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e-mail : bharatpensioner@gmail.com
Blog : www.scm-bps.blogspot.in

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



Secy. Genl. BPS S. C. Maheshwari Welcoming New J.S. DOPPW Sh. Dhrubajyoti Sen Gupta
On 12.3.2024 at Lok Nayak Bhawan, New Delhi

Join Us for the BPS Annual General Meeting in Gorakhpur and Embark on an Enchanting Tour of Ayodhya & Kushinagar!*

***AGM Date:** November 9th, 2024

***Tour Dates:** November 6th to 8th, 2024

***Tour Package Cost:** Rs 4500+Delegation Fee: Rs 500 = Total 5000/- per person

***Package Inclusions:**

Accommodation: 3 nights in a comfortable double-bedded AC/non-AC room, complete with daily mineral water, tea, and morning snacks.

***Transport:** Enjoy the journey to our destinations aboard a luxurious bus, ensuring a seamless and enjoyable experience.

***Sightseeing:** Be mesmerized by the local attractions as we guide you through the historical and cultural wonders of Ayodhya and Kushinagar, with stops at key tourist spots along the way.

***Special Highlights:** Experience the serene beauty of Ramgarh Tal in the evening with its colourful fountains and an optional cruise to make your trip unforgettable.

***AGM Attendance:** Be part of the 69th Annual General Meeting of BPS at the Railway Senior Institute, Gorakhpur, with a warm welcome awaiting you on the morning of November 9th.

***Please Note:** The tour package cost excludes meals, allowing you to explore and enjoy the local cuisine as per your preferences.

*****Journey Itinerary:** *November 6th: Arrive in Gorakhpur at your leisure and check into our selected hotel near the Railway station.

***November 7th:** Depart for Ayodhya early in the morning to explore its historical and spiritual essence, with scenic stops enroute.

***November 8th:** Visit the revered Gorakhnath Temple in the morning before setting off for Kushinagar, punctuated with sightseeing stops. The day ends with the enchanting views at Ramgarh Tal.

***November 9th:** The BPS's 69th AGM awaits your presence, promising insightful discussions and a warm community spirit.

*For more information or to address any queries, please feel free to contact Amiya Raman JSG of BPS at 9721706345.

***Embark on this journey with us, where tradition meets tranquility. Let's create memories that will last a lifetime!

S.C. Maheshwari SG/BPS: Appeals

Dear Valued Members, Affiliates & Supporter,
In the journey towards upholding the rights and welfare of pensioners, every step is fuelled by the support and generosity of individuals like you. Bharat Pensioners Samaj, standing strong for over six decades, has been a beacon of hope and advocacy for countless pensioners nationwide.

Our relentless efforts have borne fruits, bringing significant benefits and improvements to the lives of pensioners. Yet, the path ahead is laden with challenges, and the struggle for pensioners' rights and welfare persists.

To ensure the continuity of our noble cause and to prevent the possibility of closure, we earnestly appeal to your benevolence. Your generous donations will serve as the lifeblood of our organization, empowering us to continue our advocacy, amplify our efforts, and extend support to even more pensioners in need.

It is crucial to note that your contributions to Bharat Pensioners Samaj are exempt from Income Tax under Section 80G of the Income Tax Act, making your support even more impactful.

Your donation, no matter the size, will make a tangible difference in the lives of pensioners, ensuring they receive the dignity, support, and rights they rightfully deserve.

Together, let us forge ahead on this journey of compassion and empowerment. Your support is not just a donation; it is a testament to your commitment to social justice and the well-being of our elder citizens.

Thank you for your consideration and unwavering support.

Warm regards,
SCM/BPS

BHARAT PENSIONERS SAMAJ, NEW DELHI

(Federation of All India Pensioners' Associations), Regd No. S - 2023 of 1962 - 63. Niti Ayog Unique Identity No. = DL/216/20102111). also regd with DOP&PW Associate NGO, INTERNATIONAL

FEDERATION ON AGEING, TORONTO, CANADA

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

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BPS Contact details

Telephone: Office-011-24376642, 011-49027335, **Mobile/WhatsApp No.:** 8860412898 only for WhatsApp, 'SMS'. But No Voice Call please. Contact Time: 11.00-2.30 PM only, Visitors Time: 11.30-2.00 PM. Membership Rates wef 01.01.2023. Individual One year Rs. 400/- (Foreign) \$ 72 Two years Rs.750/- Three years Rs.1100/- Annual Affiliation (Assn/ Institution etc): Rs.1000/- inclusive of monthly News Magazine. You may deposit amount for membership/affiliation fee or donation through our website bps1955.in OR by drafts/Multi City cheques in favour of BHARAT PENSIONERS SAMAJ OR may send eMO with complete details to Bharat Pensioners Samaj - 2/13A, LGF (Back side) Jangpura 'A' Hospital Road, New Delhi-110014.

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. A/c 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.in. URL: http://www.bps1955.in/web/payment_bps.php

S.C.Maheshwari. Secy.Genl. BPS writes

BPS/SG/ Pensioners /24/7 Dated: 25.2.2024

1. Sh. Ashwini Vaishnav. The Honourable Railway Minister GOI
2. Dr. Shri Jitender Singh the Hon'ble MOS (Independent Charge) Prime Minister's Office Government of India,
3. Ms. Jaya Verma Sinha, The CEO/Chairperson (Railway Board) Ministry of Railways
4. Sh. V. Srinivas; The Secretary, GOI M/O Personnel, AR, PG & Pensions

Subject: Addressing the Challenges Faced by Railway Pensioners and Family Pensioners

Reference: No SG/BPS/H/023/01 Dated: 09.01.2023 addressed to CEO/Chairman Rly Board

Dear Sir/Madam,

I am writing to bring to your attention the persistent challenges faced by railway pensioners and family pensioners, particularly regarding the utilization of UMID medical cards and access to medical facilities. Despite the existence of these essential resources, certain obstacles hinder their effectiveness and cause undue hardship to beneficiaries. Below are some key issues along with suggested solutions to mitigate the difficulties faced by pensioners:

1. UMID Medical Cards: The UMID medical cards are intended to serve as a comprehensive solution for availing medical treatment across Indian Railways. However, several issues undermine their functionality:

- Private empanelled hospitals often demand a referral letter for emergency treatment, leading to untold misery & Anxiety to UMID cardholders.
- UMID cards issued by railway zones other than the zone where the hospital is located are not honored, exacerbating the problem.

Proposed Solution:

- Revise the design of UMID cards to include only "Indian Railway" without specifying the issuing zone or division, ensuring Pan-India validity.
- Issue a general order to all Zonal Railway CMDs, MDs, and CMSs to recognize UMID cards from other zones and advise empanelled hospitals accordingly.

2. OPD Consultation for Senior Pensioners: The pilot project allowing OPD consultation for RELHS

beneficiaries aged 75 years and above from private hospitals is highly beneficial but faces implementation challenges.

Proposed Solution:

Make the pilot project permanent, like schemes for CGHS beneficiaries.

- Expedite the signing of corrigendum MOUs by all railway zones to ensure uniform availability of this scheme.

3. Simplification of Referral Process and Teleconsultation:

- Streamline the referral process to private empanelled hospitals for retired beneficiaries, similar to the process under CGHS. For elderly patients, the facility of referral through video conference is the need of the hour.

4. Telemedicine & Teleconsultations can play a big role in elderly healthcare. So kindly enhance & strengthen teleconsultation services through the Rlys HMIS App, ensuring timely availability of doctors and facilitating the upload of test reports from accredited labs also.

In conclusion, addressing these issues requires concerted efforts to streamline processes, enhance access to medical services, and ensure equitable treatment for pensioners and their families.

Urgent action is needed to alleviate the hardships faced by railway pensioners and family pensioners.

Thank you for your attention to this matter.

Sincerely Yours,

Secretary General Bharat Pensioners Samaj

No BPS/SG/ FP/24/7 Dated: 25.2.2024.

To, Sh. Ashwini Vaishnav. The Honourable Railway Minister GOI, Dr. Shri Jitender Singh, The Honourable MOS (Independent Charge) Prime Minister's Office Government of India, Ms. Jaya Verma Sinha. The CEO/Chairperson (Railway Board) Ministry of Railways Sh. V. Srinivas The Secretary, GOI M/O Personnel, AR, PG & Pensions Sub: Inconsistencies in medical facilities for widowed/Divorced/ unmarried dependent daughters of deceased railway employees.

Ref-Government of India, Ministry of Railways (Railway Board) letter No RBE 69/2014 dated 7.7.2014 & RBE No 64/2022 dtd 10.06.2022.

Sir/Madam,

I am writing to bring to your attention a matter of utmost importance regarding the prevailing ambiguity and inconsistent application of policies impacting medical facilities and widow pass benefits for widowed/divorced/unmarried dependent daughters of deceased railway employees. This issue requires urgent attention, particularly in the context of the current focus on women's empowerment.

Current Inconsistencies and Discrepancies:

Medical Facilities: There are significant disparities across zonal railways regarding the eligibility of the daughters for medical facilities following the demise of both parents. While some railways, such as Eastern Railway, grant them access to Fixed Medical Allowance (FMA) and RELHS benefits vide RBE NO 69/2014 dated 7.7.2014, others, like South Central Railway, deny them entirely, pending clarification from the Board. This inconsistency creates unnecessary hardship and confusion for these vulnerable beneficiaries.

Widow Pass: Similar inconsistencies exist in the continuation of widow passes. For example, Northern Railway's Ambala Division continues to issue them widow passes under, RBE 64/2022 dated 10.6.2022 while Southern Railway denies them altogether. This lack of uniformity significantly impacts the mobility and independence of these women.

Our Appeal:

We urgently request your intervention to address this issue by issuing clear and consistent guidelines for all Zonal Railways. These guidelines should confirm the following existing Railway Board orders:

Medical Facilities: Widowed/divorced/unmarried dependent daughters of deceased railway employees are eligible for Fixed Medical Allowance (FMA) and, consequently, RELHS benefits after the death of both parents, as per Railway Board No PC-V/507, RBE No 07.07.2014 which is still valid as is clear from RTI reply vide PC -V/2023/RTI/1 dtd. .12,2023 in the case MORLY/R/E/23/05604

Widow Pass: These daughters are entitled to continue receiving the widow pass issued to their mothers, as per Railway Board No 2022/E/(W)/01/

09 dated 10.06.2022. ,(RBE 64/2022 dated 10.6.2022)

This entitlement ensures their mobility and independence.

Bharat Pensioners Samaj believes that rectifying these inconsistencies and establishing clear guidelines is crucial for ensuring fair and equitable treatment for all dependents of deceased railway employees, regardless of their gender or marital status. We request your immediate attention to this matter and urge you to issue the necessary directives to rectify these discrepancies and provide these women with the rightful benefits they deserve.

Thank you for your time and consideration.

Sincerely yours,

S.C. Maheshwari, Secy Genl B P S

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No BPS/SG/Pension/024/10 Dated: 26.02.2024.

To, The Director (PW) (Kind attention of Shri Ruchir Mittal)

Sub: Uniform Disbursement of Central Government Pension: Alleviating Financial Anxiety for Pensioners

Dear Sir,

In a country where financial stability is crucial, especially for retired individuals, the timely disbursement of pensions holds immense significance. With over 79 lakh Central Government pensioners, the monthly pension serves as a lifeline for many, constituting 90% of their financial sustenance. However, the inconsistency in the disbursement schedule among different banks has become a source of unnecessary anxiety and financial strain for pensioners, particularly during the final week of the calendar month.

It has come to light that certain banks, such as State Bank of India (SBI), Punjab National Bank (PNB), and Bank of Baroda (BOB), proactively credit monthly pensions to pensioners' accounts between the 24th to 26th day of the month. Conversely, other banks like Canara Bank and Central Bank of India wait until the last day of the month to initiate the disbursement of the current month's pension. This discrepancy in timing not only confuses but also adds to the financial burden and apprehension faced by pensioners.

