPPW and this office.

Sir,

You have forwarded a copy of letter dt 14.01.2022 of Bharat Pensioners' Samaj to Secretary, DST and Department of Pension & Pensioners' Welfare vide your e-mail cited under reference (iii) above. The same has been forwarded to this office by the Department of Pension & Pensioners' Welfare for necessary action as per extant rules.

2. In the above context, it is submitted that you have been submitting letters/representations for the last 4-6 years on the subject. A comprehensive reply on each issue has been given to you several times. However, the under mentioned facts are again submitted in connection with fixation of your pension:

#### **The method by which your pension has been fixed**

You retired on superannuation on 31.01.1988 from the post of Director in the pre-revised pay scale of Rs. 4500-5700 which was revised to Rs.14300-18300 by 5<sup>th</sup> CPC. The last basic pay drawn by you was Rs. 5100. The Concordance Tables for fixation of pension were issued vide Department of Pension & Pensioners' Welfare OM No. 38/37/2016-P&PW(A) dated 06.07.2017. As you retired in the pay scale of Rs. 4500-5700. Concordance Table No. 44 is applicable for fixation of your pension. The last pay drawn by you is Rs. 5100, therefore your pension has been fixed at Rs. 61550 which is corresponding to the pay of Rs 5100 in the Concordance Table No. 44.

**Grounds on which you are claiming upward Revision and comments of this office thereupon**

**(i) Retrospective up gradation of pay scale of Director and fixation of pension on the basis of upgraded pay scale**

In your representations/letters you have stated that the post of Dy Director in Survey of India in the pre-revised pay scale of Rs.3700-5000 (revised to Rs.12000-16500 in 5th CPC) is equivalent to Superintending Engineer in CPWD which has been upgraded to the pay scale of Rs. 4500-5700 (revised to Rs.14300-18300 in 5th CPC) as per instructions contained in DoP&T's OM dt 22/1/2000-CRD dt 06-06-2000 issued in accordance with the recommendations of 5th CPC. You are requesting that as the pay scale of Dy Director has been upgraded to the pay scale of Rs. 14300-18300 therefore, the pay scale of Director (the next higher post of Dy Director) may be upgraded from the pay scale of Rs. 14300-18300 to the pay scale of Rs.18400-22400 and your pension may be fixed taking into account the upgraded pay scale of Director. The same request has been made by Bharat Pensioners' Samaj in their lt dt 14.01.2022. However, the fact of the matter is that the pre-revised pay scale of Dy Director in Survey of India is Rs. 12000-16500. As such the pre-revised pay scale of Director is Rs.14300-18300 which is correct. It is further stated that you retired on superannuation on 31.03.1988. Acceptance of your above request would amount to implementation of pay scale of 5th CPC prior to 01.01.1996 which is not correct.

**Your above prayer before Hon'ble Central Administrative Tribunal (CAT) and Hon'ble High Court has already been dismissed**

In the above context, it is pertinent to mention here that recently it has come to notice that on the same issue of upgradation of pay scale of Director from pay scale of Rs.14300-18300 to pay scale of Rs.18400-22400 and accordingly fixation of pension taking into account the upgraded pay scale, you had filed an OA No. 563/C.H/2005 in Hon'ble CAT, Chandigarh Bench in the year 2005. The same was dismissed by Hon'ble CAT, Chandigarh Bench vide order dt 11.01.2008. When you were intimated by this office about the above Order of Hon'ble CAT, you stated in your letter No. 254 dt 14.06.2022 that you have challenged this order in Hon'ble High Court of Punjab and Haryana and when you

enquired about this Writ Petition few years ago, you were told that Govt has not filed the reply.

However, the fact of the matter is that this Writ Petition was also dismissed by the Hon'ble High Court by order dt 01.07.2014. When you were intimated about the outcome of Writ Petition, you have stated vide your letter cited in reference (i) above that your lawyer never kept you in picture after the W.P. was filed and you are not sure whether he attended the hearing in the Hon'ble High Court. You have also stated in your above letter that it appears that the Hon'ble High Court was confused.

However, the fact is that you had sought relief of upgradation of pay scale of Director from pay scale of Rs. 14300-18300 to pay scale of Rs.18400-22400 and accordingly fixation of pension taking into account the upgraded pay scale from Hon'ble CAT, Chandigarh Bench. The Hon'ble CAT dismissed your prayer. Subsequently, you challenged the order of Hon'ble CAT in Hon'ble High Court. The Hon'ble High Court also did not grant you relief and dismissed your W.P. Thus, your claim to upgrade the pay scale of Director from the pay scale of Rs. 14300-18300 to pay scale of Rs. 18400-22400 and accordingly fixation of pension taking into account the upgraded pay scale has also undergone judicial scrutiny which has been dismissed by Hon'ble CAT and Hon'ble High Court. As such, it is not appropriate to raise such issues again and again.

**(ii) Your Pension may be fixed at the 18th stage of the Concordance Table No. 44 as you have served for 17 years in the post of Dy Director and Director**

In your earlier representations, you have stated that you held the post of Deputy Director and Director for 17 years. As such your pension should be fixed at the 18th stage of the Concordance Table. In the above context, it is stated that the pension is to be fixed as per the relevant Concordance Table issued vide Department of Pension & Pensioners' Welfare OM No. 38/37/2016-P&PW(A) dated 06.07.2017. Your last basic pay drawn was Rs. 5100 in the pre-revised pay scale of Rs.4500-5700. The concordance Table No. 44 is applicable to this pay scale. The pension corresponding to basic pay of Rs. 5100 is Rs. 61550 which you are drawing at present.

**(iii) The OM No. 45/10/98-P&PW(A) dated 17.12.1998 has not been followed**

You have stated in your representations/letters that the order dt 17.12.1998 has not been followed while fixing your pension. Your above statement is not correct. In this regard it is intimated that as per the above cited OM, pension shall not be less than 50% of the minimum pay in the revised scale of pay. The minimum of revised Pay Level 13 (revised Pay Level of Pay Scale of Rs. 14300-18300) is Rs. 123100. The 50% of this pay is Rs. 61550/- and your pension is fixed at Rs. 61550 which is in accordance with the directions stipulated in OM dt 17.12.1998.

**(iv) Para 168.3 of 5th CPC recommendation has not been followed**

You have stated in your letters/representations that para 168.3 of 5th CPC has not been followed while revising the pay scale of Director which is not correct. In this regard it is submitted that in para 168.3, 5th CPC has recommended that in the event of any Centl govt post being left out without allotment of revised pay scales in the Report, it should be given the commensurate revised scale of pay. In this regard it is stated that the pre-revised pay scale of Director was Rs. 4500-5700 whose replacement pay scale in the 5th CPC is 14300-18300 which has been given to the post of Director in Survey of India.

3. In view of facts stated above, your pension has been correctly fixed which is as per the extant orders of Govt of India on the subject.

Truly yours, Signed by U N Mishra Date: 18.07.2022  
Reason: Approved

No.BPS/BDPA(I)/MDC/2022 dated 7<sup>th</sup> July, 2022

To, **Shri Ashwini Vaishnaw**, Minister for Communications, **IMPORTANT** Sanchar Bhawan 20, Ashoka Road, New Delhi 110001

Sub: Guidelines under BSNLMRS in view of Covid-19 pandemic-Request to advance date of effect w.e.f. 01.07.2020 for treatment of Covid-19.

Ref: BSNL HQ Order No: BSNLCO-ADMN/11(15)/2/2021-ADMN dated 3rd May, 2021

Respected Sir,

1. We are enclosing herewith a copy of BSNL HQ Order No: BSNLCO-ADMN/11(15)/2/2021-ADMN dated 3<sup>rd</sup> May, 2021 and thank you very much that

considering sufferings of BSNL Pensioners in Covid-19, positive orders have been issued by the Corporate Office.

2. Numbers of BSNL Pensioners have been able to minimize their fiscal hardships by applying and getting reimbursement of their Covid-19 bills.

**3. It contains following features:**

i) Visit of Designated Officer has been dispensed with.

ii) Treatment in non-empanelled hospitals taken only from BSNL Hospitals has been liberalized and it reads "However, in view of the present crisis in availability of treatment of Covid-19 in empanelled hospitals, the requirement of taking indoor treatment of Covid-19 patients only from BSNL empanelled hospitals is dispensed with. However, the amount shall be restricted to CGHS rates as decided for Covid-19.

iii) Reimbursement of Tele-consultation—During this pandemic Tele-consultation is preferred mode of consultation from Doctor. Hence Tele-Consultation by a registered medical practitioner from India, supported by duly signed/computer generated prescription on doctor's letter head and accompanied by valid printed (system generated) or signed receipt shall be valid.

iv) Charges of RTPCR/Rapid antigen test – Charges shall be reimbursed against the production of valid receipt but without the need of medical prescription, however, the rates shall be restricted to the prescribed rates by the concerned State Govt. In case no rate has been prescribed by the State Govt, the rates prescribed by the Govt. of NCT shall be applicable. These charges shall be reimbursable as part of annual ceiling for out-door limit under BSNLMRS.

v) The above orders will be applicable w.e.f. 01.04.2021 and shall remain in effect for 6 months i.e. up to 30.09.2021 or till further orders, whichever is earlier. All Other provisions of BSNLMRS shall be strictly followed.

**Sir, in light of above, our submission is:**

**A) Sir, it has been brought to our notice that since the orders were made applicable w.e.f. 30.9.2021, those who took the treatment for Covid-19 earlier to 01.04.2021 and submitted their claims are kept pending by all the CGMs in the country and the claimants are eagerly waiting for the payment.**

Though there many similar cases pending with the PGM ATD Ahmedabad (under CGMT Gujarat) and the CGMT Assam, we cite below cases for example purpose only:

i) A case of Rameshchandra Sankalchand Patel, Retired TTA, Ahmedabad Telecom District, D/1/201, Akshardham Flat, Near Amibica Krupa Society, Ranip, Ahmedabad-382480, Cell: 9429906556 – He had submitted his claim duly supported with authenticated documents to PGM ATD Ahmedabad on 08.01.2021 for the treatment of Covid-19 for hospitalization to Kidney Health Hospital, Ahmedabad for the period from 08.12.2020 to 21.12.2020. His case is not considered, since it is not covered under captioned rule. (Copy of representation made to the CMD BSNL New Delhi enclosed).

ii) Second case of Shri Jamini Kante Das (Ex-TM), Kamrup Telecom District, Gauhati. He was admitted on 22.09.2020 in Marwari Hospital, Athgaon, Gauhati.

B) Sir, we are aware of the fact that during the period from 01.06.2020 onwards, pandemic Covid-19 was at its peak and had taken numerous lives. We therefore, request you to kindly modify the captioned order giving its effect from 01.07.2020 to 30.09.2021 so that all the sufferers gets justice.

Your noble action to extend the date will provide fiscal relief to such pensioners whose cases are though genuine and covered under the instructions of the captioned rule, but could not be considered for want of to modification in date of effect.

A line of reply is appreciated please

With kind regards, Yours Sincerely

(D.D.Mistry) Secy BSNL/PSU, B P S Encl:As stated.

To, The Secretary to Ministry of Communications & IT email: [secposts@indiapost.gov.in](mailto:secposts@indiapost.gov.in) Deptt of Posts–Govt of India Dak Bhawan–N Delhi-110 001  
**Respected Sir,**

Sub:- Grant of revised and increased Grade Pay from 1.1.2016 in favour of Pensioners of Postal Assistant Superintendents/Superintendents@ Rs.4800/Rs.5400 respectively – Requested.

Ref:- (1) 6th cpc G.I.,M.F.,Notfn.F.No.1/1/2008-IC dated 29.08.2008 of CCS (RP) Rules 2008 vide Definition No.4 Scale of Pay of Posts as specified

in Col.No.2 of First Schedule against Cols.5 & 6 there of Part C Section II in Page No.68 of SwamyS – D.O.P. vide Sl. Nos. 4 & 5 ibid

(2) 7th cpc G.I.,M.F.,Notfn.F.No.1-2/2016-IC, dt 25th July 2016 Upgraded Levels of Certain Posts vide Part C in Sl. Nos. 3 to 5 (Page 72 in CCS (RP) Rules 2016 of SwamyS Complication Levels 8 & 9 ref.

(3) DOP&PW O.M.No.38/33/12-P&PW(A) dt 04-01-2019 read with DO Posts No.4-3/2018-PCC dt 06-08-2019 & MOF DE ID Note No. 6J/2019 (B) dt 19-07-2019 as quoted by Secy Penrs Assn – Gaya 823001 of Bihar.

Representing Bharat Pensioners Samaj New Delhi (Largest Federation of All Pensioners Associations of India) as its Secretary looking after Postal & other matters, wishes to submit the following grievances for kind consideration and early orders.

2. We are also grateful to authorities concerned for accepting of revision of Pension on the basis of Last Drawn PAY and NOT on Basic Pension last drawn for the first time in 7th CPC having introduced the Pay Matrix Concordance Tables.

But we feel aggrieved Drop-in regular monthly pension downgraded Grade Pay rather than to be allowed as seen from the large No.54 concordance tables than actual No. of Levels introduced on the Grade Pay basis for various cadres. By this process, a few No. of Pre-1996 Pensioners in Group-B are equated with Grade Pay of Rs.4200 still. Only a small No. of Pensioners who have drawn Rs.6500-10500 is only allowed with Grade Pay. While the pensioners of Pre-2006 are allowed with Grade Pay of Rs.4600, all Pensioners of Pre-2016 are to be granted with increased Grade Pay of Rs.4800 / Rs.5400 wef 1.1.2016 by notional fixation in 6th CPC and 7th CPC against the Last Posts of ASPOs / SPOS held before retirement as per their Status. Further kind perusal is also invited one important point that while the Grade of Rs.5400 For Supdts was allowed in 6th CPC after putting 4 years of service in that post, this condition in 7th CPC has been done away with from 1.1.2016. Further more, if the disparity in Grade Pay between the posts of ASP & SPs still remains, it may be against natural justice and in implementation of 7th CPC recommendations accepted by the GOI vide Extraordinary Gazette Notfn cited supra in the 2nd

Reference. (7th CPC recommendations in Paras 11.8.20/21) Please reconsider and issue favourable orders avoiding drop-in pension.

3. In Telangana Circle at Hyderabad, Pension Adalat was held on 23.08.2019. After receipt of MOF OM dt 09.07.2019, the replies furnished by DA(P) Hyderabad were only confined on the Pay Scale of Rs.6500-10500 and the STATUS of the same cadre of Pre-1996/2006 penrs are furnished below for reference:

(a) PPO No.7172/LPR – “A clarification may be sought from DG regarding revision” Same reply in respect of 3 more pensioners cases taken up. Perhaps limited to GP 4200 only irrespective cadre.  
(b) PPO 10822/LPR : As the pensioner’s pay scale is 1600-2600 the revision is not applicable. Perhaps limited to GP 4200 only.

(c) PPO No.14094/LPR : As the pensioner’s pay scale is 5000-150-8000 the revision is not applicable.

(d) PPO No.14111/LPR : As the pensioner’s pay scale is 7500-250-12000 the revision is not applicable. Retd on 30.06.2001 before DP sanctioned from 1.4.2004 Perhaps limited to GP 4200 only. Perhaps limited to GP 4200 only.

4. It is, therefore, prayed that besides taking consideration along with all other existing cases of MACP of other Post 2006 Penrs, the cases of past penrs as a whole who may be a few in number may also be considered and helped in their elderly living ages in a sympathetic and justified way. For which act of kindness, all pensioners will always be grateful to authorities for their welfare deed.