The Deptt of Pension and Penrs Welfare, being cognizant of the challenges faced by pensioners, is urged to take necessary steps to address this issue. It is imperative to impress upon the Deptt of Financial Services, Govt of India, to mandate banks to adhere to a uniform schedule for crediting the current month's pension to pensioners' accounts.

A uniform disbursement schedule would not only streamline the process but also alleviate the unnecessary financial strain experienced by pensioners. By ensuring that all banks credit pensions within a specified timeframe, pensioners can better plan and manage their expenses without having to endure the anxiety associated with unpredictable disbursement dates.

Furthermore, in addition to providing financial stability, a uniform disbursement schedule demonstrates the government's commitment to the welfare and well-being of its retired workforce. It fosters a sense of reliability and trust, reassuring pensioners that their needs are being prioritized and addressed effectively.

In conclusion, the call for a uniform disbursement schedule for Central Government pensions is not merely a matter of convenience but a crucial step towards upholding the dignity and security of pensioners. It is a testament to the government's commitment to ensuring the financial well-being of its elderly citizens, who have dedicated their lives in service to the nation. As such, the relevant authorities must take prompt action to implement this much-needed reform, thereby providing pensioners with the peace of mind and financial stability they rightfully deserve.

Thanking you

With regards Sincerely yours,

S.C. Maheshwari; Secy. Genl. BPS

Copy to The Secy GOI Deptt of Personnel, AR, PG & Pensions for n/a at his level, please
Secy Genl. B P S

No BPS/SG/CGHS/024/5

Dated 26.02.024

The Honourable Union Minister, Ministry of Health and Family Welfare, The Honourable Union Minister, Ministry of Railways, The Honourable Union Minister, Ministry of Labour & Employment

The Honourable Union Minister, Ministry of Social Justice & Empowerment, The Honourable Minister of State (PP) PMO India

Sub: Implementation of recommendations of 155th Report of the Department-Related Parliamentary Standing Committee on Health and Family Welfare
Respected Sir/Madam,

Bharat Pensioners Samaj, the leading umbrella organization representing over 10 lakh pensioners and their associations across the country, extends its earnest appeal to your esteemed offices to take immediate action towards implementing the crucial recommendations outlined in the 155th report of the Department-Related Parliamentary Standing Committee on Health and Family Welfare.

Central to the welfare of elderly pensioners, particularly those reliant on Central Government Healthcare Schemes, is the swift execution of the following recommendations:

Collaboration with Partner Health Organizations:

As emphasized in Para 2.8.4 of the report, there exists a pressing need to foster robust partnerships with key health organizations such as Railways, ESIC, and ECHS. Additionally, the Ministry is encouraged to explore collaborations with State Government health centres and hospitals. Such collaborative endeavours promise the sharing of infrastructure and interoperability, ultimately facilitating enhanced accessibility to healthcare services, especially in remote regions of the country. By reducing the burden on the government exchequer, these initiatives will significantly benefit our elderly population.

Mandatory Empanelment of Healthcare Facilities:

The Committee's recommendation, as articulated in Para 2.12.2 of the report, underscores the necessity of mandating the empanelment of healthcare facilities in the private sector falling under specified categories. This includes facilities availing tax benefits, those receiving land grants/concessions from the Centre/State Governments, facilities affiliated with medical colleges, and any other categories deemed appropriate by the Government. Enforcing mandatory empanelment will ensure a more comprehensive network of healthcare providers, thereby enhancing access to quality medical services for pensioners nationwide.

We implore your esteemed offices to prioritize the implementation of these recommendations, which are instrumental in fortifying the healthcare ecosystem for our elderly pensioners. By swiftly translating these recommendations into actionable policies, we can significantly improve the well-being and quality of life of our senior citizens, who have contributed immeasurably to our nation's progress.

We earnestly request your kind intervention and proactive measures in this regard, underscoring your commitment to the welfare of our elderly population.

Thanking you in anticipation of your prompt action.

Yours sincerely,

[S C Maheshwari] [Secretary General] BPS

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No BPS/SG/024/FP/2/24 Dated 29.02.2024

To; Sh. Ashwini Vaishnav The Honourable Railway Minister GOI Dr. Shri Jitender Singh The Honourable MOS (Independent Charge) Prime Minister's Office Government of India AO/Chairperson (Railway Board) M/O Railways Sh. V. Srinivas The Secretary Government of India Ministry of Personnel, AR, PG & Pensions

Subject: Resolving woes of Secondary Family Pensioners in Railways.

Dear Honorable Ministers and Dignitaries,

I write to bring to your esteemed attention the pressing issue regarding the eligibility criteria for joining the Retired Railway Employees Liberalised Health Scheme (RELHS) and its implications for secondary family pensioners in the railway sector. As per the established norms delineated in RBE no. 64/2022 dated 10.06.2022, secondary family pensioners, including widowed, divorced, and unmarried dependent daughters of late Railway employees, are entitled to receive a widow complimentary post-retirement pass after the demise of both parents. Additionally, RBE No. 69/2014 dated 7.7.2014 affirms their eligibility to enrol in RELHS, subject to fulfilment of other conditions. However, it has come to our attention that Railway Board letter No. PC-V/2022/2022/A/Med/2/(FMA)(E) dated 11.11.2022 directly contradicts the provisions. This discrepancy deprives secondary

family pensioners of Railways of the financial benefits associated with Fixed Medical Allowance (FMA), thereby exacerbating the challenges faced by these vulnerable individuals, especially in this era of women empowerment.

It is imperative to rectify this anomaly promptly to ensure equitable treatment for all family pensioners, particularly those who are already grappling with significant hardships. Therefore, we urge your esteemed offices to take immediate corrective action to rectify this situation and restore the rightful entitlements of secondary family pensioners within the railway community. Thank you for your attention to this matter.

Your prompt intervention in addressing this issue will be immensely appreciated and will alleviate the plight of these deserving individuals.

Yours sincerely,

S.C. Maheshwari; Secretary-General /BPS

.....
NO BPS/GS/ESIC/024/1 Dated:29.02.024

To; Dr. Rajendra Kumar, IAS Director General ESIC

Sub: Lack of Response to Pensioners' Grievances
Dear Sir,

I am writing to urgently draw your attention to an ongoing issue concerning the resolution of grievances related to pensionary benefits within the ESICPWA-NCR DELHI. an affiliate of BPS, committed to addressing the legitimate concerns of its members. Bharat Pensioners Samaj (BPS), the leading umbrella organization representing over 10 lakh pensioners and their associations across the country is deeply troubled by the lack of response from the Employee's State Insurance Corporation (ESIC) on these critical matters.

Public Grievance Redressing mechanism mandates timely resolution of grievances. However, it is with great concern that we observe the ESIC's apparent failure to adhere to this mechanism, particularly in addressing the grievances submitted by the ESICPWA on behalf of its pensioner members.

Despite diligent efforts in presenting these grievances to the Director General (Public Grievance), ESICPWA, unfortunately, received no response from the Insurance Commissioner (Personnel & Administration).

It is essential to clarify that the ESICPWA-NCR DELHI an affiliate of Bharat Pensioners Samaj, firmly believe that all its members deserve fair and impartial treatment in the resolution of their grievances.

Given the gravity of these circumstances, Bharat Pensioners Samaj, the leading umbrella organization representing over 10 lakh pensioners and their associations across the country, extends its earnest appeal to your esteemed office to intervene to take corrective action.

We trust in your commitment to ensuring justice and fairness for all stakeholders involved.

Thank you for your time and consideration in addressing this pressing matter.

With regards

Sincerely yours,

S.C. Maheshwari ;Secy. Genl. BPS

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No BPS/SG/RB/CEO/inc /024/8 Dated:03.03.2024
To ;Smt. Jaya Verma Sinha, Chairperson /CEO,
Railway Board, New Delhi.

Sub: Grant of Notional Increment for Pensionary Benefits

Ref: Rly Bd No. PC-VI/2023/Misc/03(Part) dt 9.2.2024

Madam,

I am writing to address a matter of significant concern regarding the grant of a notional increment for pensionary benefits to retired employees.

The recent circular issued by the Rly Bd, as referenced above, regarding the grant of notional increment only on a personam basis, subject to specific conditions, has raised serious apprehensions among the pensioners' community. This circular is violative of the Hon'ble High Court of Delhi judgment dt 31.5.2023 in WP(C) 1731 / 2020 in Madan Mohan Dhyani vs UOI and is aimed at pushing every affected Pensioner to the court of Law. Madam, Grant of notional increment to Govt. servants superannuated on 30th June or 31st Dec- While I acknowledge the legal intricacies involved, it is disheartening to witness the implied suggestion that penrs should resort to legal recourse for a matter that ideally should be resolved through administrative directives.

The instruction stipulates that notional increment

shall be granted strictly on a case-by-case basis, primarily upon the filing of a contempt petition by the petitioner, and subject to administrative directives from DOP&T. Furthermore, it necessitates that the petitioner must have completed 12 months of service on the date of retirement, since the last annual increment accrued. This stringent criterion not only adds complexity but also imposes undue hardship on pensioners, who are often in the twilight of their lives.

It is pertinent to note that numerous judicial pronouncements, including those from the Apex Court, have underscored the legitimacy of granting notional increments to eligible retirees. However, the insistence on individual litigation disregards the collective plight of similarly situated pensioners and imposes unwarranted burdens of a physical, mental, and financial nature.

In contrast, the recent circular issued by the Comptroller & Auditor Genl of India, Circular No.2, Staff Wing/2024 No.24/Staff (entt-I)83-2021 of 18-1-2024, sets a commendable precedent by extending the benefit to all eligible individuals under its jurisdiction, irrespective of their engagement in legal proceedings. However, benefits should accrue from the date of superannuation and not from the date of S.C. Judgement.

In light of these considerations, Bharat Pensioners Samaj earnestly urges the Railway Board to reconsider its stance and issue comprehensive instructions for uniformly implementing notional increment provisions across the railway sector. Such a proactive measure would alleviate the suffering of numerous pensioners and uphold the principles of fairness and compassion that are inherent to our esteemed institution.

Thank you for your attention to this matter. I remain hopeful for a favorable resolution that prioritizes the welfare of our retired employees.

Yours sincerely,

S.C. Maheshwari;

Bharat Pensioners Samaj

No BPS/SG/inc/024/5 Dated: 03.03.2024
 To, The Secretary, M/O P, PG & Pensions -DOPT
 The Secretary, MOF-DOE
 The Secretary, GOI -DOP &PW
 Sir/Madam,

Sub: Retrospective application of notional increment: Upholding Justice for Retired Government Employees

In a recent development concerning the grant of notional increment to Central Govt Employees retiring on 30th June or 31st December, a pertinent issue of justice and equity has emerged. This matter gains significance in light of the Order of the Hon'ble Supreme Court dated 11.04.2023 in the case of KPTCL vs. C P Mundinmani, alongside the dismissal of SLP no.4722/2021 filed by the Union of India in an Order dated 19.5.2023 and Hon'ble High Court of Delhi judgment dated 31.5.2023 in WP(C) 1731 /2020 in Madan Mohan Dhyani vs UOI

According to the information available, the Office of the Comptroller and Auditor General of India has issued a Circular dated 18.01.2024. (No.2, Staff Wing/2024 No.24/Staff (entt-I)83-2021 of 18-1-2024.) This Circular extends the benefit of one increment with monetary benefits to government employees retiring on 30th June/31st December, contingent upon completion of one year of qualifying service for pension & pensionary benefits. Importantly, this benefit is extended regardless of whether the retirees are involved in any court case about this matter. However, it is specified that this benefit shall be granted only to officials retiring on and from 30th June 2023 onwards, aligning with the date of the Hon'ble Supreme Court's order dt 11.04.2023.

While the intent behind this Circular is commendable in extending relief to retiring officials, concerns arise regarding the prospective application of this benefit. It is essential to note that the petitioners in the case were granted the benefit of one increment from the date of their superannuation, i.e., from 30.06.2006 onwards, rather than from the date of the Supreme Court's order.

This decision to apply the benefit prospectively, post the Supreme Court's order, raises questions

regarding the principle of natural justice. It appears to overlook the fundamental principle of fairness, which dictates that individuals in similar circumstances should be treated equally.

In light of these considerations, it becomes imperative for the Secretary AR, PG & Pensions-DPPW, DOPT, and the Department of Expenditure to intervene in this matter. The spirit of justice, fairness, and equality demands a retrospective application of the benefit, effective from 30.06.2006 onwards, aligning with the relief granted to the petitioners in the referenced case.

Retired government employees who have dedicated their lives in the service of the nation deserve to be treated with dignity and fairness. The retrospective application of the notional increment is not merely a matter of financial benefit but a reaffirmation of the values of justice and equity that underpin our democratic ethos.

It is incumbent upon the authorities to heed the voices advocating for the rights of retired employees and to ensure that justice prevails. By taking corrective measures to address this anomaly, the government can demonstrate its commitment to upholding the principles of fairness and equality for all its citizens, even in matters concerning retirement benefits.

In conclusion, the concerned authorities must act swiftly and decisively to rectify this injustice. The retrospective application of the notional increment is not just a legal obligation but a moral imperative that must be fulfilled to uphold the dignity and rights of retired government employees.

Only through such concerted efforts can we truly honour the contributions and sacrifices of those who have dedicated their lives to serving the nation.

Thanking you,

With regards

Sincerely yours, S C Maheshwari,

Secy-Genl B P S

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BPS Secy, Sh. D.D.Mistry Writes

No;BPS/BDPA(I)/Moti Sagar/2023-24 Dt.15.3. 024

To Shri Ashwini Vaishnaw

Hon'ble. Minister of Communication & Info. Technology,

Sub: Non-payment of one-time subscription for CGHS – Case of Moti Sagar, Retired D/Man, O/O EF(C) bcd-2 AGR New Delhi - on 31.12.2003.

Hon'ble Sir,

1. We enclose herewith a copy of our letter No: BPS/BDPA(I)/MOTI SAGAR/2023 dated 1st February 2023 addressed to Dr. Pravin Kumar Purwar, C.M.D. BSNL, Bharat Sanchar Bhavan, Janpath, New Delhi on the captioned subject.

We regret to write that the Pensioner is struggling for the last four years to get a refund of his rightful claim of CGHS Refund, the case is pending in the office of the Chief Engineer, Civil, NTR New Delhi.

We once again provide you brief for your kind information and with a hope for necessary action in the matter.

2. The Required information is furnished below:

a) The Pensioner had affected the payment to the CGHS Authorities for his Rs.54,000/- (Rupees Fifty-Four Thousand only) vide DD No. XAB 540532 dt 28.12.2020 of Punjab National Bank, New Delhi in favour of the Accounts Officer, CGHS, New Delhi. As required, the Pensioner had surrender MRS Card No: NTR/0120RC and had obtained a certificate from the AGM (MRS) O/O CGMCN (TX-North), New Delhi.

b) The Pensioner was issued Index Card by the CGHS Authorities enlisting name of Pensioner and his wife on 28.12.2020 Pensioner had applied for refund of the subscription paid by him at detailed in Para a) to his Office on 23.12.2020 under clear signature of SDE (P&A) on 11.1.2021 accompanied with copy of his PPO No: 2-1/PC/7740/ppo-5517/2003/Pen. The Pensioner's Vendor No: R-80340422.

3. Sir, we regret to write that till date even after passing of more than four years, the Pensioner is struggling to get his legitimate payment and running from Pillar to Post but getting no clue regarding the status of his case.

4. We regret that even the Office Bearers of this Association has personally tried to contact the concerned authorities, but they too are helpless. We, therefore, request you to kindly take suitable action for long pending payment of the Pensioner.

Yours Sincerely,
(D.D. MISTRY) BPS Secretary BSNL/PSU

Copy to: 1. **Dr. Pravin Kumar Purwar**, CMD BSNL, New Delhi.

NO: BPS/BDPA(I)/Medical Card/Renewal
Dated 11th March 2024

To: Shri Praveen Kumar Purwar, CMD BSNL,
Sub: A request for online revalidation medical identity card for BSNL Pensioners.

Respected Sir,

1. We write to invite your kind attention to the difficulties being faced by the BSNL Pensioners each year in the month of April to get their Medical Identity Cards revalidated.

2. In this connection, we would like to write that we were informed that a device to renew Medical Identity Cards of the BSNL Pensioners online is being developed and it will be implemented.

3. Sir, the month of April 2024 is nearing and all the BSNL Pensioners will have once again run from pillar to get their Medical Identity Card validated. New recent years there are sea change in the administration and creating of Business Area has added more confusion and complicity in the work.

4. We, therefore, request you to kindly expedite the implementation of the said programme by month's end so that pensioners need not run from pillar to post.

5. Sir, CGHS Card, there is no such procedure, unless there is any change in the beneficiaries. We request you, kindly issue the necessary instructions for a similar procedure to save the senior citizen from coming to BSNL District H.Q. from remote areas.

6. Meanwhile, we request you to instruct all the District Heads to notify the specific timings and place for renewal of Medical Identity Card and allot the work to specific officer and if he is for any reason whatsoever not available, authorize second person for the said work.

With regards,

Yours Sincerely,

(D.D. Mistry)

BPS Secy BSNL/PSU

Copy to: Shri Niraj Mishra, Secy DoT, New Delhi for information and causing the necessary instruction in the matter.

NO.BPS/BDPA(I)/MTG2024

dated 5.3. 2024

To: Shri V. Srinivas, Secretary (Pension), DOPPW at Ahmedabad.

Re: A humble request to supply minutes of Pension Adalat held by CCA Gujarat.

Respected Sir,

The C.C.A. Gujarat Circle is holding quarterly pension Adalat in each quarter for specified districts to enable the concerned pensioners to reach out personally to vent grievances. We appreciate the procedure. Further, we would like to request you to kindly issue necessary instructions to CCA Gujarat to permit submission of the grievances of all the districts in each Pension Adalat and attended virtually so that pensioners need not wait for Pension Adalat for his/her district.

Our second request is to have minutes of Pension Adalat, which are not supplied either to the concerned pensioner or to the Association to follow up on the grievance in the next Adalat.

With regards,

Thanking you,

Yours Sincerely, (D D Mistry) BPS Secy BSNL/PSU

No: BPS/BDPA(I)/DLC/TN/2024

dtd, 22.03.2024.

To, **Sh. Shashi Bhooshan Kumar, Under Secretary, Department of Pension & Pensioners' Welfare, Janpath Bhawan, B Wing, 8th Floor, New Delhi – 110001**

Sub: Severe hardships being faced by the BSNL & DoT Pensioners of Tamil Nadu Circle, resulting in to stoppage of their pension.

Sir,

1. The Circle Secretary, BDPA (INDIA), Tamil Nadu Circle has drawn our attention towards the Severe hardships being faced by the BSNL & DoT Pensioners of Tamil Nadu Circle, resulting into stoppage of their pension vide his letter dated 07.03.2024 addressed to the CGCA New Delhi which painfully describes hardships being faced by the pensioners. We feel that your kind intervention in the subject matter is essential and therefore we write this letter to you with a hope for early action in the matter.

2. We have been told that the office of the CCA Tamil Nadu Circle, Chennai is facing acute shortage of staff resulting into settlement of just and genuine grievances of Pensioners and Family Pensioners.

3. To substantiate, we draw your kind attention towards the letter dated 29.02.2024, wherein he has called staff on deputation from other departments, there details whereof are as under:

Name of Post	Pay Matrix Level (7th CPC)	No. of Posts likely to be filled. Place of Posting Chennai
1. Sr. Accountant (Gr-B Non-Gazetted)	Level 6 (35000-112400)	12
2 JR. Accountant (Gr-C)	Level 5 (29200-92300)	11
3 Personal Assistant (Gr-B Non-Gazetted)	Level 6 (35000-112400)	01
4 Lower Division Clerk (Group-C)	Level 2 (19900-63200)	13
5 Multi-Tasking Staff (Group-C)	Level 1 (18000-56900)	06
TOTAL		33

4. Migration of pension drawing work from various banks and GM Postal Accounts to the CCA, T.N. Circle has manifold increased given the implementation of SAMPANN PROGRAMME. In the new system, the workload on the existing staff is increased manifold and CCA Office is unable to cope with work with the present clerical strength of staff.

5. There are about 62,000 pensioners for whom the pension/FP is drawn every month in this office consequent on the migration. The clear result is the grievances of Pensioners and Family Pensioners

BHARAT PENSIONER

remain unattended for weeks. *Before the introduction of the new scheme, the said work was handled by the Department of Posts & Various Banks.*

6. There is a heavy delay in the commencement of Family Pension, as the work is now centralized; and there is a delay in the verification process in examining necessary documents, such as death certificates etc. from the spouses.

7. Sir, due to the heavy workload to be handled by limited staff, this has been naturally forcing the existing senior staff to go for VR. Thus, the ultimate sufferers are the pensioners and Family pensioners. *Automatic stoppage of pension drawl for want of Life Certificate in the SAMPANN has further increased the workload and aggravated the situation very badly.* We need not state that after discontinuation of the drawl of pension for want of DLC, it takes more time for the drawl of Pension Arrear, as the CCA has to obtain special sanction from other competent authorities.

8. As if this is not sufficed, holding of quarterly Pension Adalat and special Campus for submission indirectly adds fuel to fire, as the staff is diverted for such work for timely hearing grievances of Pensioners. We propose that till such time, the situation becomes normal, holding of Quarterly Pension Adalats and Organizing Camps for DLC may differ at least for six months as a precautionary measure.

We, therefore, earnestly request to kindly issue suitable instructions to CGCS to review the situation before it is reaching its worsening peak point and expedite the deputation process/ recruitment of required staff.

We also request that till such time CCA TN can cope up with work the practice of automatic stoppage of pension/FP in SAMPANN software for want of LC may kindly be dispensed with by finding alternate methods to verify the existence of the pensioners if there is an abnormal delay in submission of LC.

With regards,

Yours Sincerely,

(D.D. MISTRY) BPS Secretary BSNL/PSU

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BHARAT PENSIONER

Extract of Minutes of the DC/JCM (Railways) Meeting held between Railway Board and Staff Side on 15th – 16th February, 2024

Section –B: Minutes DG(RHS)/PED(H)

12/2009: Recognition of hospitals and tie-ups for Neurosurgery patients on Central Railway.

The Railway has reported that efforts were made to empanel Jaslok Hospital. The Hospital has shown reluctance to offer its services at CGHS Mumbai rates. At present, 23 Hospitals with Neurosurgery super-specialty services have been empanelled. Neuro-surgery related cases are being managed satisfactorily by referring them to Jagjivan Ram Hospital, Mumbai Central (Zonal Railway Hospital, Western Railway) and the other empanelled Hospitals. Discussed and finalised.

14/2010: Medical facilities to the staff working at the roadside stations and gang huts.

Instructions in this regard have been reiterated to Zonal Railways to ensure availability of Road Mobile Medical Vans for Staff working at the roadside stations vide Board's letter No.2011/H/21/FHU/1 dated 31.08.2021. Discussed and finalised.

27/2011: Issuance of incorrect Medical Certificates in the case of medically de-categorised staff leading to avoidable problems and denial of compassionate appointment.