**Thanking you,**

Yours faithfully, **(M. Chandramowli)** Secretary, BPS  
No BPS/SG/CGHS/22/04 Dated 26.07.2022

To, Shri Mansukh Mandaviya Ji, Honourable Union Minister, Health & Family Welfare GOI

Sub: **Payment of pending bills of CGHS empanelled Private Hospitals**

Ref: Your order dated 5/4.07.022 for payment of 1400 Cr pending Bills within one month

Sir, Kindly refer to the Bharat Pensioners Samaj letter dt 25-06-2022 addressed to your honour regarding the real reason behind the inordinate delay in settling the bills submitted by the CGHS empanelled hospitals. And your subsequent order to settle 9 lakh out of 11 lakh bills within 15 days and the rest within the next 15 days.

**BHARAT PENSIONER**

It was learnt from the Additional Director, CGHS, Thiruvananthapuram that the doctors under the CGHS all over the country have been directed to process the bills within the time stipulated by the Hon’ble Minister and the doctors are currently working on it. Our Affiliate AIOP Kerala contacted the three empanelled hospitals at Thiruvananthapuram the data of which regarding the arrears due from the CGHS is being shared with you, to assess the progress of settling bills submitted by the empanelled hospitals.

The Chaithanya Eye Hospital received 17.00 lakh (out of 1.65 crores due) whereas the Gokulam Medical College received only Rs.3.50 lakh (out of Rs.3.95 crore due). At the same time, the SK Hospital received Rs.75 lakh (out of Rs.8.65 crores due). This shows that the Directorate of CGHS failed to release even 10% of the huge arrears due to the empanelled hospitals except in the case of Chaithanya Eye Hospital.

Bharat Pensioners Samaj (Federation), an Apex body of Central Government Pensioners, therefore, request your honour to impress upon the concerned officers to at least release a sizeable portion of the arrears without further delay.

Thanking you, With regards

Yours sincerely,

S C Maheshwari, Genl Secy, B P S

No BPS/SG/FP/WR/01 Dated :25.06.022

To, The CRB/CEO, GOI Min of Railways (Rly Bd)  
The GM, Western Railway Copy to JS DOP & PW for n/a at his level please.

Sub: **Ease of living Inordinate delay in Grant of family pension to the divorced daughter** of late Thyagarajan, ex Ele. Foreman BCT divn of W. Rly  
Ref: EASE OF LIVING

Sir, MS Rekha -S, 424, People & # 39;s Nagar, Pattathanam, Kollam, Kerala divorced daughter of late Shri Thyagarajan, ex Ele. Foreman BCT divn. of W. Rly. Case of Grant of family pension is pending since Nov. 2020 with DRM BCT Div. of W. Rly Mumbai. All documents required by Sr. DPO/BCT have submitted in time. In this connection, Exe. Director Rly Bd vide 2021/E(rep)1WR(05)/67 of 14.12.2021 wrote to GM W. Rly. who in reply stated that the case was under process in DRM(E) BCT office. But till date i.e 25.6.22 no decision has been conveyed to the claimant.

Sir, since the case is inordinately delayed the claimant deserves sympathy, Bharat Pensioners Samaj the All India Federation of Pensioners with a reach to over 10 lac pensioners, one of the identified Pensioners Welfare organization of GOI-DOP PW & an Associate NGO of International Federation on Ageing (IFA) request immediate action those responsible for delay. Unless Ex Railway Employees and Their Children are not entitled to Ease of Living.

Thanking you Yours faithfully,  
S C Maheshwari, Secy Genl B P S

No BPS/SG/PA/22/01 Dated 11.7.2022

To, The Secy, GOIM/OP, AR, PG & Pensions-DOPPW  
(For the kind attention of Shri V. Srinivas ; IAS )

Sub: Pension Adalats.

Sir, Extract of 110th DRPSC report Para 3.31.: 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. DOPPW accepts that the identified Pensioners Associations are its extended arm in resolving Pensioners grievances. DOP & PW has also requested departments & Ministries to extend cooperation to these associations in resolving Pensioners/family pensioners' grievances. (DOP & PW- F. No 41/38/2011-P PW (C) dated 21.09.2011 & DOP & PW F. No. 41/38/2011-P&PW(C) 4 August, 2015) Extract of 106th DRPSC report Para 8.20.: With a view to strengthen the grievance redressal mechanism, DoPPW has started organizing Pension Adalats. The objective is to provide on-the-spot resolution of unresolved grievances in CPENGRAMS. In the Adalat, the concerned Ministry/Department, the PAO, the concerned Bank and representative of the Pensioner are called on a single platform for resolution of the grievances across the table.

However, Most of the Ministries & Department in the absence of clear order from the Nodal Ministry do not allow the presence office bearers of identified pensioners associations who can play very positive role in resolving pensioners Grievances & assisting the illiterate/semiliterate family pensioners in particular.

Bharat Pensioners Samaj therefore, request you to kindly visit the issue & to take positive action so as to enable presence of office bearers/authorized representatives of identified penrs Assns in all Pension Adalats conducted by Mins & Deptts.

Thanking you in anticipation.

With regards Yours Faithfully,

S.C. Maheshwari, Secy Genl; B P S

No.BPS/RB/2022/02

Dated 27/06/2022

To, The General Managers, Principal Chief Medical Directors, All Indian Railways,

Sub: Clarification regarding Chronic Diseases in relation to Fixed Medical Allowance granted to Railway Pensioners.

Ref: Railway Board, New Delhi letter no.2006//H/DC/JCM dated 12/10/2006 and 24/04/2017

Dear Sir/Madam,

It is regretted to inform that grievances are received in this office for not treating patients with Chronic diseases in spite of instructions issued vide Railway Board above referred letter in relation to Fixed Medical Allowance granted to Railway Pensioners. In view of the same Bharat Pensioners Samaj desires that guidelines may please be reiterated on the subject to all concerned, so that beneficiaries should not be deprived.

Action taken may please be conveyed to this office.

Thanks and regards,

Yours Sincerely,

(PK Khurana) Jt Genl Secy, B P S

To, The General Managers, Principal Chief Medical Directors, All Indian Railways,

Sub: Issue of Medicines

Ref: Rly Board, New Delhi letter no.2014/H/16/1/medicine dated 09/12/2014

Dear Sir/Madam,

In view of Railway Board's letter issued vide above reference regarding issue of medicines to patients. It has been decided that-

\*For diseases (eg. hypertension, diabetes etc.) medicines to be issued for three months from Rly hospital/health unit subject to condition that the treating doctor feel that change of medicine is not required in next three months.

\* For those who are going abroad then medicines may be issued for a appropriate period exceeding

three months on request with the approval of hospital/dispensary incharge.

\*Doctors should also follow good prescription habits -- they should prescribe pharmaceutical/generic name to avoid any confusion.

It has come to the notice of Bharat Pensioners Samaj that inspite of Board's guidelines patients are deprived of availing facility of issue of medicines for three months.

In this regard it is desired to Kindly reiterate the instructions once again to all Hospitals, Health Units and dispensaries. So that problem should not be faced by patients having chronic diseases etc. Kindly inform about the the action taken.

Yours Sincerely,

(PK Khurana) Jt Genl Secy, B P S

No.BPS/RB/2022/04

Dated 30/06/2022

To,

Sri Vinay Kumar Tripathi (crb@rb.railnet.gov.in)  
Chairman & CEO, Rly Board, Rail Bhawan New Delhi-110001

Sub: Allotment of Accommodation to Purvottar Railway Pensioners Association at Gorakhpur.

Ref: Action Taken Report on the minutes of 21st meeting of Standing Committee of Voluntary Agencies (SCOVA) circulated by Ministry of Personnel, P.G. & Pension vide F No.42/1/2013-P&PW(G) Dt 6th Feb 2013

Dear Sir,

It is to inform that representation regarding cancellation of accommodation has been received from Purvottar Railway Pensioner Association, Gorakhpur. It is a affiliated body to Bharat Pensioners Samaj, New Delhi (BPS) which is an All India Federation of Pensioners Association and recognized by Government of India - Department of Pension and Public Welfare and also a standing council member of SCOVA. In this regard following points are appended below to solve the problem of Purvottar Railway Pensioners Association Gorakhpur.

1. That As per Para 6.13(ii) of above referred minutes reg. Provision of Office accommodation to Pensioners Association Ministry of Rly have offered following remarks-

“Provision exists in Para 1963 of Indian Railway Engg. Code for allotment of spare buildings to

house welfare organizations at a nominal fee. Zonal Railways can be approached accordingly in the matter”(Annex-I )

2. Purvottar Railway Pensioners Association a 63 yrs old organization with its Head Quarter at Gorakhpur providing services to the Railway Pensioners. They have approached PCPO & Estate Officer, NE Railway Gorakhpur for allotment of a accommodation in the Railway Premises to facilitate needy once for easy approach. As such orders were issued for allotment of accommodation vide GM(P) letter No. Ka/207/Sett/Eight/Misc/2022/loose Dt. 28-4-2022. (Annex-ii)

3. After passing about 02 months when Purvottar Railway Pensioners Association requested for providing occupation of the allotted accommodation, allotment order cancelled on 27.6.2022 (Annex-iii) on the following ground- पेंशनर्स एसोसिएशन को कार्मिक विभाग द्वारा Railway accommodation आवंटित करने का रेलवेबोर्ड से कोई दिशानिर्देश प्राप्त नहीं है अतः इस कार्यालय आदेश दिनांक 28.4.2022 निरस्त किया जाता है।

It is clearly indicated from the above mentioned that Purvottar Railway is desirous about the confirmation of remarks from Railway Board incorporated in Para 6.13(ii) of the above referred minutes of Ministry of Personnel, PG & Pensions about the withdrawal of the cancellation order.

Kindly communicate the confirmation on the above aspect to the General Manager, North Eastern Railway, Gorakhpur, so that allotment may be ensured for the welfare of the Railway Pensioners. Please acknowledge the receipt and action taken in this regard may please be conveyed at the earliest. Thanking you in anticipation.

Encl: As above

Yours Sincerely

(PK Khurana) Joint Genl Secy, B P S

**Associations clearing  
affiliations dues of 3 years  
will get monthly news  
magazine by registered post  
for 1 year w/o extra charges.**

सं. EDP/58/CPP/स्पर्श/2022 दिनांक: 08/07/2022  
सेवा में एस पी सिंह महामंत्री, केन्द्रीय पेंशन संगठन  
विषय:- रक्षा विभाग के पेंशनभोगियों के लिए-पी सी डी ए  
द्वारा संचालित स्पर्श पोर्टल में घोर कुप्रबंधन के समाधान  
हेतु-ज्ञापन।

सन्दर्भ:- DOPPW/P/2022/06202 के सम्बन्ध में।  
उपरोक्त शिकायत पत्र के सम्बन्ध में सूचना हेतु कुछ  
तथ्य यह प्रस्तुत है तथ्य यह कि स्पर्श, रक्षा मंत्रालय द्वारा  
पेंशनर को सही पेंशन सही समय पर भुगतान करने व  
पेंशनर्स को उन्नत सुविधाएँ प्रदान करने के लिए एक  
सार्थक प्रयास है। जिसमें पी सी डी ए (पेंशन) द्वारा अथक  
प्रयासों के माध्यम से यथासंभव विसंगतियों को दूर करने  
का प्रयास किया गया है और आगे भी किया जा रहा है।  
इसका उद्देश्य पेंशनरों के जानकारी के लिए वन स्टॉप  
पोर्टल बनना और पेंशनर की सुविधा में वृद्धि करना और  
शिकायत को कम करना है तथा पेंशनरों को आसान और  
उपयोगकर्ता के अनुकूल तरीके से पेंशन सुविधाओं तक  
सीधी पहुँच प्रदान करना है।

स्पर्श के सम्पूर्ण एवं सफलता पूर्वक संचालन के बाद  
पेंशनर्स तथा पारिवारिक पेंशनर्स को बैंक में होने वाली  
भुगतान विलंबता का सामना नहीं करना पड़ेगा। साथ ही  
साथ पेंशन क्लेम प्रोसेसिंग में लगने वाला समय घट कर  
कुछ दिन ही रह गया है। वर्तमान में स्पर्श में जो भी  
तकनीकी कमियाँ हैं उनको दूर किया जा रहा है। यह  
सुप्रबंधन का एक सार्थक कदम है।

उक्त शिकायत पत्र में वर्णित समस्याओं का बिंदुवार  
उत्तर निम्नलिखित प्रस्तुत है।

1. क्रम सं 1, 2 एवं 3:- स्पर्श पोर्टल पर कोई भी  
पेंशनभोगी अपडेट मोबाइल नंबर सर्विसे सुविधा जो कि  
पोर्टल पर उपलब्ध है के द्वारा अपना मोबाइल नंबर बिना  
लॉग इन किये अपडेट कर यूजर आई डी एवं पासवर्ड  
अपने मोबाइल नंबर पर मंगा सकते हैं। और उस यूजर  
आई डी से लॉग इन कर किसी भी विसंगति को सुधार  
के लिए अनुरोध कर सकते हैं।

2. क्रम सं 4:- पेंशनर अपना आधार नंबर PAN एवम्  
ईमेल आई डी स्वयं पोर्टल पर लॉग इन कर अपडेट करा  
सकते हैं। यदि कोई पेंशनर असमर्थ है तो वे सर्विस सेंटर  
पर जाकर अपडेट कर सकते हैं।

BHARAT PENSIONER

3. क्रम सं 5:- पेंशनर को एक बार में ही अलग-अलग  
मद में एकीकृत ग्रीएवांस अपने लॉग इन से डालने कि  
सुविधा प्रदान कि गई है। ग्रीएवांस निष्पादन कि कारवाही  
त्वरित करने का प्रयास किया जा रहा है।

4. क्रम सं 6:- स्पर्श डाटा बेस कि विसंगतियों को ठीक  
करने कि सुविधा वर्तमान में रिकार्ड ऑफिस को दी गई  
है। और साथ ही पेंशनर अपने स्पर्श पोर्टल खाते के माध्यम  
से लॉग इन करने के बाद नाम/जन्म दिन की  
तारीख/बैंक विवरण/पारिवारिक विवरण/सेवा  
विवरण/प्रोफाइल/विवाह/रोजगार/आदि के लिए सेवा  
अनुरोध सीधे पंजीकृत कर सकते हैं।

5. क्रम सं 7:- स्पर्श डाटा बेस सुधार एवं समाधान एवं  
हेतु मार्ग दर्शन के लिए ही हेल्प लाइन व्यवस्था व नोडल  
अधिकारी नियुक्त किये गए हैं।

6. क्रम सं 8:- सर्विस सेन्टर के आलावा जन सेवा केंद्र  
को भी डिफेन्स सर्विस सेंटर कि तरह कार्य हेतु नामित  
किया गया है जिसकी टेनिंग 30.06.2022 तक संपन्न  
करने का लक्ष्य रखा गया। इन केन्द्रों को भी पेंशनर एवं  
फैमिली पेंशनर पेंशन संबंधित सर्विसेज के लिया उपयोग  
कर सकते हैं।

7. क्रम सं 9:- क्रम संख्या 2 का अवलोकन करे।

8. क्रम सं 10:- जिन पेंशनरों का जीवन प्रमाण पत्र बैंक  
द्वारा नहीं प्राप्त हो सका उन्हें ही जीवन प्रमाण पत्र से  
जुड़ी औपचारिकतायें स्पर्श में करना है। इसके लिए पेंशन  
स्लिप में अंतिम जीवन प्रमाण -पत्र दिनांक दर्शाई गई  
है के अनुसार ही कारवाही करें।

9. क्रम सं 11:- स्पर्श में स्थानांतरित मृतक पेंशनर्स की  
फैमिली पेंशन से संबंधित विसंगतिया इस ऑफिस के  
संज्ञान में हैं जिसका समाधान करने का कार्य किया जा  
रहा है।

पेंशनर के रिकार्ड ऑफिस तथा हेड ऑफिस के कर्मचारियों  
को डिफेन्स पेंशन टेनिंग इंस्टिट्यूट में स्पर्श में माइग्रेशन  
डाटा सुधार तथा अन्य जानकारीयों के बारे में टेनिंग  
लगातार दी जा रही है। आपके द्वारा दिए गए महत्वपूर्ण  
सुझाव में से अधिकांश सुझाव इस कार्यालय के संज्ञान में  
हैं और इस कार्यालय द्वारा उस पर गंभीरता पूर्वक विचार  
किया जायेगा।

व. लेखा अधिकारी (स्पर्श)

**Eligibility of married disabled child for family pension subject to livelihood criteria – Railway Board order**

GoI (Bharat Sarkar) Min of Rlys (Rail Mantralaya) (Rly Bd) No.D-43/10/2022-F(E)III ND, dt: 08.07.2022. The General Managers/Principal Financial Advisers, All Zonal Railways/Production Units etc., (DGs of RDSO and NAIR)

Sub: Eligibility of married disabled child for family pension.