Medical Certificates are issued based on physical fitness and visual standards. They are advised for alternate employment on medical grounds. Discussed and finalised.

14/2021: Medical facilities to the retired railway employees (RELHS beneficiaries) residing far away from Railway Hospitals & Health Units – Review of extant policy to mitigate hardships.

Health Delivery System of Indian Railways provides medical facilities to the railway beneficiaries and their eligible dependents through a chain of Health Units, Divisional Hospitals, Sub- Divisional Hospitals and Central Hospitals. Further, for treatment during emergency instructions have been issued vide Railway Board's letter No.2018/Transcell/Health/CGHS dated 16.06.2021 .

Further, it is also mentioned that Fixed Medical Allowances (FMA) are being given to those RELHS

beneficiaries who reside beyond 2.5 Km from railway health institutions and give their option for FMA. Discussed and finalised.

16/2024: Shortage of Railway Doctors on Indian Railways – Reg.

Proposal for engaging CMPs against Doctors on unauthorized leave or on study leave is being processed. Shape

20/2024: Yardsticks for manpower requirement in Medical Department of Indian Railways – Reg.

The matter is being processed and it will be expedited.

23/2024: Grant of medical facility to the Quasi-Administrative Staff and other categories of staff in the absence of UMID Card.

Valid Medical cards issued to quasi-administrative staff will remain valid till the issue of a valid UMID Card.

Staff side mentioned that Railway Board vide their letter no. 19/H/6-1/13 dated 22.06.1995 issued instructions that free medical facility should be provided to quasi-administrative staff. The matter will be examined.

25/2024: Eligibility of Widowed/Divorced/Unmarried daughters for obtaining Medical treatment under RELHS-97 and issue of UMID Cards.

The provision of medical facility for widowed / divorced/ unmarried daughters is under active consideration.

26/2024: Entitlement of Hospital wards for Railway Medical beneficiaries in Railway Hospitals as well in Railway empanelled Hospitals – Reg.

The matter is under process.

29/2021: A. Coverage under Railway Service (Pension) Rules, 1993 in place of NPS – Cases of employees appointed on compassionate ground.

B. Coverage of Substitutes appointed prior to 01.01.2004 under Railway Service (Pension) Rules, 1993 in place of NPS.

A separate meeting will be held with DG(HR) and all concerned.

28/2024: (A) Coverage under RS(Pension)Rules 1993 in place of National Pension System(NPS).

A separate meeting will be held with DG(HR) and all concerned.

27/2021: Extension of Terms of the Contractual Medical Practitioners in Indian Railways.

A separate meeting will be conducted.

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15/2009: Merger of Dearness Allowance equal to 50% of basic pay w.e.f. 01.04.2004- Reckoning as pay for running staff.

The matter is under examination, and it will be put up to DG(HR).

34/2019: Implementation of 7th CPC recommendations – Upward revision of pay scales of various categories.

As desired by Federations, the item was discussed in a separate meeting with the Federations on 10.09.2021. As apprised in the meeting, the inter-ministerial Committee constituted by DOPT to examine 7th CPC's recommendations as contained in para 11.40.123 of its report after due consideration recommended not to accept 7th CPC's recommendations in respect of categories under Chemical & Metallurgical Department of Railways and the same has also been approved by Ministry of Railways. Since the issue has already been finalised by the inter-ministerial Committee and at present sub- judice, no action can be taken by the Ministry of Railways in an isolated manner Discussed and finalised.

36/2019: Implementation of Pay Scales recommended by the 7th CPC in case of several common categories.

A separate meeting will be conducted.

8/2021: Serious discrepancies in availing various privileges and facilities due to shortcomings in newly launched modules in HRMS.

A. Post Retirement Complimentary Passes and PTOs.

B. Provision in HRMS Module to include Divorced Mother as "Dependent Mother".

C. Facing hardships by the staff and ensuring retirees to deal with the FS Module via

A & C: Consequent to the implementation of various modules of HRMS, the following steps have been taken to enable the employees to use the HRMS:-

(i) User manuals in vernacular medium has been circulated by the field units to ensure the widest possible coverage of these

(ii) HRMS Helpdesks have been set up in each Division to assist and handhold those employees who are not proficient with the usage of latest technology and operation of the HRMS system and availing various facilities available under the In addition frequent Training sessions were also being held by the field units.

(iii) Keeping in view the practical problems faced by certain classes of employees, it has been decided by Railway Board vide letter dated 09.2021 that Divyang employees and pensioners may be allowed the option of availing Privilege Passes/PTO in physical format.

(iv) Various processes like issue and use of Privilege Pass, sanction of PF Loan, application for leave, filing of APARs have become completely digital and are easily accessible through HRMS web portal as well as an android mobile application Transferring various services to HRMS ensuring easy access.

B. Provision in HRMS Module to include Divorced Mother as “Dependent Mother”:

As per the definition contained in Railway Servants Pass Rules, 1993, definition of dependents is defined as “mother, including a divorced mother” and the same provisions have been retained in e- Pass module also. It may be appreciated that no change in the eligibility condition for drawl of e- passes for any category has been made in the e-Pass module of HRMS. The feature for including Divorced Mother is available in HRMS and can be included along with supporting documents. Discussed and finalised.

16/2012: Appointment on Compassionate grounds – Delegation of power – reg.

Railways will be suitably sensitized.

Discussed and finalised.

13/2024: Appointment on compassionate ground – Consideration of widows, female wards, stepsons/ step-daughters for the same – Reg.

The matter will be re-examined.

3/2011: Post Retirement Pass to staff retiring with less than 20 years of service.

A separate meeting will be conducted.

19/2011: Provision of companion in same class for Post Retirement Complementary First Class Pass holders who lost their life partner/unmarried in lieu of companion in Second/ Sleeper Class.

A separate meeting will be conducted.

28/2011: Entitlement of Railway employees for traveling in ‘Duronto’ Express Trains on the pattern of Rajdhani/ Shatabdi Express Trains.

Instructions in this regard have since been issued vide Board’s letter No. E(W)2009/PS5-1/30 dated 01.03.2013 and 22.04.2013. Discussed and finalised.

18/2012: Entitlement of Passes to Group ‘D’ staff(retired) and widows of Railway employees at par with Group ‘C’ retired staff – Reg.

Instructions in this regard have since been issued vide Board’s letter No. E(W)2016/PS5-2/9 dated 24.09.2018. Discussed and finalised.

22/2021: Inclusion of dependent “widowed Sister/ Legally Divorced Sister” in post- retirement complimentary Pass/Widow Pass.

A separate meeting will be conducted.

Success stories:

1.AIBSNLPWA an affiliate of BPS

A Family Pensioner gets Rs 25 Lakh on our intervention Sri Kavuri Sree Ramamurthy, Sr.AO of Hyderabad died in harness on 30.09.2007. His wife Smt. K Rajyalakshmi was sanctioned family pension of Rs 8,300/- at an enhanced rate for 7 years and then normal FP till June 2021. From July 2021 same amount of Rs. 22,744/- was paid without increased DR. On her request Sri A Sudhakara Rao OS CHQ checked the documents and found that DR was being paid at the 1st PRC rate and also that death gratuity was not revised as per 2nd PRC. On the intervention of Com. Sudhakara Rao, the case was settled. After continuous pursuance with CCA by Kukatpally branch and District Secretary, HTD, the CCA has granted arrears of Rs. 25,62,867/- to the family pensioner.

Success stories JSG BPS Sh. Amiya Raman

1. Sri Prem Narayan Jayaswal Ex Station Sundt/ Allahabad City of Varanasi Division of N E Rly with D.O.B. 1-1-1943 retired on 31-12-2003. Everything was alright till 6th CPC but while issuing PPO as per 7th CPC D.O.B. was changed from 1-1-1943 to 1-6-1947 and PPO No.200770 4080 0353 Dt 25-3-2018 generated. On completion of 80 yrs. Age beingg deprived from 20% addl. Pension, the Pensioner checked his PPO& found the mistake. He ran from pillar to post but no result. Sri Amiya Raman JSG/BPS took up the case & complained on CPENGRAM but every time the case

was closed. Complaints were also made to Vigilance & after long persuasion finally correct PPO No.2002 7040800422 was issued on 11-1-2024 on which Bank of Baroda started 20% increase in Pension & paid the arrears.

2. Sri Mohd Hasan Ex Fitter (Elec), Lucknow with D.O.B.28-2-1935 retired on 28-2-1993. On attaining even the age 85 yrs, he was not getting any enhanced Pension of 20% or 30%. On complainant, Bank of Baroda disclosed the fact that the DOB on the PPO is 31-1-1948 instead of 28-2-1935. Divl. Secy of Association represented the case & revised PPO was issued on 23-5-2023. The bank did not start increasing the Pension even though a complaint was lodged on CPENGRAM on 21-10-2023 & many letters thereafter. On 1-2-2024 Sri Amiya Raman JSG/BPS took up the matter & arranged a complaint to the Banking Ombudsman as a result on 12-2-2024 an arrear Rs 3,24,835 was paid & increased Pension started with 30% of the Pension.

3. Sri Ram Charan Ex Trackman/ Sitapur of Lucknow Division N E Rly retired on 31-10-2013. Everything was all right but while issuing 7th CPC revised PPO, out of its 14 digits, the digit indicating the Division was changed from that of Lucknow Division to Varanasi Division as a result he was deprived from the benefit of the revised PPO since 1-1-2016. After long persuasion by Sri Amiya Raman JSG/ BPS, the already issued PPO was cancelled by ARPAN portal and a fresh PPO No.20137040601015 was issued on 7-3-2024 after long gap and the grievance was solved.

BPS JSG Writes

No-BPS/02/24/Med Dated: 15.2.2024.
To The Principal Chief Medical Director
Northeastern Railway Gorakhpur

Subject: Reimbursement of Medical Expenses

Dear Sir,

Bharat Pensioners Samaj (BPS) represents over 10,00,000 Pensioners across various departments including Railways, Defence, Postal, etc. throughout India, and is recognized by the Ministry of Personnel, Public Grievances & Pensions.

I bring to your kind attention the case of Smt. Rashmi Garg, wife of Sri K.K.S. Garg, Ex-Chief Booking Clerk (CBC), UMID Card No. 06559106360B, stationed at Izatnagar. The appeal for the reimbursement of medical expenses is currently under consideration in your esteemed office.

This case was referred to Medanta Mendicity, Gurugram, in a critical condition vide CMS/IZN letter No. 2020/MED/IZN dated 11-9-2023, where she was admitted to the Intensive Care Unit (ICU). After a comprehensive examination, Medanta issued a letter to CMS/IZN stating, "The patient requires MITRACLIP and TRICUSPICLIP as a life-saving procedure. The patient is at high risk for open-heart surgery. The approximate expenditure for the procedure will amount to 32 lakhs."

In this critical situation, instead of facilitating the life-saving procedure at Medanta itself by seeking post facto approval from the competent authority, the case was referred to PCMD, who in turn advised the patient to consult AIIMS, resulting in the discharge of the patient from Medanta's ICU. However, AIIMS confirmed via a reply to an RTI application that they do not offer the required life-saving procedures.

These actions constitute a series of serious and impractical and inhuman steps taken for the treatment of a patient in a life-threatening situation. Rather than arranging for the necessary procedure at Medanta Mendicity, where the case was initially referred, the administration opted for discharge, despite their own referral.

Considering the aforementioned facts, I request you to expedite the reimbursement of the medical expenses incurred in this case.

Thanking you in anticipation.

Sincerely yours,

[Amiya Raman]

Joint Secretary General

Bharat Pensioners Samaj

Mandatory 2 – Factor Aadhaar Authentication for CRA System Access w.e.f. 1st April 2024: PFRDA Circular dated 15.03.2024.

PFRDA Pension Fund Regulatory & Development Authority No: PFRDA/2024/06/Sup-CRA/03 15.3.24 To All NPS Stake Holders

Sub: Mandatory 2 – Factor Aadhaar Authentication for CRA System Access w.e.f. 1st April 2024

Government and Corporate Nodal offices, including PrAO/DTA/PAO/DTO/DDO, are granted access to the Central Recordkeeping Agency (CRA) system for conducting National Pension System (NPS) related tasks, performing activities and generate various reports. The additional security layer, 2-Factor Aadhaar-based authentication, is being compulsorily implemented for all password-based users logging into the CRA system, effective from 1st April 2024 as communicated vide our earlier Circular dt 20th Feb 2024.

2. Benefits of 2-Factor Authentication:

Increased Security: The two-factor approach significantly reduces the risk of unauthorized access to the CRA system.

Enhanced Protection: This additional layer safeguards NPS transactions and protects the interests of both subscribers and stakeholders.

3. Additional Security Feature:

Currently, Nodal Offices under Central and State Governments, including their underlying Autonomous bodies, use a password-based login to access the CRA for NPS transactions. To bolster security features and protect the interests of Subscribers and Stakeholders, it has been decided to introduce additional security features through Aadhaar-based authentication for login to the CRA system. This Aadhaar-based login authentication will be integrated with the current User ID and Password-based login process, enabling 2-Factor Authentication for accessing the CRA system.

4. Aadhaar Mapping:

User IDs of Nodal offices under the Government Sector (Central/State/CAB/SAB) shall be permitted to login to the CRA system (CRA & BHARAT PENSIONER

NPSCAN) using 2-Factor Authentication through Aadhaar OTP (One-time password). The Oversight office (PrAO/DTA) must initially link their Aadhaar with their respective CRA User ID, enabling underlying users to initiate Aadhaar Mapping. Similarly, PAO/DTO must link their Aadhaar with their respective CRA User ID, allowing underlying DDOs to initiate Aadhaar linking.

5. Performance of NPS Activities:

All offices under the Government Sector and Autonomous Bodies are required to implement the necessary framework for the additional feature of Aadhaar-based login and authentication in the CRA system to carry out all NPS related activities.

6. Standard Operating Process:

The attached document outlines the process for Nodal offices attached with Protean CRA to link their Aadhaar and proceed with functional activities using the CRA system and covers the following points:

One-time registration of Aadhaar number against Nodal Office User ID

Authentication of Aadhaar Mapping to Nodal Office User ID

Status view for Aadhaar Mapping

Procedure for regular (Aadhaar-based) access to the CRA system.

Govt and Corporate Nodal Offices, along with Autonomous Bodies, are requested to implement the necessary framework for the new Aadhaar-based login and authentication and ensure seamless execution of all NPS-related activities.

Yours sincerely,

K Mohan Gandhi Ch Genl Manager

Revised Flexible Complementing Scheme for Scientists: DOPT O.M dt 13.03.2024.

No.AB-14017/41/2013-PP(RR) GOI

Ministry of Personnel, Public Grievances & Pension -DOPT the 13th March, 2024

Sub: Revised Flexible Complementing Scheme for Scientists

Based on the recommendations of the Sixth Central Pay Commission (6th CPC), the Flexible Complementing Scheme (FCS) for Scientists, which

existed in some of the scientific Ministries/ Departments of the Government of India, was modified and instructions on Modified Flexible Complementing Scheme were issued by this Deptt vide O.M. No. AB-14017/37/2008-Estt(RR) dt 10.09.2010. Ministry of Electronics and Information Technology (MeitY) has also formulated the Personnel Policy for Group-A S&T Officers of Min of Electronics and Information Technology vide O.M File No.2(11)/2016-Pers III dated 19.09.2016. These guidelines do not apply to DRDO and Deptt of Atomic Energy and Space, where the Scientists are governed by another scheme called Merit Based Promotion Scheme.

2. After the issue of these guidelines, a need was felt for enhancing the educational qualifications in the MFCS by several Mins/Deptt. to recruit Scientists as per their work function and detailed deliberations were held on the issue. Keeping in view that the field of Science and Technology is evolving, the requests of the various Mins/Deptt have been examined and suitably incorporated in the revised scheme. To obviate future concerns relating to interpretation regarding Educational Qualifications or inclusion of new disciplines, the revised scheme provides for setting up of an Inter-Ministerial Committee under the Secretary, DOPT with Secretary, DST as Member and Secretary of the concerned Ministry/Department as the co-opted Member.

3. A revised FCS is appended to this OM. Provisions of Revised FCS would be effective from 01.07.2024. All Scientific Mins / Deptt presently implementing MFCS and Ministry of Electronics and Information Technology shall initiate action for incorporating the provisions of the Revised FCS by amending the provisions of relevant recruitment rules so that RRs are brought in conformity with the provisions of the Revised FCS.

4. The Ministries/Departments may bring the Scheme to the notice of concerned Autonomous Organizations under their administrative control for placing the same before their respective Governing Bodies for adoption.

(J. Sriram Murty)

Deputy Secy to the GoI

BHARAT PENSIONER

Dearness Relief from 01.01.2024 @ 50% to Central Government pensioners/family pensioners: DoPPW OM dated 13.03.2024

No. 42/02/2024-P&PW(D) GoI Ministry of Personnel, Public Grievances & Pensions Deptt of Pension & Pensioners' Welfare Dated 13.03.2024

Sub: Grant of Dearness Relief to Central Government pensioners/family pensioners – Revised rate effective from 01.01.2024-reg

The undersigned is directed to refer to this Department's OM No. 42/04/2023-P&PW(D) dated 27.10.2023 on the subject mentioned above and to state that the President is pleased to decide that the Dearness Relief admissible to Central Government Pensioners/Family Pensioners shall be enhanced from the existing rate of 46% to 50% of the basic pension/family pension (including additional pension/family pension) wef 01st January 2024.

2. These rates of DR will be applicable to the following categories: -

- (i) Civilian Central Government Pensioners/Family Pensioners including Central Govt. absorbed pensioners in PSU/Autonomous Bodies in respect of whom orders have been issued vide this Department's OM No. 4/34/2002-P&PW(D)Vol.II dated 23.06.2017 for restoration of full pension after expiry of commutation period of 15 years.
- (ii) The Armed Forces Pensioners/Family Pensioners and Civilian Pensioners/Family Pensioners paid out of the Defence Service Estimates.
- (iii) All India Service Pensioners/Family Pensioners.
- (iv) Railway Pensioners/Family Pensioners.
- (v) Pensioners who are in receipt of provisional pension.
- (vi) The Burma Civilian Pensioners/Family Pensioners and Pensioners/families of displaced Govt Pensioners from Burma/ Pakistan, in respect of whom orders have been issued vide this Deptt's OM No. 23/3/2008-P&PW(B) dt 11.09.2017.

3. The payment of Dearness Relief involving a fraction of a rupee shall be rounded off to the next higher rupee.

4. The payment of arrears of Dearness Relief shall

not be made before the date of disbursement of pension/family pension of March 2024.

5. Other provisions governing the grant of DR in respect of employed family pensioners and re-employed Central Govt Penrs will be regulated under the provisions contained in Rule 52 of CCS (Pension) Rules, 2021 and this Deptt's OM No. 45/73/97-P&PW (G) dt 2.7.1999 as amended from time to time. The provisions relating to the regulation of DR where a pensioner receives more than one pension will remain unchanged.

6. In the case of retired Judges of the Supreme Court and High Courts, necessary orders will be issued by the Department of Justice separately.

7. It will be the responsibility of the pension disbursing authorities, including the nationalized banks, etc. to calculate the quantum of DR payable in each case.

8. The offices of Accountant General and authorized Pension Disbursing Banks are requested to arrange payment of Dearness Relief to Penrs/Family Penrs based on these instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India because of letter No. 528-TA, II/34-80-II dt 23/04/1981 of the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No. GANG No. 2958/GA-64 (ii) (CGL)/81 dt the 21' May, 1981 addressed to State Bank of India and its subsidiaries and all Nationalised Banks.

9. In so far as the persons serving in Indian Audit and Accounts Department are concerned, these orders are issued in consultation with the Comptroller and Auditor General of India, as mandated under Article 148(5) of the Constitution of India.

10. These issues in accordance with the Ministry of Finance, Department of Expenditure's OM No. 1/1/2024-E-II (B) dated 12.03.2024

(Ravinder Kumar)

Director

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BSNL VRS 2019 retirees – Pending payment of Ex-Gratia, Leave Encashment, and other pensionary benefits: BSNL OM dated 19.02.2024

BHARAT SANCHAR NIGAM LIMITED (A Government of India Enterprise) CORPORATE OFFICE Establishment Branch Bharat Sanchar Bhawan New Delhi- F, No: BSNLCO-A/11/11/2023-ESTAB dt:19th Feb., 2024

Sub: Processing of pending payments of ex-Gratia and pensionary benefits including leave encashment in respect of VRS-2019 retirees-reg.

It has been observed that some circles have been facing difficulties due to restrictions built into the ERP/SAP system while processing of pending payments of Ex-Gratia and Leave encashment in respect of VRS-2019 retirees. These restrictions were put in place in the ERP/SAP system to prevent any unauthorized/wrong payments in respect of VRS-2019 retirees against whom complaints regarding fake caste certificates were pending. The restrictions were also necessary because payment of terminal benefits in respect of a large number of cases of VRS-2019 retirees was required to be settled.

2. Now very few cases are pending where the release of retirement benefits in respect of VRS-2019 retirees is required to be executed as and when the retirees become eligible for payment of such benefits. Therefore, the general restrictions incorporated in the ERP system have now been removed. However, it is now imperative that the release of withheld payments to VRS-2019 retirees are made by the Circles only after carefully ascertaining eligibility for such payment as per extant rules. The responsibility of ensuring the correctness/genuineness of payment shall be solely with the concerned circles.

3. In this regard, it is requested that the authorization allowed for the processing of payments in respect of VRS-2019 retirees be reviewed and only those officers, who are directly involved in the process may be allowed due authorization in the ERP system. Further, in case of any change in the last pay drawn due to re-fixation of pay on any ground, it may be ensured

that the calculation of Ex-Gratia, leave encashment, and other retirement benefits in respect of VRS-2019 retirees are approved by the IFA of the concerned circle.

[Sanjeev Kumar] Asstt. General Manager (Estt I)

33rd meeting of the SCOVA and 10th Nation-wide Pension Adalat – Transformative Pension Reforms:

Dr Jitendra Singh Highlights Modi Government's Commitment to Elder Citizens and Women Empowerment Ministry of Personnel, Public Grievances & Pensions

Union Minister Dr Jitendra Singh says, ever since Prime Minister Narendra Modi took charge in May 2014, a series of pension reforms had been introduced, one after the other, with a sensitive concern for elder citizens and women in particular. Technology used to seek ease of living for these sections.

The Minister chairs the 33rd meeting of the Standing Committee of Voluntary Agencies (SCOVA) and 10th Nation-wide Pension Adalat in New Delhi.

Department of Pension is constantly engaged in formulating policies for achieving the goal of women's empowerment thereby ensuring a dignified life and ease of living for women: Dr Jitendra Singh

Dr Jitendra Singh also presided over the Nationwide Pension Adalat, which covered pensioner grievances of 12 Ministries/Departments, and 60 percent of them were resolved on the spot.

Redressal of Pensioner's Grievances is a high priority of the Modi Government and for the speedy resolution of Pensioners' Grievances Pension Adalats is organized: Said Dr Jitendra Singh. Union Minister of State (Independent Charge) Science & Technology; MoS PMO, Personnel, Public Grievances, Pensions, Atomic Energy and Space, Dr Jitendra Singh today said, that ever since Prime Minister Shri Narendra Modi took charge in May 2014, a series of pension reforms had been introduced, one after the other, with a sensitive concern for elder citizens and women in particular.