Attention is invited to the instructions issued vide Bd's letter No. F(E)III/2005/PN1/32 dt 11.02.2013 in which it has been clarified that a disabled son or daughter will not become ineligible for family pension from the date he or she gets married or remarried under Rule 75(6) of the Rly Services (Pension) Rules, 1993.

2. In the above context, a clarification has been sought with respect to admissibility of family pension to a physically disabled child, who is married and fulfilling other conditions for family pension or otherwise.

3. In this regard, it is stated that prior to issue of letter No. F(E)II/2005/PN1/32 dated 11.02.2013, disabled children suffering from mental or physical disability were eligible for family pension for life subject to certain conditions and one of the conditions was that no other family member below 25 years of age is available and eligible for family pension. On marriage of disabled children, the family pension used to be stopped as per the then prevailing instructions/rules.

4. However, after the issue of Bd's ltr dt 11.02.2013, disabled children, who drew, are drawing or may draw family pension have been allowed family pension even after marriage. The financial benefit in such cases has, however, been allowed w.e.f. 24.09.2012.

5. In view of the above, a disabled son or daughter, who is already married or who gets married, can be sanctioned family pension for life subject to livelihood criteria and that no other family member is having prior claim for family pension, as per the provisions of Rly Services (Pension) Rules, 1993.

6. This disposes of the reference received from RDSO vide letter No. Settlement/FHDS/0106150002 (FP) dated 10.02.2022.

(G Priya Sudarsani) Director Finance (Estt), Rly Bd.

**Index No.: 1049 - Dependent children are eligible for availing of medical facilities after the death of both the parents under RELHS-97**

Eastern Railway (Personnel Department) 17 N.S. Road Kolkata-700 001 Serial Circular No: 168/2016 No E.685/0/Pt.X Kolkata, Dated: 27.12.2016

All Concerned (as per standard list)

Sub: Medical facilities to dependent children after the death of both the parents under RELHS-97-reg.

The issue regarding eligibility for medical facilities to dependent children after the death of both the parents under RELHS had been under consideration of this office in consultation with Railway Board.

2. In this regard, it is stated that the instructions, clarifying "dependent children are not eligible for availing of medical facilities after the death of both the parents under RELHS issued vide Bd's letter No.2008/H-1/2/15 Pt. dated 22.9.2008, already stand withdrawn vide their letter No 2008/H-1/2/15 Pt. dated 14.3.2016 in pursuance to instructions contained in RBE No. 69/2014(CPO's Sl. No. 85/2014). It is, therefore, clarified that dependent children are eligible for availing of medical facilities after the death of both the parents under RELHS-97.

3. All cases of medical facilities to dependent children after the death of both the parents under RELHS-97, wherever disallowed in the past, may now be reviewed.

4. It is further clarified that Widowed/Divorced/Unmarried daughters in receipt of family pension, are also covered under the instructions indicated in para (2) above.

5. Other terms and conditions of joining RELHS-97 issued from time to time will remain unchanged.

6. These instructions should be given a wide publicity.

(S Chakraborty) Sr. Personnel Officer/BGB For Chief Personnel Officer Phone No. 24115

**Delhi HC notice to Centre, pvt hospital on plea of lawyer suffering from cancer ANI 28 June, 2022 11:13 pm IST Courtesy TOI 01.07.2022**

New Delhi [India], June 28 (ANI): The Delhi High court on Tuesday issued notice to the Central Government and a private hospital on a plea moved

by an advocate seeking direction to continue CGHS cashless facility at the hospital. The woman advocate claimed that she is a cancer patient and was denied cashless treatment.

A vacation bench of Justice Sanjeev Narula issued notice and listed the matter for July 18, 2022, for further hearing.

On the last hearing on June 3, 2022, it was mentioned by advocate Sethi that the government is obliged to pay a sum of almost Rs 270 crores to the hospital which remains outstanding to date.

It was also pointed out that in terms of the agreement all payments in respect of treatment which may be extended to CGHS employees on a cashless basis are liable to be reimbursed within a period of seven days.

During the hearing on June 1, 2022, it was submitted on behalf of the hospital the cashless facility was discontinued since huge dues amounting to almost Rs 200 crores have not been released and paid.

Earlier, another bench had passed an interim order for providing the facility to the petitioner.

The petitioner has sought a direction from respondents to continue to provide the CGHS cashless facility, being given to the petitioner from the year 2015 and continued till May 22, 2022.

The petitioner has also sought a direction from Central Government to reimburse the full amount of bills paid by her to the hospital within a period of one month.

The petition filed through advocate Shobhna Takiar stated that the petitioner is a senior citizen and the wife of a retired CGHS beneficiary.

It is stated in the petition that without any prior notice, the petitioner was refused cashless treatment at the hospital on 24 May 2022. She was forced to pay for the treatment prescribed by the hospital and endorsed by the CGHS.

The Central Government Tuesday filed an affidavit stating that as per record the Hospital has not issued any notice to exit from the CGHS panel and stopped providing cashless facilities to CGHS beneficiaries undergoing treatment, which is in violation of terms of MOA for CGHS Panel, and as such, the Hospital has no right under the law to unilaterally stop/withdraw cashless facilities to CGHS beneficiaries. (ANI)

#### **Providing Form 16 to all pensioners and family pensioners: CPAP**

CPAO/IT&Tech/BankPerformance/37Vol-III(A)/101636/2022-23/124 19.07.2022

Sub: Providing Form 16 to all pensioners and family pensioners

The undersigned is directed to say that grievances are being received from Pensioners/ Family Pensioners about the non-issuance of Form 16 by the paying branches of the Agency Banks.

2. In this connection it is informed that Para 11.1 (vii) of the Scheme Booklet places the responsibility for issuance of Form 16 on the paying branch. The relevant paragraph is reproduced below for reference:

As the drawing and disbursing agency, the CPPC will be responsible for the deduction of TDS and its report to CPAO through scrolls and other reports as required by CBDT from time to time. While deducting such tax from pension payment, the paying branch will also allow deduction on account of reliefs available under Income Tax Act from time to time on production of proper and acceptable evidence of eligible savings by pensioners. The paying branch will issue to the pensioner in April each year a certificate of tax deducted in the form prescribed in the Income Tax Rules. The paying branch will also issue Certificate of Income from pension to the pensioner in the form as above with necessary modification, even in cases where no income tax is deducted at source, if the pensioner applies for such a certificate in writing.

3. All the Authorised Banks are hereby directed to comply with the provisions of the Scheme Booklet and issue Form 16 to all pensioners and family pensioners to enable them to file their Income tax Returns.

4. This issues with the approval of Chief Controller (Pensions). –

(Anang Rawat) (Dy. Controller of Accounts)

#### **Monetary limits for procurement of Drugs and consumables for ECHS: Raksha Mantri Shri Rajnath Singh approves enhancement | - July 01, 2022**

Monetary limits for procurement of Drugs and consumables for Ex-Servicemen Contributory Health Scheme (ECHS): Raksha Mantri Shri Rajnath Singh approves enhancement

Ministry of Defence Raksha Mantri Shri Rajnath Singh approves enhanced monetary limits for procurement of Drugs and consumables for Ex-Servicemen Contributory Health Scheme (ECHS)  
Posted On: 30 JUN 2022 6:28PM by PIB Delhi

Raksha Mantri Shri Rajnath Singh today approved the enhancement of the monetary ceiling for purchase of Not Available (NA), emergent, lifesavings and essential drugs by 100% in all categories of polyclinics from Authorised Local Chemists (ALC). This will ensure easy & timely availability of medicines for ECHS beneficiaries. (Type A & B from Rs 2.5 lakh to 5 Lakh, Type C from Rs 1.5 lakh to 3 Lakh, Type D from Rs 1 lakh to 2 Lakh).

There have been various representations from the veterans regarding supply of medicines. The Government has already undertaken a series of modifications to procedures of procurement of medicines for ECHS beneficiaries. In all stations with ECHS Polyclinics, local medical stores/chemists are empanelled for supply of Not Available (NA), emergent, life-saving and essential drugs on as required basis. The empanelled local medical stores/chemists are being done by a Board of Officers constituted by the Station Commander. Any expenditure above this limit will be approved by MD, ECHS. The CO, ECHS may re-appropriate the required funds from other ECHS Polyclinics, if required.

It may be seen that the Government on 25.03.2022 had already conveyed the sanction for reimbursement of cost of medicines and consumables, purchased from open market, not Available at ECHS Polyclinic/Authorized Local Chemist for a maximum period of 30 days from earlier 15 days at a time subject to the maximum value of medicines and consumables not exceeding Rs. 25,000/- each time under the general conditions and Rs. 75,000/- each time under the special conditions except in the case of Cancer Medicines where the maximum value of medicines and consumable would be Rs.5 lakhs each time from the earlier Rs.2 lakhs each time. This will be a big move towards making essential medicines available to the Veterans.

Source: PIB

**GoI Ministry of Railway (Railway No. PC-V/ 2014/CC/60/SER Dt: 06.07.2022 The General Manager (A/cs) South Eastern Railway Kolkata (Kind Attn:- Sh Prashant Mishra, PFA/SER)**

Sub: 5<sup>th</sup> CPC arrears payment on actual basis from 1.1. to 18.02.2003 on the basis of Revision of Pay in accounts department.

Ref: SER's letter No. Adm/II/SE/GRC/Arrear Pay/ 5<sup>th</sup> PC dated 24.05.2022

The matter referred vide S E Railway's letter dated 24.05.2022 has been examined in Board's office and it has been observed as under:-

(a) Based on the recommendations of V CPC. Sr. Clerks in ministerial staff of Railways were allowed upgraded pay scale of Rs 1400-2300 (Rs 4500-7000 in V CPC). However, in case of Junior Accounts Assistant (JAA) in Accounts Department. V CPC declined to recommend for grant of upgraded pay scale of Rs 1400-2300 (Rs 4500-7000 in V CPC).

(b) After implementation of 5<sup>th</sup> CPC recommendations. Ministry of Railways initiated a proposal for grant of upgraded pay scale to accounts staff which was not agreed to by DOP&T and DoE.

(c) Subsequently, Ministry of Railways referred the matter to Group of Ministers which recommended for grant of upgraded pay scale to accounts staff on notional basis with effect from 1.1.1996 and on actual basis prospectively. This recommendation of GOM was approved by the Union Cabinet on 19.02.2003. Accordingly, accounts staff allotted upgraded pay scale on notional basis on 1.1.1996 and on actual basis with effect from 19.02.2003. Evidently, the accounts staff were allowed upgraded pay scale not on the basis on recommendation of Pay Commission but on the basis of recommendations of Group of Ministers subsequently approved by the Union Cabinet.

(d) The SLPs and Review Petitions filed by Railway Administration in the matter of AIRASA and few other clubbed SLPs were dismissed by the Hon'ble Supreme Court. While dismissing the SLPs, the Hon'ble Supreme Court had kept the Question of Law open. Thus, the Hon'ble Supreme Court had not decided the issue on merit, and therefore, the same is not of precedence value. However, some other SLPs on identical issues are pending before the Hon'ble Supreme Court of India for adjudication. While admitting these SLPs Hon'ble

Supreme Court has itself recorded that “we are of the view that the issue needs to be examined”. These cases are likely to be taken up shortly.

(e) Pursuant to dismissal of SLPs in the matter of AIRASA Ministry of Finance/Deptt. of Expenditure was also consulted who had advised, inter-alia to pursue the pending SLPs on merit. It is stated that Accounts Staff are common category belonging to other departments of GoI. They have same pay structure and even the upgraded pay scales have been allowed to the Accounts staff of other departments also from 01.01.1996 on notional basis and actually from 19.02.2003 as in case of Accounts staff of Railways. Thus, the case of Accounts staff in Railways cannot be viewed in isolation.

(f) Allowing upgraded pay scale to Accounts Staff on actual basis w.e.f. 01.01.1996 would have huge financial implications for Railways and other Departments under GOL.

(g) It may also be noted that any decision of Union Cabinet cannot be reversed at the level of Rly Bd. 2. In view of the position brought out hereinabove it is not feasible to allow upgraded pay scale to accounts staff in Rlys w.e.f. 1.1.1996 on actual basis. (Sudha A Kujur) Dy Dt, Pay Com Rly Bd No 45121

**Payment and reimbursement on account of LTC to the pensioners/Family pensioner of UT Chandigarh – CPAO O.M dated 06.07.2022**

GoI Ministry of Finance Department of Expenditure Central Pension Accounting Office Trikoot-II, Bhikaji Cama Place, New Delhi-110066 CPAO/IT&Tec/Gallantry Award/26/2022-23/118 06.07.2022 Sub: Payment and reimbursement on account of LTC to the penrs/Family penr of UT Chandigarh– reg.

Attention is invited to this office OM No. CPAO/IT&Tech/UT Chandigarh/F.No.50/2020-21/64 dt 18.12.2020 vide which all the Central Pension Processing Centres (CPPCs) were informed that LTC facility has been extended by the Punjab Govt to the pensioners/family pensioners. Copies of OMs issued by UT Chandigarh and Punjab Government on the matter were also circulated.

This office has been receiving queries regarding reimbursement of payment made to Union Territory of Chandigarh pensioners on account of LTC. This office has made necessary changes in e-scroll Format ‘A’ (copy enclosed) as well as CPAO server

for payment and recovery of amount of LTC In respect of Union Territory of Chandigarh Penrs.

This office has also carried out modifications in Format ‘A’ regarding Payment and Recovery of monetary allowances pertaining to Gallantry Awards and Police Medals to the CAPF personnel. In view of the above, Heads of CPPCs/GBDs of all Authorized banks are requested to update the above mentioned changes in Format ‘A’ for future references.

This issues with the approval of the Chief Controller (Pensions).

Yours Sincerely,

Encl:- As above .

(Satish Kumar Garg) Sr. A/cs Officer (IT & Tech)

**Admissibility of Annual increment to re-employed pensioners appointed in Armed Forces Tribunal on contract basis: Clarification on admissibility**  
Defence Accounts Deptt (DAD) Headquarters Ulan Batar Road, Palam, Delhi Cantt.- 110010 File No. AT/Pay Civ/2702/Clar-V/E-3533 dt: 25.06.2022 To, The CDA, Chennai

Sub: Admissibility of Annual increment to re-employed pensioners appointed in Armed Forces Tribunal on contract basis.

Ref: Your office’s letter No. Pay/Tech/ 6050/Gen/ AI/2022 dated 21 Apr 2022.

The matter referred to this HQrs office vide your office’s above cited letter on the above subject has been examined in the light of extant orders on the subject. It is observed that the MoF OM No 3-25/2020/E.IIIA dated 09-12-2020 is self explanatory in the matter. MoF OM ibid clearly states that the existing instructions of DOPT, as mentioned in para 2 of it, provide for regulation of pay in case of re-employment barring persons employed on contract basis except where the contract provides otherwise. 2. MoF vide the ibid OM dated 09-12-2020 has laid down the rules for regulation of remuneration for contract appointment 1] formulation of guidelines by DOPT. Since, the MoF OM dated 09-12-2020 and rules made thereunder are the latest in chronology and amply clear in respect of the regulation of remuneration of the retired Central Government employees who have been appointed on contract basis, including consultants, these rules have the overriding effect on the instructions issued prior to these. Therefore, the OM dt 9.12.20

should be adhered to in letter and spirit. Any relaxation of/deviation from the rules will require to be referred to Department of Expenditure in terms of para 10 of the OM ibid.

3. In view, for all contractual employment for retired employees, MoF (DoE) OM No F No 3-95/2020/E.IIIA dt 09.12.2020 is applicable, which does not provide for annual increment (Para 6) as well as HRA. As such, regarding the issue of doubt on annual increment, as raised vide your office's letter dt 21.04.2022, it is clarified that no 'annual increment' is to be given to any contractual worker. Further, all other allowances are to be also regulated according, to other provisions of MoF (DoE) OM Dated 09-12-2020.

4. Moreover, it is not understood as though on one hand your office has raised doubt and referred the case to HQrs office for clarification, on the other hand the annual increment to contractual employees has been admitted by your office. As such, the authority on which the increment has been allowed to the contractual employees may be intimated to this HO's office.

This issues with the approval of Addl. CGDA( Pay & Allow.)

Accounts Officer (Pay & Allowances)

**Enabling of non-cash counter for booking of Privilege Ticket Order (PTO) and differences of passes: Rly Bd Clarification dated 08.07.2022**

GoI Ministry of Railways (Railway Board) No.2011/C&IS/PRS/NCR/12 New Delhi, Dtd 08.07.2022

The General Managers, All Zonal Railways

Sub.: Enabling of non-cash counter for booking of Privilege Ticket Order (PTO) and differences of passes.

Ref.: Railway Board's letter No.2013/CIS/PRS/Non-Cash/04 dated 15.07.2015.

Vide above referred letter, powers were delegated to General Managers to sanction non-cash/enquiry PRS terminals in the premises of the Railway establishment for ticketing convenience of the railway officers/staff, if demand for such terminal is justified. These non-cash terminals were set up booking of tickets on Privilege pass only.

In this connection, representations have been received from zonal rlys requesting for enabling of non-cash counter for booking of Privilege Ticket Order (PTO) and differences of passes.

**BHARAT PENSIONER**

The matter raised by zonal railways has been examined in Board's office in the context of extant policy guidelines issued vide above referred letter. In a slight modifications to Board's letter referred above, it has now been decided to enable non-cash counter for booking of Privilege Ticket Order (PTO) and differences of passes only for which the cash should be accepted only in online mode. Rest of the conditions mentioned in Board's above referred letter will remain the same.

This issues in consultation with Commercial Directorate of Railway Board and has the approval of AM(M&BD).

(B.B. Manjera) Dy. Director(C&IS)

**Prior permission for OPD treatment in CGHS empanelled Hospital and Test/investigation along with procedure of medical related representation: Instructions by PCA(Fys)**

Office of the Principal Controller of Accounts (FYS)

No.998/AN-Med/MO/Circular Date: 15.07.2022

To The Officer in Charge 1. All Sections, MO, Local

2. All the Field Units

Sub: Prior permission for OPD treatment in CGHS empanelled Hospital and Test/investigation alongwith procedure of medical related representation- Reg.

1. Of late, it has been noticed that some employees of this organization has submitted the RME claim without following proper official procedure. The details are mentioned below: –

Some employees are taking prior permission for OPD consultation in CGHS empanelled Hospital but after consultation they are doing the diagnostic test/investigation prescribed by the doctor in that hospital without taking any prior permission for the said diagnostic test/investigation from Competent Authority and submitting the RME claim which is not tenable for audit view point.

Some employees are taking prior permission for OPD consultation for any particular treatment in CGHS empanelled Hospital but they are carrying out OPD consultation for other various treatment for which permission has not been taken and submitting the RME claim which is also not acceptable in audit view point.

It has been observed that there is trend among staff members to forward their requests regarding

medical related grievances on staff/officers personal mobile numbers and personal email. This is cause of concern and viewed seriously by the higher authorities in terms of HQrs office letter No.0600/AN-X/Vol.XXII dtd.08.07.2022.

2. In this regard, it is requested that –

- a) RME claim may be submitted after getting proper approval/ prior permission from the Competent Authority, if required, and
- b) regarding forwarding of personal claim and grievances the practice of sending service requests may please be followed as per HQrs office ibid letter dtd.08.07.2022.

This is for information and strict compliance please.  
Dy. Controller of Accounts (Fys)

**Payment of family pension in respect of a child suffering from a disorder or disability of mind:**  
PCDA(P) Circular No. 227 PCDA (Pension) No. AT/TECH/63/Vol-I Dated:18/07/2022 Circular No.227 To

1. The Chief Accountant, RBI Deptt of Govt Bank Accounts, Central office C-7, 2nd Flr, BK Complex, P B No. 8143, Bandre (E) Mumbai-400051 2. The Director of Treasuries of all states. 3. The Manager CPPC of Public Sector Banks including IDBI 4. The CDA (PD) Belvedere Complex, Ayudh Path, Meerut-250001 5. The CDA-618, Anna Salai, Teynampet, Chennai-600018 6. The Nodal Officers (ICICI/ AXIS/HDFC Bank) 7. The Pay & Accounts Officers 8. The Post Master Kathua (J&K) 9. All Public Sector Banks 10. Military and Air Attache, Indian Embassy Kathmandu, Nepal. 11. The all DPDOs 12. All Record Offices (Army/Navy/Air Force) 13. Services HQrs. IHQ of MoD (Army/Navy/Air Force) 14. All Head of Offices (Defence Civil Organs) 15. PCDA(O), Golibar Maidan, Pune 16. SPARSH (Army/Navy/Air Force) O/o the PCDA (Pensions) Prayagraj-211014

Sub: Payment of family pension in respect of a child suffering from a disorder or disability of mind through the person nominated by the Government servant/pensioner/family pensioner reg.

Ref: Min of Personnel, Public, Pension & Penrs' Welfare Lt No.1/4/2021-P&PW(E)Part-Idt 19.01.2022. Please find enclosed herewith a copy of Ministry of Personnel, Public, Pension & Pensioners' Welfare, Deptt. of P&PW letter No. 1/4/2021-P & PW (E) Part-I dated 19/01/2022 on the subject.

**BHARAT PENSIONER**

2. It has been brought to the notice of the ministry that Pension Disbursing Banks are not allowing family pension in respect of a mentally retarded child through the person nominated by the pensioner or his/her spouse in accordance with Rule 50(9)(h)(vii) of the CCS (Pension) Rules, 2021 (earlier clause (vi) of second proviso to Rule 54(6) of the CCS (Pension) Rules, 1972 in spite of the fact that such nomination has been duly incorporated in the Pension Payment Order issued to the mentally retarded child. These banks insist for payment of family pension through a guardianship certificate issued by a court of law. Ministry of PP&PW have expressed that it would defeat the purpose of such nomination and would also amount to violation of the statutory provisions of the CCS (pension) rules, 2021.

3. Rule 50(9)(h)(vii) of the CCS (Pension) Rules, 2021 (earlier clause (vi) of second proviso to Rule 54(6) of the CCS (Pension) Rules, 1972, however provides that in the case of a mentally retarded son or daughter, the family pension can be paid to a person nominated by the Govt Servant or the penr, as the case may be, and in case, no such nomination has been furnished to the Head of Office by such Govt servant or family pensioner, as the case may be, later on. The Guardianship Certificate issued under Section 14 of the National Trust Act, 1999 (44 of 1999), by a Local Level Committee, shall also be accepted for nomination or appointment of guardian for grant of family pension in respect of the person suffering from Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities as indicated in the said Act. In view of the facts, ministry have directed to follow the said provisions so that undue harassment of such type of family penrs can be avoided and the purpose of such nomination cannot be defeated and the statutory provisions of the CCS (pension) rules, 2021 cannot be violated also.

4. Min of Def, Deptt of Ex-Servicemen Welfare, D(Pen/Policy) have also directed to issue similar instructions for Defence penrs/Family penrs vide their ID No.2(2)/2022/D(P/) dt 29.03.2022. The provisions contained in Ministry of Personnel, Public, Pension & Pensioners' Welfare, Deptt. of P&PW letter No. 1/4/2021-P & PW (E) Part-I dt 19/01/2022 will apply mutatis mutandis in the case of Defence pensioners/Family pensioners.

5. Therefore, keeping in view the above directions of the ministry, all Pension Disbursing Authorities are requested to take immediate necessary action in all affected cases to avoid undue delay as well as financial hardship to such family pensioners. sd/- (Vikas M Moharir) Asstt. Controller (Pensions)

**No additional charges for issuing boarding passes at Airlines Counters: Ministry of Civil Aviation**

AV-29017/14/2020-DT Section-MOCA-Part(1) GoI Ministry of Civil Aviation DT Section 'B' Block, Rajiv Gandhi Bhawan, New Delhi, dt 21 July, 2022  
Sub: No additional charges for issuing boarding passes at Airlines Counters

The undersigned is directed to refer to the Order no. AV.29017/5/2020-DT dt 21.05.2020, enclosing therewith general instructions to be followed by passengers and Specific Operating Guidelines for major stakeholders for recommencement of domestic air travel for passengers w.e.f. 25.05.2020 inter-alia indicating that passengers have to ensure that they make a web check-in and generate Boarding Pass. Further, it is also requested to refer to the letter of even reference dt 09.05.2022 advising airlines to encourage, facilitate and guide the air passengers for making timely web check-in and bag tag printing and minimize/avoid penal charge on non-web-check-in traveling passengers.

2. It has come to the notice of the Ministry of Civil Aviation that Airlines are charging an additional amount for issuing boarding passes from the passengers seeking check-in at airport counters. Such additional amount is not in accordance with the Instructions given in the aforesaid Order or as per extant provisions of Aircraft Rules, 1937.

3. In view of the above, the Airlines are advised not to charge any additional amount for issuing boarding passes at the airport check-in counters, as the same cannot be considered within the 'tariff' as provided under Rule 135 of the Aircraft Rules, 1937.

4. This has the approval of Competent Authority. :Sd/ (Mritunjaya Sharma) Dy Secy to GoI,

**Annual Validation of ECHS Membership of Dependents by Submission of Life Certificates and Eligibility Documents by Primary Beneficiaries: ECHS Circular 24.07.2022**

Central Organisation ECHS Adjutants' General Branch Integrated Headquarters of MoD (Army),

Thimayya Marg, Near Gopinath Circle, Delhi Cantt-110 010 B/49711-NSC/AG/ECHS 27 Jul 2022

Annual Validation of ECHS Membership of Dependents by Submission of Life Certificate and Eligibility Documents by Primary Beneficiaries

1. Pl refer to CO, ECHS letter No.B/49711-NSC/AG/ECHS/Gen Corr dated 06 Jul 2022.(PUC)

2. Following clarifications are issued based on queries received from the environment:-

(a) Annual Life Certificate for ESM/Primary Beneficiary and Spouse. The ESM/Primary Beneficiaries will not be required to provide any Annual Life Certificate for self and spouse. Para 6(a) of the letter under ref is amply clear in this respect. The mention of all the dependents in Para 6(b) of the letter implies all dependents having age 18 yrs and above except spouse. The Annual Life Certificate for the Primary Beneficiaries will be obtained through SPARSH, CPP portal over a period of time as and when migration to SPARSH, CPP portal takes place.

(b) Annual Life Certificate and Income Eligibility Proof for Dependents (Less Spouse) 18 years and above. it will be the responsibility of the ESM/Primary Beneficiary to provide Annual Life Certificate by logging in to the portal and accepting the online declaration for all dependents having age 18 years and above. Similarly documents to prove eligibility based on income criteria as mentioned at Para 6(b) will also be provided by uploading the same online for all dependents having age 18 years and above. Eligibility criteria has been given out vide CO, ECHS letters No. B/49701-PR/AG/ECHS/2017 dt 27.09.2017 and No. B/49701-PR/AG/ECHS/2017 dt 16.11.2017 referred at Para 1(b) and (c) of letter under ref. Similarly the proof of income to determine eligibility was always being provided as per CO, ECHS letter No B/49701-PR/AG/ECHS/2020 dated 11 Aug 20. The same has now been facilitated for providing online for convenience of the dependent beneficiaries.

3. It is advised that ESM/Primary beneficiaries should get PAN Card made for their dependents who are above age of 18 years. The PAN Card will facilitate in downloading form 26 AS online from the Income Tax site directly for their respective dependents who are above the age of 18 years and

then the same can be uploaded as proof of income for Annual Validation.

Earlier: Annual validation of ECHS membership of Dependent by submission of Life Certificate and Eligibility Documents by primary beneficiaries

4. This information may be disseminated to the environment for information of all ECHS beneficiaries. All Regional Centers will ensure that all Polyclinics under them are informed on priority. (Anupam Agarwal) Brig. Dy MD, For MD ECHS

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As we continue making e-Filing easier, faster and taxpayer friendly for you, here's an e-Filing brochure that'll help you understand the basics of ITR e-Filing and its importance. In the pages inside, we've broken down the processes involved in e-Filing with a step-by-step guidance and other necessary information.

#### **What's an ITR**

A important term you must know. ITR stands for Income Tax-Return. A form. You have to submit to the Income Tax Department. That carries information about your annual income and the taxes you're liable to pay on the income during the year.

#### **Why is IT Important to File an ITR?**

Filing your ITR is legally mandatory as per the Income-tax Act, 1961 and also serves as an important legal document for some of the big steps we take towards progress. And this makes it crucial for us to file promptly and regularly. Some of the occasions where an ITR becomes mandatory are.

#### **Who all need to File ITR?**

Filing of return is mandatory, if total income of an individual exceeds maximum amount which is not chargeable to income-tax (e.g. Rs. 2,50,000 in case of individual with age < 60 Years). It is also mandatory if:

The person being a resident and ordinarily resident in India and who:

1. holds any assets (including any financial interest in any entity) located outside India; or
2. has signing authority in any account outside India; or
3. is a beneficiary of any asset (including any financial interest in any entity) outside India; or

Individual has deposited > Rs. 1 crore in aggregate in his Bank Current Accounts; or

Individual has incurred expenditure > Rs. 2 lakh for foreign travel; or

Individual has incurred expenditure > Rs. 1 Lakh towards electricity consumption, or

Total sales turnover or gross receipt in the business exceeded Rs. 60 Lakh or

Total gross receipt in the profession exceeded Rs. 10 Lakh or

Total tax deducted and collected at source is Rs. 25,000 or more (Rs. 50,000 in case of resident senior citizen), or

Aggregate deposit in one or more savings bank accounts is Rs. 50 lakh or more.

#### **Get Ready to File**

Remember, it is important to keep all the documents ready before you file. To help you do that. Here's a list we've put together for you:

Salary certificate / Form 16 issued by employer.

Interest certificates issued by your banks for the deposits / education loans and housing loans etc.

Life Insurance premium receipts health Insurance premium receipts.

Bank account statement.

Form 26 AS which shows the tax amount already deducted or paid during the previous year.

Bank account number and IFSC Code, if Bank account is not pre-validated for nominating for tax refund, if any.

Quarter-wise information on Dividends received during the previous year.

Annual Information Statement (AIS).

#### **Form 16**

This is a certificate from your employer that tax has been deducted on your salary and deposited on your behalf.

You can get Form 16 from your employer.

#### **AIS**

Annual Information Statement (AIS) carries your financial transaction details of a financial year. AIS helps you in filing the appropriate ITR form.

#### **How to view AIS Form**

Login to income tax portal

Click on Services tab

Click on AIS

Download AIS as a pdf or as a JSON

#### **26AS**

This is the statement which provides details of the

taxes deducted, collected and paid during the financial year.

How to download Form 26 AS?

1. Logon to – <https://www.incometax.gov.in>
2. Go to e-file menu, select Income Tax Return
3. Click View Form 26 AS

#### Get Started with The e-Filing Portal

Once you have the documents in place. Follow these simple steps to login to the portal [www.incometax.gov.in](http://www.incometax.gov.in) and get started.