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Latest technology tools were employed to seek ease of living for these sections of society, he said.

Chairing the 33rd meeting of the Standing Committee of Voluntary Agencies (SCOVA) and 10th Nation-wide Pension Adalat in New Delhi, Dr Jitendra Singh said, the Department of Pension is constantly engaged in formulating policies for achieving the goal of women empowerment thereby ensuring a dignified life and ease of living for women.

Dwelling on the Women-Centric reforms in the Department of Pensions and Pensioners' Welfare, Dr Jitendra Singh said, orders were issued wherein a divorced daughter, in whose case a decree of divorce was issued after the death of her parents, will be eligible for family pension if the divorce petition was filed before death of the parents.

Similarly, the Minister said, the families of missing employees covered under NPS can now get family pension within 6 months of lodging FIR and not wait for 7 years after which the employee is considered deemed dead. Even in cases where the Government servant dies before completing a service of 7 years, the family pension shall be payable to the family at the enhanced rate of 50% of last pay for the first 10 years and thereafter @ 30% of last pay.

Even the pension for Divyang were resolved to bring ease of living for all, the Minister added.

Dr Jitendra Singh said that the Deptt of Pension under Prime Minister Narendra Modi has become the Deptt of Reforms with huge social implications. He asked the SCOVA body which consists of 15 non-official members, representing Penr Welfare Assns. and Official Members to come out with suggestions and new ideas for the benefit of the Deptt. The Minister informed that it was his suggestion that a single pension form was introduced instead of the earlier practice of three forms.

Referring to Jeevan Praman (Digital Life Certificate) launched by the Prime Minister in November, 2014, Dr Jitendra Singh underlined that it provides an option to pensioner for submission

of Digital Life Certificate online, anytime and from anywhere.

Dr Jitendra Singh also took pride in informing the SCOVA members that to enhance 'Ease of Living' for Pensioners/Family Pensioners, DoPPW in collaboration with Meity and UIDAI has developed a "Face-Authentication Technology" based system to submit Life Certificate from any Android smartphone which was launched by in 2021, the first by any government department..

The Minister also underlined that DoPPW coordinated with Banks, India Posts and Payment Bank (IPPB) for providing the doorstep facility of DLC submission from home for incapacitated Penrs/Family Penrs. Similarly, BHAVISHYA platform, is an integrated online pension sanction processing system made mandatory for all Central Govt Deptt wef 01.01.2017.

Dr Jitendra Singh also presided over the Nation-wide Pension Adalat, which covered pensioner grievances of 12 Mins/Deptt including Ministry of Home Affairs, Deptt of Defence Finance, CDBT, Deptt of Economic Affairs, Deptt of Ex-Servicemen's Welfare, Ministry of Housing & Urban Affairs, Ministry of Rlys and Ministry of Culture. 105 Penr Grievances have been listed for discussion comprising of Superannuation cases, Family Pension Cases and Voluntary Retirement Cases. 60 percent of the cases were resolved on the spot.

Dr. Jitendra Singh said, redressal of Penrs Grievances is a high priority of Modi Govt and for speedy resolution of Penrs Grievances Pension Adalats are being organized by Deptt of Pension and Penrs Welfare in which multiple stakeholders are brought on one platform for on-the-spot redressal.

In 2023, Department of Pension & Pensioners' Welfare had organized two Pension Adalats on 17th May, 2023 and 23rd October, 2023. During these Adalats, 603 cases were taken up, out of which 440 cases were resolved on the spot.

Pensioner Welfare Associations from Gujarat, Odisha, Maharashtra, New Delhi, Tamil Nadu, Maharashtra, Jharkhand, Haryana, Uttar Pradesh, West Bengal, Karnataka, and Puducherry would be participating in the 33rd SCOVA deliberations.

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DOPT, Ministry of Railways, Ministry of Health and Family Welfare, Department of Telecom, Department of Expenditure, CPAO, Department of Financial Services, CGDA and State Bank of India will also be participating in the deliberations.

Grant of notional increment (as due on 1st Jan./ 1st July) to the officers/ employees superannuated on 31st Dec./ 30th June and revision of pensionary benefits: CPWD

File no. 2/3/2023-EC-IV(SC)/190-E Directorate G C P W Deptt EC-IV (SC) Room No. 109 A Wing Nirman Bhawan, New Delhi. dt 20th February.024 Sub: Grant of notional increment (as due on 1st Jan./ 1st July) to the officers/ employees superannuated on 31st Dec./ 30th June and revision of pensionary benefits.

The undersigned is directed to invite the attention to the above-mentioned subject and to say that some retired CP WD officials through original application (OA) No.173/2021(Arun Kumar Goyal & others) and 2244/2019(Lal Chand Maurya & others) OA no. 2905/2023 (Sh. Surya Kant Rai. EE(Civil) & Others) approached the CAT for seeking the benefits of grant of notional increment. These retired officials had superannuated on 30th June and 31st December and their next date of increment was due on 01st of July and 01st of January following their respective date of superannuation. The applicants were aggrieved that their pension should have been fixed by counting the increment which was due immediately following their respective date of superannuation.

2. The Hon'ble CAT(PB) New Delhi pronounced its judgement in favour of the applicants vide order dt 15.07.2021 & 22.09.2023 respectively (copy enclosed). Deptt of Legal Affairs, M/o Law & Justice had advised to challenge the decision dt 15.07.2021 of CAT, PB. New Delhi in High Court of Delhi. Accordingly, a Writ Petition 2926/2022 was filed in the Hon'ble High Court of Delhi on 04.02.2022 after obtaining the approval of the competent authority.

3. Hon'ble High Court of Delhi issued an Order on 26.07.2023 after hearing the above Writ Petition and stated that:-

“Since we have disposed of similar writ petitions arising from the same order, we dispose of this petition stating that the parties shall be bound by the Judgement of the Supreme Court in Director (Admn. & HR) KPTCL (supra) Civil Appeal No. 2471 of 2023 [SLP (C) No.6185/2020].

Petition Stands disposed of”.

4, Hon’ble Supreme Court of India in the matter of Civil Appeal No. 2471 of 2023 [SLP (C) No.6185/2020, The Director (Admn. and HR) KPTCL & Ors. Versus C.P. Mundinmani & Ors] had announced in its Judgement dated | 1/04/2023 that*

“The Division Bench of the High Court has rightly directed the appellants to grant one annual increment which the original writ petitioners earned on the last day of their service for rendering their services preceding one year from the date of retirement with good behaviour and efficiently. We are in complete agreement with the view taken by the Division Bench of the High Court. Under the circumstances, the present appeal deserves to be dismissed and is accordingly dismissed. However, in the facts and circumstances of the case, there shall be no order as to costs. 1.A. No. 149091/2022 stands disposed of in terms of the above”.

5. Since the order dt 26.07.2023 of the Delhi High Court referred to the Judgement of Supreme Court (Civil Appeal No. 2471 of 2023 [SLP (C) No.6185/2020] and keeping in view the vast implications of the implementation of the judgement, it was decided to refer the matter to DoPT being the Nodal Deptt for seeking their comments/ advice through MoHUA for further order in this case.

6. DoPT in its observation stated that “The matter has been examined in this Deptt. It is advised that in the instant case MoHUA may, in consultation with D/o Legal Affairs, take an administrative decision regarding compliance of the Order dt 26.07.2023 of the Hon’ble High Court of Delhi referred above.”

7. As per the advice of DoPT the matter was again referred to DOLA for its advice wherein DOLA advised as under: -

“Since the case at hand raises identical issue as that in the case of the KPTCL v. CP. Mundinmani, 2023 SCC Online SC 401 which has been decided

in favour of the applicants by the Hon’ble Supreme court and has attained finality, it would not be a fit case for preferring an SLP against order dt 26.07.2023 passed by the Hon’ble High Court, Delhi and it is further advised that the order be implemented at the earliest so that there is no contempt proceedings initiated against the department.”

8. Accordingly, the matter was sent for the approval of Mo HUA (being the competent authority) for implementing the CAT Judgement dt 15.07.2021 & 22.09.2023. The MoHUA has approved the implementation of the judgment of CAT in respect of CPWD petitioners for granting of one notional increment to the petitioners vide e-file No. 9110820 dt 09/02/2024.

9. Therefore, the concerned offices of CPWD where the CPWD petitioners were posted at the time of their retirement, are advised to implement the Judgement of the CAT in its order (for OA NO. 173/2021; OA No. 2244/2019 and OA No. 2905/2023) dated 15.07.2021 & 22.09.2023 for all those CPWD officials who were party in this matter (list attached), after verification of the records of the petitioners.

10. This issue with the approval of the Competent Authority.

(Kamkhanmang Palte) Dy Director (Admin.)-III

Tax, savings for senior citizens: NITI Aayog pitches for tax reforms, plans for elderly.

In its comprehensive report, NITI Aayog has highlighted the need to cultivate a robust environment for senior care services. The key strategies proposed include implementing a reverse mortgage mechanism aimed at enhancing financial liquidity for seniors. Further recommendations encompass mandatory savings plans, and tax and GST reforms on senior care products.

The report has also called for a robust digital inclusion ecosystem improving access to digital devices for seniors, increasing digital literacy. The report has also called for a robust digital inclusion ecosystem improving access to digital devices for seniors, increasing digital literacy.

Tax saving plans for senior citizens: The fiscal year is about to end, and most investors are making hurried investments to save some more taxes for the Assessment Year 2024-25. Govt think tank NITI Aayog has recently published a report for senior citizens and noted that specific actions required to ensure financial empowerment and inclusion include reskilling the elderly population, increasing coverage of public funds and infrastructure, and mandatory savings plans for the affording segment.

The report, 'Senior Care Reforms in India - Reimagining the Senior Care Paradigm', called for filling up the gaps and challenges in the current senior care ecosystem. It also strives to push the frontiers of senior care by recognising the evolving medical and non-medical needs of seniors.

In its report, NITI Aayog said a national portal for senior care must be developed for senior citizens to provide easy access to services to them.

"The senior care system faces many challenges due to the lack of a comprehensive, integrated policy for care and support. There are gaps in infrastructure and capacities necessary for supporting the health and welfare of the elderly, evidence-based knowledge repositories for geriatric illness management, enabling frameworks and monitoring mechanisms, and emergency response systems," the report said.

Regarding taxes and savings, the report noted:

The elderly in India currently comprise a little over 10 per cent of the population, translating to about 104 million, and is projected to reach 19.5 per cent of the total population by 2050.

The report also suggested that the government should reassess the reverse mortgage mechanism to increase liquidity for seniors and make necessary amendments to the current reverse mortgage rules.

> In Dec 2020, the govt released a draft National Policy for Senior Citizens, 16 which included various enabling provisions like integrated insurance products and savings schemes, comprehensive insurance and pension systems, senior-friendly tax structures, subsidized financing

products, etc., to provide policy support for the silver economy.

> The government has recently launched the Senior Able Citizens for Re-Employment in Dignity or the SACRED portal to connect senior citizens with job providers in the private sector.

> Based on the recommendations of the Expert Group on Silver Economy, the Senior Ageing Growth Engine (SAGE) initiative has been launched by the Min of Social Justice and Empowerment govt to promote and incentivize senior care products and services. The SAGE portal provides a 'one-stop accesse to senior care products and services by identifying, aggregating, and delivering them directly to the stakeholders.

> Tax and GST reforms, etc, on senior care products (needed) to increase the ease of adoption and safeguard the elderly population from the financial burden, the Aayog said.

The report said that the government should expand and diversify financial security nets to ensure financial support to seniors in their sunset years.