Register on the e-Filing portal (If you are first time filer & not already registered)

Login to e-Filing Portal with e-Filing ID and Password.

Register your Digital Signature (if applicable)

Update your personal mobile number and email ID as primary contact details.

#### You're Ready to File

Now that everything's in place.

Here's what you need to do.

To start filing your Income Tax Return.

#### 1. Validate

##### Personal Information:

Verify the auto-filled data from your e-Filing profile.

##### Gross Total Income:

Examine the pre-filled information and double-check the details of your income sources, including your salary/pension, income from rent, and other sources (such as interest income, capital gains, etc.). Check for any exempt income you may have during the previous year. Refer to the Annual Information Statement (AIS) before finalizing Total Income.

##### Total Deductions:

Verify any deductions you wish to claim under Chapter VI-A of the Income-tax Act, 1961.

##### Tax paid:

Cross check the tax paid data pre-filled in the ITR with entries mentioned in Form 26AS.

#### 2. Confirm Your Return Summary

On the Preview and Submit Your Return page, enter Place, select the declaration checkbox and click Proceed to Validation.

#### 3. Verify and Submit

Once validated, click Proceed to Verification.

#### One Last Step:

You're not one until you finish this last step. E-verification. Your ITR will not be processed until you verify. You can e-verify using one of the modes mentioned as under:

Aadhaar OTP

EVC through Bank Account

EVC through Demat Account

Sending duly signed ITR-V through Post to CPC Bengaluru.

#### Happy To Help!

We hope this helps you in your filing journey! For any assistance or guidance, feel free to reach out to us on our twitter handle @IncomeTaxIndia or call us on:

#### Government of India Ministry of Rlys Lok Sabha

##### Starred Question No. 59 Answered on 20.7.22

##### Concessions in Railways

\*59. Shri Mohammed Faizal P.P.: Shri Anto Antony: Will the Minister of Railways be pleased to state:

(a) the reasons for abolition and non-resumption of concessions to senior citizens in Railways despite the easing of the Covid-19 pandemic;

(b) whether the Govt has made any assessment on how discontinued concessions is likely to affect the number of senior citizens travelling and how this decision will impact the savings of senior citizens and if so, the details thereof;

(c) whether the Govt also intends to offer concessions to passengers in select classes viz. four categories of Divyangjan, eleven categories of patients and students and if so, the details thereof;

(d) the revenue loss occurred due to concessions given to senior citizens since the last three years to Indian Railways; and

(e) whether the Ministry proposes to revoke such ban on concessions specifically for senior citizens, students and sports persons, if so, the details thereof and if not, the reasons therefor?

Answer

Minister of Rlys, Communications & Electronics & Information Technology (Sh Ashwini Vaishnaw)

(a) to (e): A Statement is laid on the Table of the House.

Statement Referred to in Reply to Parts (a) To (e) of Starred Question no. 59 By Sh Mohammed Faizal P P & Sh Anto Antony to be Answered in Lok Sabha on 20.07.2022 Regarding Cbcessuibs in Raukwats

(a) to (c): Passenger fare in most of the classes is very low. Passenger segment over Indian Railways has suffered recurring loss due to low fare and concessions to different categories of passengers. Indian Railways is already bearing more than 50%

of the cost of travel on an average for all passengers including senior citizens on account of lower fare structure for passenger services. Apart from this, due to Covid 19, passenger earnings for the last two years is less in comparison to 2019-2020. These have long term impact on the financial health of the Railways. Cost of granting concessions weighs heavily on Railways, hence extending scope of concessions to all categories of passengers including senior citizens is not desirable. In spite of these challenges, Indian Railways has continued concession in fare to four categories of persons with disabilities, eleven categories of patients and students.

The number of senior citizen passengers travelled in reserved classes during 2019-20, 2020-21 and 2021-22 are 6.18 crore, 1.90 crore and 5.55 crore respectively. Decrease in travelling of number of senior citizen passengers during 2020-21 and 2021-22 may be in view of Pandemic due to Covid-19.

Railways operate different types of train services like Garib Rath, Rajdhani, Shatabdi, Duronto, Vande Bharat, Gatimaan, Tejas, Humsafar, Mail/Express, Ordinary passenger etc. Apart from this, different classes 1st AC, 2nd AC, 3rd AC, AC Chair Car, sleeper class, second class reserved/Unreserved, etc. are available on different fare structures for the use of passengers including senior citizens who can travel as per their preferences.

Apart from this during 2019-20, 22.62 lakh senior citizen passengers had opted to give up concession scheme in passenger fare and gave up concessions for the sustained development of Railways with better facilities.

(d): Revenue foregone due to concessions in passenger fare to Senior citizen passengers during 2017-18, 2018-19 and 2019-20 for both reserved and unreserved are as under:

| Period  | Revenue foregone in Rs (crore) |
|---------|--------------------------------|
| 2017-18 | 1491                           |
| 2018-19 | 1636                           |
| 2019-20 | 1667                           |

(e): Concessions in passenger fare is already admissible to Students as per Rule. As already reasons mentioned in the reply to Parts (a) to (c) above, restoration of concessions to Senior Citizen and Sports persons Passengers is not desirable.

**Government of India Ministry of Finance  
Department of Financial Services**

Lok Sabha Unstarred Question No. 187

Answered on 18.07.2022 (Monday)/ Ashadha 27, 1944 (Saka)

Negative Returns of NPS 187. Shri Raja Amareshwara Naik, Shri Bhola Singh, Shri Rajveer Singh (Raju Bhaiya), Shri Vinod Kumar Sonkar, Dr. Sukanta Majumdar

Will the Minister of Finance be pleased to state:

(a) whether the Government is aware that the New Pension Scheme (NPS) has given negative returns on its corpus in this financial year;

(b) if so, whether the Govt is aware of the fact that there is huge anger and unrest among the Govt emplys due to uncertainty and decline in their pension corpus and if so, the remedial action taken thereon;

(c) whether the Government has received complaint against the fund managers of NPS regarding corruption/ malpractices in NPS and if so, the details thereof along with the action taken thereon;

(d) whether the Govt is considering to devise a mechanism for guarantee of minimum pension to the Central Govt category of NPS subscribers; and

(e) if so, the details thereof and along with the other steps being taken by the Government in this regard?

Answer

The Minister of State in the Ministry of Finance (Dr. Bhagwat Karad)

(a) & (b) Pension is a long-term financial product and its performance and returns are assessed on long term basis.

Returns on NPS are market determined and annually evaluated by PFRDA. On the basis of returns, fund allocation is done amongst the three fund managers by PFRDA. For the financial year 2021-22, the returns under NPS for Govt emplys have been 6.91%. NPS returns in respect of Govt emplys since inception are 9.33%. These returns are compounded annual growth rate of corpus invested in various assets classes viz. Govt securities, Corporate debt instruments, Money market instruments and equity market. For financial year 2021-22 NPS returns are better than most debt instruments.

The investment guidelines of NPS are framed by the Pension Fund Regulatory and Development Authority (PFRDA) and adequate safeguards are placed while framing these guidelines. The Pension Fund managers registered with PFRDA make investments under NPS in various asset classes

i.e. Govt securities, Corporate debt instruments, Money market instruments, Equity market etc., as per the investment guidelines and the amendments thereto issued by PFRDA. Pension is a long-term financial product. Investments are done by Pension funds in such a way that the investments yield better returns in long term.

GoI has taken a number of steps for streamlining NPS for CG employees. These include enhancement of Govt's contribution from the earlier 10% of Pay +DA to 14% of Pay +DA, freedom of choice for selection of Pension Funds & pattern of investment to subscribers, payment of compensation for non-deposit or delayed deposit of NPS contributions for any period during 2004-2012, tax exemption under Section 80C of the I T Act, 1961 and increase in tax exemption limit for lump sum withdrawal on exit from earlier 40% to 60% of the amount due, making the entire withdrawal exempt from income tax.

(c) The Pension Funds are monitored by PFRDA and are bound by the regulations to undergo periodic audits and inspections. In case of complaint against fund managers, the same is dealt with in terms of PFRDA's guidelines.

(d) & (e) The overall architecture of NPS is such that the benefits under NPS depend on the accumulated corpus of the subscriber at the time of Exit. To protect the interest of the subscribers, the Govt in 2019, enhanced Govt's contribution from the earlier 10% of Pay + DA to 14% of Pay + DA, freedom of choice for selection of Pension Funds and pattern of investment to subscribers, payment of compensation for non-deposit or delayed deposit of NPS contributions for any period during 2004-2012, tax exemption under Section 80C of the I T Act, 1961, and increase in tax exemption limit for lump sum withdrawal on exit from earlier 40% to 60% of the amount due, making the entire withdrawal exempt from income tax.

#### **Quota for retiring Defence Personnels in Government**

Government of India Ministry of Defence  
Department of Ex-Servicemen Welfare

Rajya Sabha : Unstarred Question No. 54  
Answered on 18" July, 2022

Quota for Retiring Defence Personnels in Government Jobs 54. Shri Sanjay Singh:

Will the Minister of Defence be pleased to state:  
(a) the existing quota for retiring defence personnel in Centl & State Govt jobs, each year since 2016;  
(b) the directives that Centl Govt has given to State Govts to rehabilitate the retired army men in St Govt jobs;  
(c) the details thereof; and  
(d) the steps Govt plans to take to provide them with job security?

Answer

Minister of State (Shri Ajay Bhatt) in the MoD

(a): Reservation for Ex-Servicemen in respect of Central Govt jobs is governed by the Ex-Servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979. These reservations are applicable to all Group 'C' and Group 'D' Central Civil Services & Posts and posts upto the level of Assistant Commandant in all Central Armed Police Forces (CAPFs).

The details of existing quota of reservation available for Ex-Servicemen is as under:

Reservation in Central Govt Ministries/Depts including Central Armed Police Forces (CAPFs) 10% in all Direct recruitment posts upto the level of Assistant Commandant in Central Armed Police Forces (CAPFs).

10% in Direct recruitment posts in Group 'C'

20% in Direct recruitment posts in Group 'D'

Reservation in Central Public Sector Undertakings and Public Sector Banks.

14.5 % in all Direct recruitment Group 'C' Posts

24.5 % in all Direct recruitment Group 'D' Posts

(including 4.5% for Disabled ESM and dependents of Service personnel killed in action) 100% in Defence Security Corps.

Reservation for Ex-Servicemen in respect of State Govt jobs falls under the purview of the respective State Govt. Each of the State Govt has provided reservation/priority for appointment for Ex-Servicemen in State Govt jobs as per their welfare policy. As such reservation for Ex-Servicemen varies from State Govt to State Govt.

(b) & (c): In order to enhance re-employment opportunities for Ex-Servicemen in State Govt jobs also, the Central Government has issued advisories, from time to time, to follow reservation standards made available in respect of Central Government jobs, including relaxed standards of recruitment.

(d): The Govt endeavours to explore every possible

avenue for increasing employment opportunities for the Ex-Servicemen through various initiatives including pre and post-retirement trainings and awareness programmes. Suitable training is also imparted to the willing Ex-Servicemen to prepare them for self-employment ventures.

**Ministry of Finance Department of Expenditure  
Rajya Sabha**

Unstarred Question No.221 Answered on, 19.07.2022/Ashadha 28 1944 (Saka)

Comments Sought by DOP&PW From DOE on NPS Question 221: Shri Neeraj Shekhar:

Will the Minister of Finance be pleased to state:

- (a) whether Department of Pension and Pensioners Welfare (DoP&PW) has sought comments of Department of Expenditure (DoE) to exclude those officials from the purview of New Pension Scheme (NPS) and to cover them under Old Pension Scheme (OPS) whose advertisements for recruitment were issued before 01/01/2004 in view of various Supreme Court judgments in this regard;
- (b) if so, the details thereof;
- (c) whether DoE has furnished its comments to DoP&PW;
- (d) if so, the full details of the comments; and
- (e) if not, the reason for delay?

Answer Min of State for Fin (Sh Pankaj Choudhary)

- (a) No Sir. (b) to (e) Does not arise

**Jobs and Pension for Ex-servicemen  
GoI MoD Department of Ex-Servicemen Welfare  
Rajya Sabha**

Unstarred Question No. 47 Answered on 18.07.2022  
Jobs and Pension for Ex-Servicemen 47. Dr. V. Sivadasan:

Will the Minister of Defence be pleased to state:

- (a) the total number of vacancies reserved for ex-servicemen in public sector banks, Central PSUs and Central Armed Police Forces (CAPFs);
- (b) the number of the above mentioned posts that have been filled with ex-servicemen in the last five years, year-wise; and
- (c) the number of ex-servicemen receiving pensions since the last five years, year-wise?

Answer

Min of State (Sh Ajay Bhatt) in the Min of Defence  
(a): The following Reservation is available for Ex-Servicemen (ESM) in Public Sector Banks, Central PSUs and Central Armed Police Forces:

Reservation in Central PSUs and Public Sector Banks

14.5% in all Direct recruitment Group 'C' Posts.

24.5% in all Direct recruitment Group 'D' Posts.

(including 4.5% for Disabled ESM & Depdts of Service personnel killed in action) Reservation in Centl Armed Police Forces (CAPFs): 10% in Direct recruitment posts upto the level of Assistant Commandant.

(b): The number of Ex-servicemen in Public Sector Banks, Central PSUs (CPSUs) and Central Armed Police Forces (CAPFs) in last five years, year-wise, is as under:

| Year | CPSUs | CAPFs | Banks |
|------|-------|-------|-------|
| 2016 | 5016  | 3568  | 31756 |
| 2017 | 5139  | 3513  | 25875 |
| 2018 | 5569  | 4617  | 50918 |
| 2019 | 3744  | 3278  | 53378 |
| 2020 | 3156  | 3216  | 48985 |
| 2021 | 3414  | 6372  | 47572 |

(till June 2021)

(c): The number of Ex-servicemen receiving pension for the last five years, year-wise, is as under:

| Year | Total number of Ex-servicemen receiving pension |
|------|---|
| 2017 | 18,44,405                                       |
| 2018 | 18,68,156                                       |
| 2019 | 19,74,810                                       |
| 2020 | 20,11,375                                       |
| 2021 | 20,41,376                                       |

**Employees' Pension Scheme (EPS), 1995 –  
Latest updates about revision of scheme & court  
case GoI Ministry of Labour and Employment  
Lok Sabha**

Unstarred Question no:207 Answered on: 18.07.22  
EPS-95 Scheme

Rajmohan Unnithan Will the Minister of Labour and Employment be pleased to state:-

- (a) whether it is a fact that 30 lakhs of eligible pensioners have not yet received the minimum pension of Rs.1,000 even since introduction of the term PF Pension;
- (b) whether the Government has taken steps to review and revise the EPS-95 scheme every ten years and if so, the details thereof and if not, the reasons therefor;
- (c) whether the Supreme Court has constituted a three-member bench to inquire into the non-payment of pensions to the retiring workers and if so, the details thereof; and

(d) whether the Govt is working on a comprehensive revision of the PF pension and if so, the details of the plan to implement the same in near future?

Answer

Minister of State for Labour and Employment  
(Shri Rameswar Teli)

(a): No, Sir.

(b): The Empl's Pension Scheme (EPS), 1995 has been framed by the Centl Govt in accordance with the powers conferred by section 6A of the Empl's Provident Funds & Miscellaneous Provisions (EPF and MP) Act, 1952. The EPS, 1995 came into force on 19.11.1995. Review & revision of schemes is an ongoing process. The provisions of the EPS, 1995 have been reviewed from time to time based on the recommendations of the Expert Committee and the High Empowered Monitoring Committee as well as taking into account the actuarial evaluation of the Empl's Pension Fund. Some of the important amendments made in EPS, 1995 are as under:

(i) Increase in wage ceiling from Rs. 6500/- to Rs.15000/- per month from 01.09.2014.

(ii) Provision of a minimum pension of Rs. 1000 per month to the penrs under EPS, 1995 from 01.09.2014 by providing additional budgetary support wherever the pension was falling short of Rs.1000 as per pre-defined formula for calculation of pension.

(iii) Restoration of normal pension after completion of fifteen years from the date of such commutation, in respect of those members who availed the benefit of commutation of pension under the erstwhile paragraph 12A of the EPS, 1995, on or before 25.09.2008 vide notification G.S.R.132(E) dated 20.02.2020.

(c): The Union of India & the Employees' Provident Fund Organ (EPFO) have challenged the judgement dt 12.10.2018 of Hon'ble Kerala High Court, which set aside the 2014 amendments to the EPS-95, in the Hon'ble Supreme Court. The Hon'ble Supreme Court vide its order dt 24.08.2021 in Special Leave Petition (C) Nos.8658- 8659 of 2019 & other connected cases directed to refer the matters to a Bench of at least three Judges. The matter is now sub-judice.

(d): The Code on Social Security, 2020 (36 of 2020), was notified on 29.09.2020, which subsumes 9 Central labour laws including the EPF and MP Act, 1952. Section 15 of the new Code envisages to frame various schemes including pension for the employees and their family members. However, the said Code has yet to come into force.

**Government of India Ministry of Personnel,  
Public Grievances and Pensions (Department of  
Pension and Pensioners' Welfare)-Rajya Sabha**

Unstarred Question no. 1400 (Answered on 28.07.2022) Face Recognition Technology for Pensrs Q by Shri Kanakamedala Ravindra Kumar: Will the Prime Minister be pleased to state:

(a) whether Government with a view to provide 'ease of living' to pensioners across the country has introduced face recognition technology for them to give "Life Certificate";

(b) if so, the details thereof;

(c) whether Government has come across any instances of hardship faced by pensioners while availing this technology in submitting "Life Certificate" for availing pension; and

(d) if so, the details thereof?

Answer

Minister of State in the Min of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office (Dr. Jitendra Singh)

(a): Yes Sir. The Government has introduced Face Authentication Technology to submit 'Life Certificate' by Pensioners through the Jeevan Pramaan App with a view to enhance 'ease of living' for pensioners.

(b): Face Authentication Technology was launched by the Government on 29th November 2021 with a view to enhance ease of submission of Digital Life Certificate by pensioners. Department of Pension and Pensioners' Welfare had collaborated with NIC, Ministry of Electronics and Information Technology (Meity) and UIDAI to utilize the 'Face-Authentication Technology' based on UIDAI Aadhaar software, for submission of digital life certificate by the Pensioners/Family Pensioners. As per this facility, the identity of a person is established through face authentication technique and it is now possible to submit a Life Certificate using the Jeevan Pramaan App from any Android based smart phone and the Digital Life Certificate gets generated.

(c) & (d): The Government has not come across any instances of hardship faced by pensioners while availing this technology in submitting 'Life Certificate' for availing pension.

**67th AGM of BPS Hurry Book your tickets**

Bharat Pensioners Samaj 67th AGM hosted by National Rly Pensioners Association / CRly Ajni (Nagpur) will be held on **13th Nov. 2022 at Nagpur**. Details as follows :-

Contact Persons: CN Lanjewar MCM BPS: Mob/whatsapp no 9503001599 email chandrakant11156@gmail.com, : Surjeet Singh Gill Mob/whatsapp No.9921146335.: surjitsing0026@gmail.com, Vijay Kumar Mishra, Mob/whatsapp No.9975327168: vijaykumar.c.mishra@gmail.com

Bank account for Delegation fee: National Railway Pensioners Association, Ajni, Nagpur. Bank of Maharashtra, Bhagwan Nagar, Nagpur-440027 Saving Account No. 60012599886 IFS Code: MAHB0000951

**VENUE : HOTEL CENTRE POINT, Near LOKMAT Square, Ramdaspath, NAGPUR-440010.**

**1. Delegation fees @ 500/- (Five hundred only per head. Spouse and special invitees exempted from paying delegate fees.)**

2. Delegates are requested to confirm their arrival on or before 20-10-2022 to enable organizers to ensure that they are not put any inconvenience.

3. Advance reservations of trains to be ensured 120 days ahead of 12<sup>th</sup> November 2022. Online booking of Retiring Rooms/Dormitory should be done simultaneously.

4. Only genuine members of affiliates & associates of BPS and their spouse/companion will be accepted in the AGM. Delegates from Affiliates/Associations should have authority letter on letter head of concerned Association. Individual members should have their subscription/membership number.

5. List of Retiring rooms and Dormitory at NAGPUR Railway Station in enclosed.

6. List of Hotels nearby Nagpur Railway station is as under, Delegates are expected to book their own accommodation. Organizers will provide necessary information and assistance wherever required.

(a) Vijay Lodge, Near Railway Station, Nagpur. M. No. 9970761323. Double bed Non ATTACHED Rs. 600 and attached Double bed room Rs. 800/- Check out 24 HRS.

(b) Hotel Parashar, Near Railway station. Phone. 0712-6454605. Double bed Rs. 1900/- Complimentary breakfast. Check out 24 hrs.

(c) Anantshree Guest House, Hanuman Road, Sitabuldi Nagpur 440012, 1 km from Railway Station. Double Bed Rs. 600/- Check out time 24 hrs.

(d) Hotel Dwarka, Hanuman Lane, Sitabuldi, Nagpur 440012, 1 km from Railway station Double bed Rs. 2000/- Check out time 24 hrs. Complimentary breakfast.

Places of tourist interest will be intimated shortly.

**RETIRING ROOM NAGPUR STATION**

| Room No.                     | No. of | Chargeable Amount 12 Hrs.       | Chargeable Amount 24 Hrs.       |
|------------------------------|--------|---------------------------------|---------------------------------|
| /Name                        | Beds.  | 08.00 to 20.00 & 20.00 to 08.00 | 08.00 to 08.00 & 20.00 to 20.00 |
| Maharaja R/R                 | 02     | Rs. 900/- + Rs. 135/- SC        | Rs.1500/+ Rs.225/- SC           |
| Room No 2 A/C                | 02     | Rs. 540/- + Rs. 81/- SC         | Rs.1000/+ Rs. 150/-SC           |
| Room No 3 Non A/C            | 02     | Rs. 180/- Per Bed               | Rs. 300/- Per Bed               |
| Room No 4 Non A/C            | 02     | Rs. 360/-                       | Rs. 600/-                       |
| Room No 5 A/C                | 02     | Rs. 510/- + Rs. 77/- S/C        | Rs. 850/-                       |
| Room No 6 Non A/C            | 04     | Rs. 150/- Per Bed               | Rs. 250/- Per Bed               |
| Room No 7 Non A/C            | 05     | Rs. 130/- Per Bed               | Rs. 250/- Per Bed               |
| Room No 8 A/C Dormitory      | 14     | Rs. 240/- Per Bed               | Rs. 400/- Per Bed               |
| Room No 9 Dormitory          | 16     | Lower 8 Rs. 200/- Per Bed       | Rs. 300/- Per Bed               |
|                              |        | Upper 8 Rs. 100/- Per Bed       | Rs. 200/- Per Bed               |
| Room No 10 Non A/C Dormitory | 10     | Rs. 150/- Per Bed               | Rs. 250/- Per Bed               |

### अध्याय 4 परिलब्धियां और औसत परिलब्धियां

31. परिलब्धियां – (1) 'परिलब्धियां' पद से मूल नियम, 1922 के नियम 9 (21) (क) (i) में यथापरिभाषित मूल वेतन अभिप्रेत है, जो सरकारी कर्मचारी अपनी सेवानिवृत्ति से ठीक पूर्व अथवा अपनी मृत्यु की तारीख को ले रहा था; और इसमें प्राइवेट प्रैक्टिस बंदी भता भी सम्मिलित है।

स्पष्टीकरण— सेवानिवृत्ति हितलाभों की संगणना के लिए वृद्धिरुद्ध वेतन वृद्धि परिलब्धियां माना जाएगा।

(2) जहां कोई सरकारी कर्मचारी, अपनी सेवानिवृत्ति से अथवा सेवा में रहते हुए मृत्यु से ठीक पूर्व कर्तव्य से ऐसी छुट्टी पर जिसके लिए छुट्टी वेतन संदेय है अथवा चिकित्सीय प्रमाणपत्र पर असाधारण छुट्टी पर अनुपस्थित था, अथवा निलंबित किए जाने के पश्चात् सेवा का समपहरण हुए बिना बहाल कर दिया गया था, तो वे परिलब्धियां जो उसे तब मिलती जब वह कर्तव्य से अनुपस्थित न रहा होता या निलंबित न किया गया होता, इस नियम के प्रयोजनार्थ उसकी परिलब्धिया का भाग होंगी : परंतु उपनियम (5) में निर्दिष्ट वेतन वृद्धि और उपनियम (10) या उपनियम (11) में निर्दिष्ट वेतन में नोशनल वृद्धि से भिन्न वेतन में कोई भी वृद्धि जो वस्तुतः ली न गई हो, उसकी परिलब्धियां का भाग नहीं होंगी।

(3) जहां कि कोई सरकारी कर्मचारी अपनी सेवानिवृत्ति से अथवा सेवा में रहते हुए मृत्यु से ठीक पूर्व ऐसी छुट्टी पर, जिसके लिए छुट्टी वेतन संदेय है, कोई उच्चतर नियुक्ति किसी स्थानापन्न अथवा अस्थायी हैसियत में धारित करने के पश्चात् चला गया था, वहां ऐसी उच्चतर नियुक्ति पर ली गई परिलब्धियों की प्रसुविधा केवल तभी दी जाएगी, जब यह प्रमाणित कर दिया जाए कि यदि सरकारी कर्मचारी छुट्टी पर न गया होता तो वह उस उच्चतर नियुक्ति पर बना रहता।

(4) जहां कोई सरकारी कर्मचारी अपनी सेवानिवृत्ति से या सेवा में रहते हुए मृत्यु से ठीक पूर्व कर्तव्य से असाधारण छुट्टी पर अनुपस्थित रहा था अथवा ऐसे निलंबित रहा था कि उसकी अवधि की गणना सेवा के रूप में नहीं हो सकती तो वे परिलब्धियां, जो उसे ऐसी छुट्टी पर चले जाने से अन्यथा निलंबित किए जाने से ठीक पूर्व मिल रही थी, इस नियम प्रयोजनार्थ उसकी परिलब्धियों का भाग होंगी।

(5) जहां कोई सरकारी कर्मचारी अपनी सेवानिवृत्ति से अथवा सेवा में रहते हुए मृत्यु से ठीक पूर्व, छुट्टी पर था, और उसने ऐसी वेतनवृद्धि अर्जित की थी जो रोकी नहीं गई थी, तो ऐसी वेतनवृद्धि, भले ही वस्तुतः न ली गई हो, उसकी परिलब्धियों का भाग होंगी।

(6) सरकारी कर्मचारी द्वारा सरकार के उसी अथवा किसी अन्य विभाग के संवर्ग—बाह्य पद पर अथवा भारत के सशस्त्र बलों में किसी प्रतिनियुक्ति पर रहते हुए लिया गया वेतन परिलब्धियां माना जाएगा : परंतु किसी सरकारी कर्मचारी की दशा में, जो प्रतिनियुक्ति की अवधि के पूरा होने पर संवर्ग—बाह्य पद से कार्यमुक्त होने के बाद छुट्टी पर हो, तो वह वेतन जो उसे मूल विभाग से मिलता यदि वह छुट्टी पर न होता परिलब्धियां माना जाएगा।

(7) राज्य सरकार में प्रतिनियुक्ति पर रहते हुए अथवा विदेश सेवा में रहते हुए सरकारी कर्मचारी द्वारा लिया गया वेतन परिलब्धियां नहीं माना जाएगा, किन्तु केवल वह वेतन जो उसने यदि वह राज्य सरकार में प्रतिनियुक्ति पर रहते हुए अथवा विदेश सेवा में न गया होता, केंद्रीय सरकार के अधीन लिया होता तो परिलब्धियां माना जाएगा।

(8) जहां कोई पेंशनभोगी जो सरकार की सेवा में पुनर्नियोजित किया जाता है, अपनी पिछली सेवा के लिए पेंशन को प्रतिधरित करने का विकल्प करता है और पुनर्नियोजित पर जिसके वेतन में से उसके पेंशन से अनधिक रकम कम कर दी जाती है, वहां उसके पेंशन का वह अंश जो उसके वेतन से कम कर दिया गया है, परिलब्धियां माना जाएगा।

(9) जब कोई सरकारी कर्मचारी किसी सरकारी विभाग के सार्वजनिक क्षेत्र के उपक्रम अथवा स्वायत्त निकाय में संपरिवर्तन किए जाने के परिणामस्वरूप ऐसे सार्वजनिक क्षेत्र के उपक्रम अथवा स्वायत्त निकाय को अंतरिक किया जाता है और ऐसा अंतरिक सरकारी कर्मचारी, सरकारी नियमों के अधीन पेंशन प्रसुविधाओं को प्रतिधरित करने का विकल्प देता है, तो सार्वजनिक क्षेत्र के उपक्रम अथवा स्वायत्त निकाय के अधीन ली गई परिलब्धियां इस नियम के प्रयोजनार्थ परिलब्धियां मानी जाएगी।

(10) जहां किसी सरकारी कर्मचारी का वेतन उसकी सेवानिवृत्ति के पश्चात् निम्नलिखित में से किसी भी परिस्थितियों में भूतलक्षी प्रभाव से नेशनल रूप में बढ़ाया जाता है, ऐसे नेशनल वेतन को इस नियम के प्रयोजनार्थ परिलब्धियां माना जाएगा, अर्थात्—

(i) जिस पद से पेंशनभोगी सेवानिवृत्त हुआ है उसका वेतनमान भूतलक्षी प्रभाव से ऐसी तारीख से बढ़ाया जाता है जब पेंशनभोगी सेवा में था और ऐसी तारीख से उसका वेतन उच्चतर वेतनमान में नेशनल आधार पर नियत किया जाता है;

(ii) सेवानिवृत्ति सरकारी कर्मचारी को समीक्षा डीपीसी की सिफारिश पर अथवा किन्हीं विभागीय कार्यवाहियों से दोषमुक्त किए जाने पर अथवा किसी न्यायिक आदेश के अनुपालन में भूतलक्षी तारीख से पदोन्नत किया जाता है और ऐसी पदोन्नत की तारीख से वेतन निर्धारण का लाभ पेंशनभोगी को नोशनल आधार पर मंजूर किया जाता है।

(iii) जहां किसी सरकारी कर्मचारी की मृत्यु, दंड की अवधि के दौरान हो जाती है, जिसका प्रभाव केवल उस दंड की अवधि के दौरान उसके वेतन को कम करने का है और जिसके समाप्त होने पर उक्त दंड के किसी भी प्रभाव के बिना उसे अनुज्ञेय वेतन वापस मिल जाता, तो इस तरह के दंड के प्रभाव की उपेक्षा करते हुए उसकी मृत्यु की तारीख को नोशनल वेतन इस नियम के प्रयोजनार्थ परिलब्धियां माना जाएगा।

32. औसत परिलब्धियां— (1) औसत परिलब्धियां सरकारी कर्मचारी की सेवा के अंतिम दस मास के दौरान उसके द्वारा ली गई परिलब्धियों के प्रतिनिर्देश से अवधारित की जाएंगी।

(2) यदि सरकारी कर्मचारी अपनी सेवा के अंतिम दस मास के दौरान कर्तव्य से छुट्टी पर जिसके लिए छुट्टी वेतन संदेय है अथवा चिकित्सीय प्रमाणपत्र पर असाधारण छुट्टी पर अनुपस्थित था अथवा निलंबित किए जाने के पश्चात् सेवा का समपहरण हुए बिना बहाल कर दिया गया था, तो वे परिलब्धियां जो उसे तब मिलती जब वह कर्तव्य से अनुपस्थित न रहा होता अथवा निलंबित न किया गया होता औसत परिलब्धियां अवधारित करने के लिए लेखे में ली जाएंगी : परंतु (उपनियम (4) में निर्दिष्ट वेतनवृद्धि और उपनियम (5) या उपनियम (6) में निर्दिष्ट वेतन नोशनल वृद्धि से भिन्न) वेतन में कोई भी वृद्धि जो वस्तुतः दी न गई हो, उसकी परिलब्धियों का भाग नहीं होगी।