This may include:

- High-yielding investment opportunities and long-term saving plans to incentivize the habit of savings among seniors.
- A strengthened and simplified reverse mortgage mechanism to help seniors with their financial requirements, saving them from financial distress.
- Tax incentives and relaxations in income tax to seniors.
- Senior discounts on senior care products like geriatric ambulance services, home care services, assistive devices, etc., to enable faster penetration of such products and services.

> The report also called for earmarking CSR funds as a contribution to national funds for care provided to the non-affording category of the elderly in their facilities.

> It also stressed on developing partnerships with the private sector through various PPP models to encourage private medical care at discounted prices to senior persons across the medical care cycle, from consultation to diagnostics to treatment.

Tax rebates offered by the Centre.

The Ministry of Finance provides Income Tax Rebates to Senior Citizens Income:

- Tax exemption for senior citizens is up to ₹ 3 lakhs, and only 5% is levied on income between ₹ 3 lakhs and ₹ 5 lakhs as per the existing tax regime.
- Senior citizens above 80 years are exempted from paying income tax up to ₹ 5 lakhs.
- Deduction in the case of every senior citizen u/s 80DDB of the Income Tax Act on expenditure on account of specified diseases has been increased.
- Section 80TTB of the Income Tax Act has provisions relating to tax benefits available on the interest income from deposits with a banking company, post office, or co-operative society engaged in carrying on the banking business of an amount up to ₹ 50,000 earned by the senior citizen (i.e., an individual of the age of 60 years or above)
- Existing provisions of section 207 of the Income-Tax Act, 1961 exempt individual resident senior citizens (60+ years) at any time during the previous year from payment of advance tax which does not have any income chargeable under the head 'Profits and gains of business or profession.'
- To incentivize the younger generation to look after their parents' medical needs, section 80D of the I.T. Act provides a deduction to keep insurance on the health of the parents or parents of the assessee.
- A similar deduction is also available to a Hindu Undivided Family (HUF) in respect of health insurance premiums to effect
- Under the Service Tax laws, activities relating to the advancement of education programs or skill development relating to persons over the age of 65 years residing in a rural area by an entity registered under Section 12AA of the Income Tax Act, 1961 are exempt from Service Tax.
- Concerning Savings A/cs in Banks and Post Offices, higher interest rates are given to senior citizens.

Top schemes for senior citizens listed in the report:

1. **Ayushman Bharat PMJAY:** Under the scheme, ABPMJAY covers over 10 crore poor and

vulnerable families (approx. 50 crore beneficiaries), providing coverage up to ₹ 5 lakh per family per year for secondary and tertiary hospitalization.

2. **Senior Citizen Health Insurance Scheme:** This scheme, implemented since 2016, provides insurance coverage to senior citizens as a top-up over the existing RSBY Scheme. It provided a health insurance cover of ₹ 30,000, available to senior citizens, in addition to ₹ 30,000 under RSBY. If in any RSBY enrolled family, there were more than one senior citizen, then the additional cover was in multiples of ₹ 30,000 per senior citizen.

3. **Indira Gandhi National Old Age Pension Scheme (IGNOAPS):** A monthly pension of ₹ 200/- is given to the elderly aged 60-79 years belonging to the BPL category. The pension increases to ₹ 500/- per month upon attaining the age of 80 years. The total beneficiaries under the scheme are 221 lakhs.

4. **Indira Gandhi National Disability Pension Scheme (IGNDPS):** A monthly pension of ₹ 300/- is given to BPL persons aged 18-79 years with severe and multiple disabilities (80% disability level). The pension increases to ₹ 500/- per month upon attaining the age of 80 years. The total beneficiaries under the scheme are 10.58 lakh.

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Government of India Ministry of Railways (Railway Board) No. E(W)2020/PS5-6/1 Date 11.03.2020 To Sh S N C Ramakrishnacharyulu Block No. 307-A, S C Railway Employees Sangh Compound Chilkalguda, Secunderabad - 500025 Telangana

Sub: Request for relaxation of minimum qualifying service for Post Retirement Complimentary Pass from 20 years to 10 years on the lines of Pension Rule.

Ref: Your letter dated 03.02.2020.

The request contained in above cited letter has been examined. In this context, it is stated that the policies on Railway Passes are well settled and are administered through Railway Servants (Pass) Rules. Advance Correction Slips and administrative instructions issued from time to time, after due deliberation and with the approval of Competent Authority. It may also be noted that Hon'ble Supreme Court while dismissing Civil

Appeal No. 8327 of 1997 for Post Retirement Complimentary Pass facility on the lines of Pension Rules, held that the provisions of other rules cannot be imported into Railway Servants (Pass) Rules, 1986 unless these Rules so provide or unless any of the other Rules so provide. Hence, there is no justification to relax/liberalize the extant rules. V Muralidharan Dy Director Estt (Welfare)

GoI Ministry of Health & Family Welfare Office of the Addl Director Central Govt Health Scheme (CGHS), Mumbai Dated 14.03.2024-

NOTIFICATION

All HCOs (Under CGHS Mumbai), Numerous grievances have been reported against the operations of various HCOs at this office. It is imperative that the HCOs strictly adhere to the following instructions, as a deviation from the specified actions will result in immediate consequences in accordance with the MoU.

1. Cashless CGHS facility is obligatory for Pensioners & CGHS staff, and no advance deposit is required.
2. Do not demand a photocopy of the CGHS card.
3. Hospitalized beneficiaries and emergencies do not require a separate permission letter.
4. The stamp is not mandatory on the referral memo.
5. Prescriptions must be given in a printed form.
6. Prescriptions should strictly adhere to the government's policy by being in a generic format.
7. Dietary supplements should not be included in the prescription.
8. Establish a dedicated CGHS Kiosk (Help desk).
9. Double billing is strictly prohibited.
10. Ensure that the name of the nodal officer and contact number are prominently displayed. Any changes to the nodal officer must be immediately communicated to this office.
11. CGHS beneficiaries aged 75 years and above shall be permitted to seek direct OPD Consultation from Specialists of hospitals empanelled under CGHS without referral from CGHS Wellness Centre. If any investigations/procedures are advised and are required in emergency, no other authorization is required and the same may be undertaken.

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12. The HCO shall retain a scanned copy of the printout of the referral and return the original print out to the beneficiary.

13. Retired Air India employees with valid CGHS cards are eligible for cashless treatment at all CGHS empanelled Health Care Organizations (HCOs).

14. CS(MA) beneficiaries and their dependent family members can get treatment at CGHS rates from any of the HCOs recognized under CGHS.

15. Bills to be verified and signed by the Pensioners beneficiaries at the time of discharge. The same shall be uploaded on NHA.

The above instructions are to be clearly displayed at the CGHS counter within 15 working days. A CGHS hospital inspection squad will conduct surprise visits to ensure strict compliance with the provided instructions. Failure to comply will result in severe consequences including de-empanelment.

Your cooperation is expected.

Dr Nirmal Mandal Addl Director, CGHS Mumbai.

Annual Health Check-up of CGHS Pensioner beneficiaries aged 75 years and above at empanelled hospitals: CGHS O.M. dt 18.03.2024.

F. No.Z.16025/12/2024/CGHS-III Government of India Ministry of Health & Family Welfare Directorate General of Central Govt. Health Scheme (CGHS-III Section) Dated, the 18.03.2024.

Sub: Annual Health Check-up at Hospitals empanelled under CGHS in respect of CGHS Pensioner beneficiaries aged 75 years and above. The undersigned is directed to refer to this Ministry's OM No. Z15025/36/2019/DIR/CGHS/CGHS(P) dated 19.08.2019 on the subject mentioned above regarding the entitlement of CGHS beneficiaries (Primary Card Holders) aged 75 years for Annual Health Check-ups at CGHS empanelled Hospitals by obtaining permission from the CMO in charge of CGHS Wellness Centre. 2. However, it is found that there are instances of complaints from Pensioners' Associations against the non-issuance of permission by the CGHS Wellness Centre for Annual Health Check-ups to the CGHS beneficiaries.

3. In view of the above, all-in charge of CGHS Wellness Centres across the country are hereby

advised to adhere to the instructions contained in the ibid orders and directed to issue permission to the CGHS beneficiaries accordingly.

4. This issues with the approval of the competent authority.

(Dr. Utpal Kumar Debsharma) ADDG, CGHS (HQ)

O.A. No. 2086/2018 Central Administrative Tribunal Principal Bench, New Delhi

O.A. No. 2086/2018

Order Reserved on: 16.01.2024.

Order Pronounced on: 06.02.2024.

Hon'ble Mr. Tarun Shridhar, Member (A)

Hon'ble Mrs. Pratima K. Gupta, Member (J)

1. Central Govt. SAG(S-29) Pensioners Association, 143, Greater Kailash, Part-2, New Delhi-110048 Through its President, Sh. R.S. Antrole

2. Sh. P.K. Khuller, Aged about 86 years, S/o Late Dr. AP Khuller, R/o E-38 GF Panchshila Park, New Delhi-110017

-Applicants

(By Advocate: Mr. Mangesh Naik)

VERSUS

1. Union of India through Secretary to the Govt. of India, Deptt of Pension & Pensioners' Welfare, 3rd Floor, Lok Nayak Bhawan, New Delhi-110003

2. The Secy, Department of Expenditure, Ministry of Finance, North Block, New Delhi-110001

- Respondents (By Advocates: Mr. AK Singh with Mr. MS Reen)

ORDER

Hon'ble Mr. Tarun Shridhar, Member (A)

The present O.A. has been filed by the Centl Govt Penrs Assn comprising officers of the centl govt who retired in Senior Administrative Grade on or before 31.12.05. The applicants are either in receipt of pension or in certain cases their families are in receipt of family pension. They have no grievance as far as the fixation of their pension and its revision up to the period of 5th Centl Pay Commission is concerned. However, they are aggrieved that pursuant to the implementation and recommendations of the 6th Centl Pay Commission, the benefit of revision of pension extended to post 01.01.06 pensioner has not been

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extended to them and they are being put to continuous financial loss, in certain cases as much as Rs. 10,000/- or more per month in comparison to their counterparts who retired post 01.01.06. They agitate their grievances in the present O.A. seeking the following relief(s):-

“(a) Direct that the Entry Pay of Rs 53000/- pm erroneously assumed for calculation of minimum pay in level 14 of the pay matrix be correctly taken as Rs. 54700 and the minimum pay of Rs. 144200 in the pay matrix may be accordingly corrected to Rs. 148800 with the existing IOR of 2.72. The Tribunal may be pleased to direct that the other entries in the Level 14 of the pay matrix be suitably revised in MOF (DOE) Resolution dt 25-7-2016 (Annex A - 4).

(b) Direct that the minimum basic pension payable to the applicants shall not be less than Rs.74400/- pm.

(c) Declare that the Govt decision rejecting the recommendation of the 7th CPC made in Para 10.1.67 of its report, regarding revision of pension, giving due weightage for the increments earned while serving in the last level from which one has retired, is arbitrary, based on wrong premises, capricious, and contrary to the law laid down by the Hon'ble Supreme Court of India in Nakara's case and violative of the right to equality enshrined in the Article 14 of the Constitution.

(d) Declare as unlawful the Govt's decision as contained in DOP O M F. No. 38/37/2016-P&PW(A) dt 6.07.2017 as amended vide O M dt 13.09.2017 where the pension has been fixed in such an arbitrary, unjustified, and capricious manner that even the distinction between the one who has retired at the top of the scale and the one who has retired at the bottom of the scale has been wiped out /eroded in the case of several Applicants which amounts to treating unequals as equals.

(e) Direct the UOI to accept the first Option as recommended by the 7% CPC, which is an expert body, in sub-Para 1 of Para 10.167 of its report as one of the methods for computation of pension for the Applicants.

(f) Direct that there shall be complete parity of

treatment for determination of pension between those who retired before 1-1-2016 and those who retired thereafter.