(3) यदि कोई सरकारी कर्मचारी अपनी सेवा के अंतिम दस मास के दौरान कर्तव्य से असाधारण छुट्टी पर अनुपस्थित रहा था, अथवा ऐसे निलंबित रहा था कि उसकी अवधि की गणना सेवा के रूप में नहीं हो सकती, तो छुट्टी की अथवा निलंबन की पूर्ववर्त अवधि की औसत परिलब्धियों की गणना करने में अवहेलना कर दी जाएगी और दस मास पूर्व की उतनी ही अवधि सम्मिलित कर ली जाएगी। जहां मास के अंशों को जोड़ा जाता है ताकि एक पूरा मास बन जाए, इस प्रयोजन के लिए यह माना जाएगा कि एक मास में तीस दिन है। उदाहरण: कोई सरकारी कर्मचारी तारीख 16 जुलाई, 2019 को सेवानिवृत्ति होता है। अंतिम दस मास में नौ पूरे मास और सितंबर 2018 के चौदाह दिन और जुलाई, 2019 के सोलह दिन के भाग है। भिन्नीय अवधि के लिए परिलब्धियों की गणना परिलब्धि को 14/30 और 16/30 से गुणा करके, मास में दिन जितने भी हो, संगणित की जाएगी। यह सूत्र फरवरी के मास में भी लागू होगा, भले ही मास में अठाइस दिन हों या उनतीस दिन हों।

(4) ऐसे सरकारी कर्मचारी की दशा में जो अपनी सेवा के अंतिम दस मास के दौरान छुट्टी पर था और जिसने ऐसी वेतनवृद्धि अर्जित की थी, जो रोकी नहीं गई थी, ऐसी वेतनवृद्धि भले ही वस्तुतः न ली गई हो, औसत परिलब्धियों में सम्मिलित कर ली जाएगी।

(5) जहां सरकारी कर्मचारी का वेतन उसकी सेवानिवृत्ति के पश्चात् निम्नलिखित में से किन्हीं भी परिस्थितियों में उसकी सेवा के अंतिम दस मास के दौरान भूतलक्षी प्रभाव से नोशनल रूप में बढ़ाया जाता है, ऐसे नोशनल वेतन को, उस नियम के प्रयोजनार्थ उसकी औसत परिलब्धियों के अवधारण के लिए लेखे में लिया जाएगा,—

(i) जिस पद से पेंशनभोगी सेवानिवृत्ति हुआ है उसका वेतनमान भूतलक्षी प्रभाव से ऐसी तारीख से बढ़ाया जाता है जब पेंशनभोगी सेवा में था और ऐसी तारीख से उसका वेतन उच्चतर वेतनमान में नोशनल आधार पर नियत किया जाता है;

(ii) सेवानिवृत्ति सरकारी कर्मचारी को समीक्षा डीपीसी की सिफारिश पर अथवा किन्हीं विभागीय कार्यवाहियों से दोषमुक्त किए जाने पर अथवा किसी न्यायिक आदेश के अनुपालन में भूतलक्षी तारीख से पदोन्नत किया जाता है और ऐसी पदोन्नति की तारीख से वेतन निर्धारण का लाभ पेंशनभोगी को नोशनल आधार पर मंजूर किया जाता है।

(6) जहां किसी सरकारी कर्मचारी मृत्यु, दंड की अवधि के दौरान हो जाती है, जिसका प्रभाव केवल उस दंड की अवधि के दौरान उसके वेतन को कम करने का है और जिसके समाप्त होने पर उक्त दंड के किसी भी प्रभाव के बिना उसे अनुज्ञेय वेतन पास मिल जाता तो इस नियम के प्रयोजनार्थ औसत परिलब्धियों को अवधारित करने के लिए इस तरह के दंड के प्रभाव की उपेक्षा करते हुए उसकी सेवा के अंतिम दस मास के दौरान नोशनल वेतन को ध्यान में रखा जाएगा।

**(अध्याय 1, 2 और 3 के लिये इस मैगजीन का अप्रैल, जून और जुलाई अंक जरूर देखें)**

**In the High Court at Calcutta Civil Appellate Jurisdiction-Regarding DA- WPST 102 OF 2020**

The Hon'ble Justice Harish Tandon & The Hon'ble Justice Rabindranath Samanta

The State of West Bengal & Ors- Vs-

Confederation of State Government Employees, West Bengal & Ors.

Heard On : 29.04.2022

Judgment on : 20.05.2022

Rabindranath Samanta, J:-

1. This writ petition has been filed by the petitioners the State of West Bengal through the Chief Secy and the Principal Secy, Finance Deptt, Govt of West Bengal, challenging the judgment & order dt 26.7.19 passed by the West Bengal Administrative Tribunal (hereinafter referred to as the Tribunal) in O.A. No. 1154 of 2016.

2. Disgruntled at the inaction and discriminatory action on the part of the State towards grant of Dearness Allowance to its employees in terms of the West Bengal Services (Revision of Pay and Allowance) Rules, 2009 (in short ROPA Rules, 2009) the respondents Confederation of State Govt Empls, West Bengal, Unity Forum, an organization of the salaried employees of the State Government and two others namely Indranil Mitra and Gopal Majumder of the unions brought the aforesaid original application seeking the following reliefs:-

“a. A direction upon the respondents authorities to forthwith release the 50% dearness allowance which is due up to January, 2006 immediately within a period of 1 (one) month from the date of receiving of the order;

b. A direction upon the respondent authorities to immediately comply with the report and the recommendations of the 5th Pay Commission Report positively and without fail within a period of 1(one) month from the communication of the order;

c. A direction upon the respondent authorities to release the 50% of Dearness Allowances as the State Govt without releasing the 50% Dearness Allowances for mere eye-wash set up a 6th Pay Commission who recommended for 10% interim relief upon the basic pay. But, no whisper about due 50% Dearness Allowances and unless the Court intervenes into it there may be every possibility of forfeiture of that 50% due Dearness Allowances which is the penultimate goal and gain

**BHARAT PENSIONER**

of the State Govt and the applicants will suffer irreparable loss and injury;

d. The applicants pray for relief order directing the respondent authorities to grant 50% of the D A as that of the Centl Govt with arrear up to Jan, 2016 within a period of two weeks from the date of order;

e. Costs pertaining to this application and incidental thereto;

f. Such other further order or orders as Your Lordships may deem fit and proper.”

3. By the order dated 16.02.2017 the Learned Tribunal dismissed the application recording the following observations:-

“i. Payment of Dearness Allowance to the employees of the Govt of West Bengal was absolute prerogative falling within the discretionary domain of the Employer (read the State govt) and inaction and/or refusal on the part of former cannot result in denial of an accrued right of the Employee for getting Dearness Allowance;

ii. Though part of the recommendation of 5th Pay Commission might have been acted upon, it did not entail that as a necessary corollary the same had to be carried out to its logical conclusion;

iii. The issue of discrimination in the matter of payment of Dearness Allowance to the Empls of the State of West Bengal with their counterparts serving in Banga Bhawan at New Delhi & in Youth Hostel at Chennai including the Employees of West Bengal State Electricity Development Corporation, could not be grappled and no analogy on the basis of the same could be derived in this context.”

4. Feeling aggrieved by the order of dismissal of the application the respondent Nos. 1 to 4 preferred a writ petition being WPST No. 45 of 2017 before this Court and a Co-ordinate Division Bench by the judgment dated 31.08.2018 set aside the order of the Tribunal and remanded the matter back to the Tribunal for fresh adjudication on some issues framed by the Division Bench.

5. To discern the observations made by the learned co-ordinate Division Bench and the issues framed by it for adjudication it will be apposite to excerpt the relevant observations which are as under:-

“82. In view of the discussions and observations made hereinabove, I sum up as follows:-

i) The claim of the employees serving under the Govt of West Bengal for Dearness Allowance is

based on legally enforceable right on the all emplys serving under the Govt of West Bengal up to such extent of the recommendations of the 5th Pay Commission which has been accepted by the Govt of West Bengal by virtue of the provisions of sub rule (1) Rule 12 of ROPA Rules, 2009 read with paragraph 10 of the clarificatory memorandum bearing no. 1691-F dt 23.02.2009 on ROPA Rules, 2009 issued by the Govt of West Bengal, Finance Deptt, Audit Branch, & paragraph 3 of memorandum bearing No. 1692-F dt 23.02.2009 in the matter of drawl of Dearness Allowance in revised pay structure under the ROPA Rules, 2009 issued by the Govt of West Bengal, Finance Deptt, Audit Branch. ii) The claim of the emplys serving under the Govt of West Bengal to get D A at a rate equivalent to that of the emplys of the Central Govt requires adjudication upon consideration of the relevant materials on record for the purpose indicated hereinabove.

iii) The claim of the emplys serving under the Govt of West Bengal for Dearness Allowance at a rate equivalent to that of the employees discharging their functions in Banga Bhawan at New Delhi and in Youth Hostel at Chennai requires consideration of the materials which may be brought on record by the Govt of West Bengal for adjudication of the issue of arbitrariness in payment of Dearness Allowance at differential rates.

83. The aforesaid second and third issues, namely, (i) Whether the claim of the emplys serving under the Govt of West Bengal for D A at a rate equivalent to that of the employees of the Central Govt, & (ii) Whether the discrimination in the matter of payment of Dearness Allowance to the Employees of the State of West Bengal with their counterparts serving in Banga Bhawan at New Delhi and in Youth Hostel at Chennai, which require adjudication after bringing relevant materials on record, cannot be done in this writ application acting as a Court of first instance in view of the principles of law settled in the matter of L. Chandra Kumar Vs. Union of India, reported in AIR 1997 SC 1225. The Learned Tribunal is the appropriate forum to discharge the above function as a Court of first instance.

84. As a consequence the order impugned to this writ application stands quashed and set aside

19. So far as the second point is concerned the tribunal has found all the State Govt emplys

irrespective of their place of posting are to be treated uniformly and there cannot be any discrimination in granting the DA at different rates to the State Govt emplys posted at Delhi or Chennai. The Division Bench in an earlier round of litigation has held that the claim of DA is a legally enforceable right. The moment it is declared that the DA is a legal right the payment in uniform rate would avoid any kind of discrimination. As indicated above, there has been a paradigm shift between the period prior to 2009 and after as the Bengal Chambers of Commerce who was initially entrusted to deal with such situation was done away with and an uniform base index of 536 (1982=100) was adopted and implemented. Under the ROPA Rules, 2009 the rate of DA to the State Govt emplys is determined on the basis of AICPI and applicable to all the State Govt emplys and therefore, the moment they constitute a homogeneous class and in absence of any special or compelling factors differentiating them or in absence of any intelligible differentia, the class differentiation offends Article 14 of the Constitution of India. There cannot be any categorisation of the State Govt emplys on the basis of their posting at different locations as it would amount to a classification within the homogeneous class. We are not unmindful of the proposition of law that the classification within the class can be accepted provided, it is based upon the rationale & there is an intelligible differentia distinguishing one group of person from other. There must be a rational & reasonable nexus with the avowed object sought to be achieved by such classification. The moment the AICPI is the base 19. As quoted above, the Co-ordinate Division Bench in the judgment rendered in WPST No. 45 of 2017 has held that the claim of the emplys serving under the Govt of West Bengal for DA is based on legally enforceable right on the all emplys serving under the Govt of West Bengal up to such extent of the recommendations of the 5th Pay Commission which has been accepted by the Govt of West Bengal by virtue of the provisions of sub-rule (1) Rule 12 of ROPA Rules, 2009 read with paragraph 10 of the clarificatory memorandum bearing No. 1691-F dt 23.02.2009 on ROPA Rules, 2009 issued by the govt of West Bengal Finance Deptt, Audit Branch, & paragraph 3 of memorandum bearing No. 1692-F

dated February 23, 2009 in the matter of drawl of Dearness Allowance in revised pay structure under the ROPA Rules, 2009 issued by the Govt of West Bengal. This observation, as stated above, has attained finality. Therefore, we have no hesitation in our mind to hold that the State Govt emplys under the ROPA Rules, 2009 has acquired legally enforceable right to get Dearness Allowance at the rate to be calculated on the basis of All India Consumer Price Index as embedded in Rule 3 (c) of the ROPA Rules, 2009.

20. In view of the decision of a Co-ordinate Division Bench in MAT 501 of 2020 with MAT 502 of 2020 (West Bengal State Electricity Transmission Company Limited and Others -Vs- West Bengal State Electricity Bd Engineers Assn and Others) the Employees under West Bengal State Electricity Transmission Company Limited are entitled to Dearness Allowances at the rate of Central Govt.

21. The learned Tribunal in the impugned judgment has struck down the relevant office orders/memorandums under which D.A was paid to the State Govt Employees working at Banga Bhawan in New Delhi and at Youth Hostel in Chennai at the rate payable to the employees of the Central Govt holding the orders/memorandums discriminatory offending the doctrine of equality under Article 14 of the Constitution. Bearing in mind the principle enunciated by the Hon'ble Apex Court in the decision in the case of D.S. Nakara -Vs- Union of India reported in AIR 1983 SC 130 we hold that the classification of the State Govt Emplys working at West Bengal and State Govt Emplys working at Delhi and Chennai governed by the same statutory Rules is discriminatory sans intelligible differentia and offends the golden doctrine of equality under Article 14 of the Constitution.

22. Since the claim of the State Government Employees of Dearness Allowance at the rate to be calculated on the basis of All India Consumer Price Index has fructified as a legally enforceable statutory right the decisions reported in AIR 1960 SC 1286 and (1985) 3 SCC 177 (supra) cited by learned Advocate General pertaining to payment of Dearness Allowance to workmen whose conditions of services are contractual in nature under private individuals/organizations are not applicable to the facts of the case on hand. Similarly,

**BHARAT PENSIONER**

in view of the factual and legal scenario as above the decision in the case of Tamil Nadu Electricity Board represented by its Chairman -Vs- Tneb - Thozhilalar Aykkiya Sangam by its General Secy reported in (2019) 15 SCC 235 is also not applicable.

23. As the pleadings indicate, it stands undisputed that due to erosion of value of the salary of Government Employees and nonpayment of Dearness Allowance since long to neutralize the erosion, sustaining livelihood of Government Employees has been affected to a great extent as revealed in the report of the 5th Pay Commission. As held above, to get Dearness Allowances at the rate to be calculated in terms of All India Consumer Price Index average 536 (1982=100) is now the legally enforceable right of the State Government Employees. What we feel, apart from acquiring the enforceable legal right to get Dearness Allowance using the methodology of All India Consumer Price Index, such right of the employees to sustain their livelihood with human dignity has been fructified or elevated as fundamental rights as enshrined in Article 21 of the Constitution. Such right available to Government Employees who are the main workforce behind the functioning of a Government in right direction cannot be denied by the State. As observed by the Pay Commission, we are of the same view that to pay respect to the statutory rights of the Government Employees to get D.A Allowances at the rate as above, the Government must generate all its resources. We feel that denial or deprivation of the legitimate claim of Dearness Allowance of the employees to sustain their livelihood in a dignified manner may have demoralizing effect upon them which may in turn adversely affect the smooth functioning of the Government. In such a backdrop, the stand taken by the State that due to financial inability it is not in a position to pay Dearness Allowance to its Employees at the rate to be calculated using the methodology of uniform All India Consumer Price Index average 536 (1982=100) is not acceptable. While the claim of the employees to Dearness Allowance is backed by statutory and fundamental rights and the Court finds that the State turns deaf ears to such rights, this Court in exercise of its extraordinary judicial power may direct the State to implement such rights of the employees.

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**Please send your reports in Hindi (duly typed) in word format** to BPS office 2/13A LGF (Backside) Jangpura A Hospital Road New Delhi 110014 e-mail : bharatpensioner@gmail.com.

**Senior Citizens Association Patiala:** Monthly meeting of the Association was held on 01/07/2022 at "Apna Ghar". 18 members attended the meeting and discussed various issues like medical, complimentary passes by The Patiala Loco Works Railways Hospital and Pass Section. July 1 being State Bank Day. It was celebrated with the presence of Sh. Amanjot Singh (Branch Manager) SBI Rgnul branch. He told us the history of State Bank and facilities offered to Senior Citizens by the Bank. After cake cutting sweets were distributed among the members.

All members were cheerful and wished good health to each other.

S S ARSHI (President)

**Bangalore on 14th July 2022:** The 9th Annual General Body Meeting of Karnataka Income tax Department Pensioners' Association was held at Bangalore on 14th July 2022. 151 members attended the meeting. This meeting was special in nature because it was held physically rather than the earlier two AGMs which were held on the virtual platform. Naturally, the members who attended the meeting were excited to meet their co-members face to face. President Sri R B Deshpande was in the chair. In his welcome speech, he expressed his concern over the increase in the number of Income Tax personnel seeking voluntary retirement early in their service. This attitude, he felt, was due to the unmanageable pressure of work and the tension created thereon. In a lighter vein, he said that Pension avoids Tension.

In the open Session, Sri K B Krishna Rao, president of the Coordination Committee of Central Govt Pensioners' Associations (CCGPA) Bangalore was the guest speaker. He stressed on the need of becoming a member of the Pensioners Association which in turn helps the family pensioners. He also touched upon CGHS issues and other issues pertaining to Central Govt pensioners like grant of increment to persons retiring on 30th June, the government's thinking on the constitution of future pay commission. He also felicitated Sri. K R Nagarajan, a 92 years old senior member. In the afternoon session of the AGM, members who are above the age of 75 years were honoured.

In the MC meeting held on 20th July 2022, the following from amongst the MC members were elected as Office bearers:

|                  |                    |
|------------------|--------------------|
| President:       | R B Deshpande      |
| Vice- President: | Usha Shantharam    |
| Secretary:       | B V Venkatesh      |
| Treasurer:       | G Sreenivasa Setty |
| Joint Secretary: | G Nirmala          |
| B V Venkatesh    |                    |
| Secretary        |                    |
| M: 9341240828    |                    |

**रेलवे पेंशनर्स समाज सहारनपुर :** रेलवे पेंशनर्स समाज पंजीकृत सहारनपुर उत्तर रेलवे (सम्बद्ध भारत पेंशनर्स समाज नई दिल्ली) के संस्थापक श्री रमेश चंद शर्मा को उत्तर प्रदेश माता-पिता और वरिष्ठ नागरिक भरण-पोषण तथा कल्याण समिति जिला सहारनपुर का सदस्य नामित किये जाने पर भारत पेंशनर्स समाज की ओर से हार्दिक बधाई एवं शुभकामनाएं।

ज्ञात हो कि इस समिति के अध्यक्ष जिलाधिकारी तथा सचिव जिला समाज कल्याण अधिकारी होते हैं। सदस्य वरिष्ठ पुलिस अधीक्षक, मुख्य चिकित्सा अधिकारी होते हैं। सदस्य वरिष्ठ पुलिस अधीक्षक मुख्य चिकित्सा अधिकारी, अपर जिलाधिकारी, उप जिलाधिकारी, मुख्य विकास अधिकारी, सुलह अधिकारी, तथा वरिष्ठ नागरिकों की भरण-पोषण सम्बन्धी तथा अन्य समस्याओं का निस्तारण करती है एवं उनके कल्याणकारी कार्य करती है।

## NEW MEMBER

|       |                  |            |       |
|-------|------------------|------------|-------|
| A4477 | R G Jethani      | Mumbai     | 07/23 |
| A4478 | Mahender Kr Jain | Delhi      | 07/23 |
| A4479 | J Indira Reddy   | Nalgonda   | 07/23 |
| A4480 | B K Singh        | Varanasi   | 07/23 |
| A4481 | P K Gupta        | New Delhi  | 07/23 |
| A4482 | Moti Ram         | Haridwar   | 07/25 |
| A4483 | B K Das          | Kolkata    | 07/23 |
| A4484 | Gopal K Gupta    | Banda      | 07/23 |
| A4485 | Ram K Chaurasia  | Khalilabad | 07/23 |

## AFFILIATED ASSOCIATION - RENEWAL

|       |                     |               |       |
|-------|---------------------|---------------|-------|
| A3699 | NSSO Penrs Forum    | Madurai       | 07/23 |
| A1592 | Bharat Penr Samaj   | Hoshangabad   | 07/25 |
| M8106 | CGP & FP W Assn     | Udaipur       | 07/23 |
| A0814 | Rly P W M Assn      | Bathinda      | 07/25 |
| A2625 | C G Penrs Assn      | East Godavari | 07/23 |
| M6419 | Rly Penrs Assn      | Anantpur      | 07/23 |
| A0390 | Postal Penrs Assn   | Amritsar      | 07/23 |
| A4227 | Sr Ct Penrs Council | Mohali        | 09/23 |
| M4358 | Bharat Penrs Samaj  | Raipur        | 09/23 |
| M3724 | Railway Penrs Assn  | Palghat       | 09/23 |
| A0818 | Bhrat Penrs Samaj   | Kota          | 07/23 |
| M6725 | C G Penrs Assn      | Nadia         | 07/23 |
| A3034 | NCR Penrs W Assn    | Gwalior       | 07/23 |
| A4137 | NER Penrs W Socy    | Lucknow       | 07/24 |
| A1734 | A I Rly Penrs Assn  | Chennai       | 11/24 |
| A4086 | S Rly Penrs Assn    | Howrah        | 09/23 |

## RENEWAL-ANNUAL

|       |                      |               |       |
|-------|----------------------|---------------|-------|
| A3581 | K D Sahu             | Katni         | 07/23 |
| A3025 | Satish Kr Aggarwal   | Delhi         | 07/23 |
| A3943 | Surinder Kr Aggarwal | New Delhi     | 07/23 |
| A4165 | A Veerabhadra Rao    | East Godavari | 07/23 |
| A3936 | S Uddava Reddy       | Anantapur     | 07/23 |
| A4189 | Sanyasi Rao Pilla    | East Godavari | 07/23 |
| A3864 | N M Nawale           | Solapur       | 07/23 |
| A4409 | A Kameshwara Rao     | Krishna       | 07/23 |
| A1470 | Sarat Chandra Padhi  | Bhuvneshwar   | 07/23 |
| A3361 | O P Gupta            | New Delhi     | 07/23 |
| M3754 | H B Lall             | Faridabad     | 07/23 |
| A3480 | Satish Chandra Ray   | Begusarai     | 07/23 |
| A1732 | S A Narayanan        | Delhi         | 08/23 |

## RENEWAL-BIENNIAL

|       |                |         |       |
|-------|----------------|---------|-------|
| A1648 | K Vishwanathan | Palkkad | 07/24 |
|-------|----------------|---------|-------|

## RENEWAL-TRIENNEAL

|       |                 |            |       |
|-------|-----------------|------------|-------|
| A0804 | Iqbal Singh     | Chandigarh | 09/25 |
| A0354 | Noratmal Gehlot | Ajmer      | 07/25 |

|       |                 |           |       |
|-------|-----------------|-----------|-------|
| A2037 | K Ravi Kumar    | Parkasam  | 07/25 |
| M8253 | M Venkatachalam | D Kannada | 03/26 |
| A2946 | Kashmiri Lall   | Amritsar  | 07/25 |
| L9201 | B D Baweja      | New Delhi | 07/25 |
| A2812 | N C Pandey      | New Delhi | 07/25 |

## DONATION

|       |                    |             |         |
|-------|--------------------|-------------|---------|
| A0340 | BSNL&DOT P Assn    | Ahmedabad   | 5000/-  |
| L9356 | S C Maheshwari     | Gurgaon     | 12342/- |
| A4481 | P K Gupta          | New Delhi   | 225/-   |
| NM    | N M Kanzaria       | Dhrangadhra | 1000/-  |
| A4483 | B K Das            | Kolkata     | 225/-   |
| L9334 | Vijay Kumar Taneja | New Delhi   | 1000/-  |
| A1734 | A I Rly Penrs Assn | Chennai     | 520/-   |

## OVERDUE FROM JUNE - 2022

|                          |              |       |
|--------------------------|--------------|-------|
| H K Vohra                | 9891344250   | A3492 |
| Prem Chand               | 9416296300   | A0006 |
| Suresh Ch Aggarwal       | 8755801450   | A2854 |
| Ranvir Singh Rajput      | 9457001696   | A2837 |
| D K Markale              | 9850980218   | A3920 |
| D Vijaykumar             | 9849833936   | A3285 |
| V Sunkappa               | 9441668770   | A0271 |
| Segu Kotilingam          | 9848596505   | A0031 |
| Balakrishna G Shellikari | 903544293    | T4241 |
| Shyama Pada Sen          | NA           | M8794 |
| O D Sharma               | 011-22153517 | A3661 |
| T K Balu                 | 9810667742   | A3662 |
| Lakhwant Singh Khara     | 9463123484   | A0001 |
| P S Ahluwalia            | 0562-3200257 | A3477 |
| Braham S Aggarwal        | 9013905973   | A4223 |
| S Venkataraman           | 8903791282   | A4405 |

## OVERDUE FROM JULY - 2022

|                   |            |       |
|-------------------|------------|-------|
| DR B K Maheshwari | 9953105889 | A0766 |
| R N Kapur         | 9868010565 | A3306 |
| S K Sharda        | 9811689623 | A0986 |
| Mohan Lal Chugh   | 7838103939 | A1560 |
| K L Vig           | 7087778014 | M5376 |
| Balkar Singh      | 9855324267 | A3487 |
| D K Malhotra      | 9888767583 | A0759 |
| H N Patil         | 9422224284 | M8440 |
| P S Sastry        | 9866375670 | M4778 |
| R Sathyanryanan   | 9632549579 | A4100 |
| B Ramanna         | 9448205157 | A3968 |
| M A Ramalingam    | 9159638016 | M8725 |
| Babu Lal          | 9810008610 | A4408 |
| P C Chawala       | 9958861091 | M5150 |
| S N Shukla        | 9838281801 | A3312 |
| S A Razak         | 9392227589 | A1486 |

|                        |            |             |
|------------------------|------------|-------------|
| S P Jain               | 9811104140 | A0836       |
| Vincent P C Misquita   | 9049559279 | T4238       |
| Jaswant Singh Bhatta   | 9818023943 | A3676       |
| B S Kang               | 9478807201 | M8117       |
| B K Gundu Rao          | NA         | WL-AI-10023 |
| T G Salhaudhin Khan    | NA         | WL-AI-10025 |
| G N Bhat               | NA         | WL-AI-10026 |
| M P Yashoda            | NA         | WL-AI-10027 |
| K Umapathi             | NA         | WL-AI-10028 |
| S P Kamath             | NA         | WL-AI-10029 |
| R Raghu                | NA         | WL-AI-10030 |
| L G Suryanarayana      | NA         | WL-AI-10031 |
| Radha Bai              | NA         | WL-AI-10032 |
| M Natarajan            | NA         | WL-AI-10033 |
| Ayaram Suja R J        | NA         | WL-AI-10034 |
| B M Bojamma            | NA         | WL-AI-10035 |
| Patrocin Raymond Pinto | NA         | WL-AI-10036 |
| B Rajasekar            | NA         | WL-AI-10037 |
| Pensioners Samaj       | 9450137183 | M3060       |
| Trs-Yamuna Penrs Assn  | 9810667742 | A2615       |
| R R & CG Emp. Assn.    | 9300481945 | M4221       |
| Rly Penrs Welf. Assn   | 9896782762 | M8409       |
| Rtd & SC Brotherhood   | 9350351680 | A3489       |
| N F Rly Penrs. Assn.   | 9954499382 | M3979       |
| ECSI Penrs. Wel. Assn. | 9891918947 | A4237       |
| Ctl Govt Penrs Assn    | 9433401685 | M3245       |
| K Pensioner Sangthan   | 9450305541 | A1467       |
| Postal Penrs. Assn.    | 9441161039 | M8607       |

## OVERDUE FROM AUGUST - 2022

|                       |              |       |
|-----------------------|--------------|-------|
| O P Gupta             | 011-27465803 | A3361 |
| S K Sharma            | 9971438767   | M7508 |
| R P Bansal            | 011-22151123 | M7524 |
| J L Bhatnagar         | 9958418604   | A1793 |
| Jagdish Chander Ropar | 9811173314   | A1779 |
| S S Narware           | 8989574222   | M8461 |
| Maithali Sh Viashnav  | 8851494006   | A2913 |
| A K Gosh              | 9832319883   | M6410 |
| Hari Narayan Beborla  | 9437048212   | A1803 |
| K R A Narayanan       | 0422-2427731 | M5409 |
| Om Prakash Manroa     | 9911322558   | A3346 |
| Gopi N Bhattacharjee  | 9748934147   | A4035 |
| D S Murty             | 9871409631   | A2866 |
| S V A M K V Prasad    | 0866-2536658 | L2829 |
| B V Bhaskar           | NA           | A4249 |
| Jaimal Singh          | 9805874991   | A1782 |
| Dwarika Prasad        | 9471178349   | A0060 |
| P C Gupta             | 011-26838504 | A2127 |
| Gulam Hussain R       | 9928217116   | A0388 |
| K S Kumaravadevelu    | 9840269643   | A2499 |

|                        |            |             |
|------------------------|------------|-------------|
| Sukhdev Singh Sandhu   | 9268566901 | A4250       |
| B S Patel              | 9428595556 | A3698       |
| A Sivamanickam         | 9869224554 | A3694       |
| Y V Narasimhan         | NA         | A3618       |
| Sohan Lal              | 9811289992 | A4334       |
| R R Banik              | 9474591616 | A0296       |
| Dixon Fernando         | 9845424793 | T4255       |
| Manmath K Gautam       | NA         | WL-AI-10039 |
| C G Penrs & FP Assn    | 9460909512 | A1007       |
| Bharat Pensioner Samaj | 8859478441 | A0279       |
| Penrs Forum of Rlymen  | 9301723149 | M8748       |
| P&T Penrs Assn         | 9845572633 | A2643       |
| D V C Penrs Samaj      | 9471178349 | A4332       |
| Sarva Bhartiya RPWO    | 9775691595 | A4411       |

## APPEAL

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**To**

**Bharat Pensioners Samaj.**

**President BPS**

FLASH

Public grievance redressal time reduced to 30 days from 45 days: Union Minister Jitendra Singh

August - 2022

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**A delegation of BSNL/DOT Pensioners led by BPS Secy. Sh. D.D. Mistry visited  
BPS office to meet BPS Secy Genl. S.C. Maheshwari**



**P K Khurana, Smt Divyaprabha Kshatriya, S C Maheshwari,  
D D Mistry, M R Vashist, S C Sharma, R C Sharma**

**NOTIONAL D R FOR PENSIONERS**

| All India CPI (IW)          | Jan 2022 | Feb 22  | March 22 | April 22 | May 22  | June 22 |
|-----------------------------|----------|---------|----------|----------|---------|---------|
| Base 2001=100               | 360      | 360     | 362      | 367      | 371     | 372     |
| % increase<br>over 01.06.06 | 204.65%  | 205.94% | 207.24%  | 208.8%   | 210.55% | 212.14% |
| % increase<br>over 01.01.16 | 34.91%   | 35.48%  | 36.06%   | 36.76%   | 37.52%  | 38.23%  |

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