(g) That there shall be no distinction within the homogeneous class of pre 2016 pensioners.

(h) Direct that the revised pension/family pension shall be admissible from 01/01/2016 and arrears shall be paid within three months from the date of decision of the Honourable Tribunal.

(i) Direct that all Govt Orders, OMs, Notifications shall be modified so as to be in conformity with the decision of the Hon'ble Tribunal.

(k) Grant to the humble applicants, interest on delayed payment from 1-1-2016 and the cost of Litigation.

(l) Pass any other order as deemed fit and proper in the facts and circumstances of the case in favour of the applicants."

2. Learned counsel for the applicants' places before us an order passed by a full bench of this Tribunal in O.A. No.655/2010 along with three other associated OAs dt 01.11.2011. He submits that the order of this Tribunal has been confirmed up to the level of the Hon'ble Apex Court. A copy of the said judgment is also attached along with the compilation of documents, which he has submitted. Learned counsel, simplifying the issue, submits that what the applicants, in fact, are seeking in the OA, is extension of the benefit of the judgement dt 01.11.2011, referred to above, which has since attained finality. Learned counsel submits that even the method of increment subsequent to retirement needs to be reviewed as the same is contrary to the rules.

3. Continuing the arguments, learned counsel for the applicants reiterates that the issue at stake has been adequately considered, discussed, and adjudicated upon vide the order dt 01.11.2011 passed in a bunch of OAs, the lead one being OA No 655/2010. Pursuant to adjudication upon this issue in the aforesaid O.A., DoP&T issued an O.M. dt 30.07.2015 bearing the subject 'Revision of pension pre-2006 penrs - reg.'. The said O.M. is placed at page 13 of the compilation submitted by the learned counsel. He submits that this O.M. appropriately deals with the subject of revision of

pension and its appropriate fixation with respect to pre- 2006 penrs which the present applicants are.

4. Arguing further, he submits that the applicants would be satisfied if the provisions of this O.M. were to be applied in letter and spirit for fixation of their pension and appropriate revision thereof. He further draws attention to a detailed table which is placed at page 8 onwards of the compilation, particularly to column 31 of the same which deals with the entry level pay and subsequent enhancements of S-29 officers which the present applicants are. He argues that it is pursuant to the implementation of the 7th CPC that the respondents have made fixation of the revised pension in contravention to both the aforequoted O.M. and the table he has referred to and placed at page 8 of the compilation which has been issued by the Department of Pension and Pensioners' Welfare.

5. Learned counsel for the applicants has submitted three sets of written submissions; annexed therewith are the relevant rules and instructions governing the subject. He has drawn attention to the fitment table, which is a true copy of the relevant extract of the DoP&T Office Memorandum (OM) dt 28.01.2013 annexed with his written submissions dt 01.03.2013, arguing that according to the said fitment table, pursuant to the revision of the pay scales on the recommendations of the 6th Central Pay Commission (CPC), the minimum pay in the appropriate scale was to be fixed at Rs. 54,700/- , however, the respondents arbitrarily reduced it to Rs. 53,000/-. Serial No. 31 of the said fitment table categorically establishes this, learned counsel argues. He also reiterates that the respondents were obliged to make appropriate fixation in terms of the said O.M. read with O.M. dt 30.07.2015 bearing subject "Revision of pension of pre-2006 pensioners-reg.".

6. Continuing the arguments, learned counsel draws attention to a detailed matrix placed at page 18 of the written submissions dt 01.03.2023. The relevant portion has been highlighted. He argues that the benefit of increment for the purposes of

revision of pension accorded to post 01.01.2006 pensioners has not been extended in favour of the applicants who have retired prior to 01.01.2006, that is, the date relevant for implementation of the of recommendations of the 6th Centl Pay Commission (CPC). This amounts to gross discrimination against the pensioners as two sets of rules and formula cannot be applied whereas both categories are pensioner of the Centl govt. He places on record a judgment of the Hon'ble Apex Court in Civil Appeal No. 10857/2016 dt 11.07.2019 titled All Manipur Penrs Assn Versus State of Manipur and others. In the said judgment the Hon'ble Apex Court has held that the decision to create two different classes of pensioner is sans any justification and cannot be accepted for the purposes of revision of pension. Identical treatment is to be accorded to all the penrs irrespective of the dates on which they had retired. For better understanding, para 8 of the said judgment is reproduced below verbatim: -

“8. Even otherwise on merits also, we are of the firm opinion that there is no valid justification to create two classes, viz., one who retired pre1996 and another who retired post1996, for the purpose of grant of revised pension, In our view, such a classification has no nexus with the object and purpose of grant of benefit of revised pension. All the pensioners form a one class who are entitled to pension as per the pension rules. Article 14 of the Constitution of India ensures to all equality before law and equal protection of laws. At this juncture it is also necessary to examine the concept of valid classification. A valid classification is truly a valid discrimination. It is true that Article 16 of the Constitution of India permits a valid classification. However, a very classification must be based on a just objective. The result to be achieved by the just objective presupposes the choice of some for differential consideration/treatment over others. A classification to be valid must necessarily satisfy two tests. Firstly, the distinguishing rationale has to be based on a just objective and secondly, the choice of differentiating one set of persons from another, must have a reasonable nexus to the objective

sought to be achieved. The test for a valid classification may be summarised as a distinction based on a classification founded on an intelligible differentia, which has a rational relationship with the object sought to be achieved. Therefore, whenever a cutoff date (as in the present controversy) is fixed to categorise one set of pensioners for favourable consideration over others, the twin test for valid classification or valid discrimination therefore must necessarily be satisfied. 8.1 In the present case, the classification in question has no reasonable nexus to the objective sought to be achieved while revising the pension. As observed hereinabove, the object and purpose for revising the pension is due to the increase in the cost of living. All the pensioners form a single class and therefore such a classification for the purpose of grant of revised pension is unreasonable, arbitrary, discriminatory and violative of Article 14 of the Constitution of India. The State cannot arbitrarily pick and choose from amongst similarly situated persons, a cutoff date for extension of benefits especially pensionary benefits. There has to be a classification founded on some rational principle when similarly situated class is differentiated for grant of any benefit.

8.2 As observed hereinabove, and even it is not in dispute that such a decision has been taken by the State Government to revise the pension keeping in mind the increase in the cost of living. Increase in the cost of living would affect all the pensioners irrespective of whether they have retired pre1996 or post1996. As observed herein above, all the pensioners belong to one class. Therefore, by such a classification/cutoff date the equals are treated as unequal's and therefore such a classification which has no nexus with the object and purpose of revision of pension is unreasonable, discriminatory, and arbitrary and therefore the said classification was rightly set aside by the learned Single Judge of the High Court. At this stage, it is required to be observed that whenever a new benefit is granted and/or a new scheme is introduced, it might be possible for the State to provide a cutoff date taking into consideration its financial resources. But the same

shall not be applicable with respect to one and single class of persons, the benefit to be given to the one class of persons, who are already otherwise getting the benefits and the question is with respect to revision.”

7. Learned counsel for the applicants reiterates that the respondents have absolutely no ground to oppose the prayer made in the O.A. on an utterly unsustainable ground that the relevant records have been lost, hence the issue cannot be reviewed, an argument which has been put forth on their behalf.

8. Learned counsel for the respondents submits that the instructions governing the subject thereof with respect to grant of increment underwent a change pursuant to the recommendations of the 7th CPC. He also informs you that on account of non-availability of the complete service record of some of the applicants, the matter could not be considered in view of the extant rules and instructions governing the subject.

9. Sufficient opportunities were afforded to the learned counsel for the respondents to file written submissions along with necessary supporting documents in support of the contentions of the respondents. However, such an opportunity has not been availed. Further vide order dated 03.08.2023, while allowing a further time of two weeks to file written submissions it was recorded that no further indulgence will be shown, however, for some reasons the respondents were not able to file the written submissions and Mr. A.K. Singh, learned counsel for the respondents had sought a further time of one week. In order to ensure that a fair and objective adjudication of the issue at stake is made, we allowed him a further time of one week and making it clear that if such written submissions are not placed before us within this period, we shall pass an order on the basis of the pleadings available on record.

10. In the absence of the written submissions despite sufficient opportunities given to the respondents, we have given careful reading to the averments in the counter reply and the oral arguments put forth by their learned counsels.

11. Shri A.K. Singh, learned counsel for the respondents, has argued that the claim of the applicants is misplaced as the fixation of pay scales and subsequent pension have been done strictly in accordance with the fitment table as prescribed. Further, the applicants seek to draw an analogy between two different set of persons: one who have already been drawing pay in a corresponding pay scale prior to 01.01.2006; and the other is the set of the persons who entered the system on or before 01.01.2006 when the revised pay structure had already been given effect to.

Even the Sixth Central Pay Commission had categorically given two different principles of fixation of pay in the case of the two different categories. In fact, the recommendations of the 6th CPC were further improved by according greater benefits of which the present applicants too have been beneficiaries, he argues

12. Learned counsel has submitted that pension is to be governed under the CCS (Pension) Rules, 1972 and the applicants have not been able to show anywhere that there has been any incorrect fixation. Further, Rule 7 of the CCS (Revised) Pay Rules governs determination of appropriate scale of pay and it has been demonstrated by way of illustration given in the counter reply and that the fixation of pay has been done accordingly. Therefore, the present OA being misplaced deserves dismissal, he concludes.

13. After extensive hearing over several days, judgment was reserved on 24.08.2023; on account of voluminous pleadings on record and the complications of comprehending the subject of the OA, it took an unreasonably long time for us to go through its contents. Accordingly, we considered it appropriate to give a brief hearing to the learned counsel once again in order to recapitulate the facts and the arguments which had been put forth before us. Therefore, OA was taken for brief hearing again under the heading ‘for being spoken to’.

14. We heard learned counsels for a short time once again.

15. If one gives a careful reading to Para 8 of the OA vide which relief has been sought, we find

that much of the prayer being made there would not directly be within our domain. In fact, we have no hesitation in opining that the expectation of the applicants from the Tribunal calls upon us to assume the role of the executive and direct the respondents not merely to grant them pay and pension in accordance with the notified rules and instructions but give a specific direction as to what pay at different levels will be, how it is to be determined and calculated; and then how the pension is to be initially fixed and subsequently revised, including family pension.

16. When the matter first came up for effective hearing after completion of pleadings, we had pointed this out to the learned counsel for the applicants. Appreciating the situation, the learned counsel had prayed that considering that much time had elapsed since the filing of this Original Application, the Tribunal may pass any order as deemed appropriate ignoring the specific language of the Prayer Clause, i.e. Para 8. However, against the background of the grievance of the applicants as outlined in the OA, if we deal with each and every averment made in the OA and the arguments put forth before us, much obfuscated issue is likely to get more complicated. Therefore, we would like to simplify it.

17. The subject of the OA, i.e. revision of pension pre-2006 pensioners is covered adequately in the DoPT OM dated 30.07.2015. Learned counsel for the applicants has argued, as has been recorded in one of the preceding paragraphs that the grievance of the applicant would be largely redressed if the instructions and guidelines issued in this OM are implemented in letter and spirit and the claim of the applicants in terms of revision of pension decided against this background. For the sake of clarity in understanding, this OM is reproduced below: -

“No. 38/37/08-P&PW(A) Government of India Ministry of Personnel, PG & Pensions Department of Pension & Pensioners' Welfare 3rd Floor, Lok Nayak Bhawan Khan Market, New Delhi Dated the 30th of July, 2015

BHARAT PENSIONER

Office Memorandum

Sub Revision of pension of pre-2006 pensioners-reg.

The undersigned is directed to say that as per Para 4.2 of this Department's OM of even number dated 1.9.2008 relating to revision of pension of pre-2006 pensioners w.e.f. 1.1.2006, the revised pension w.e.f. 1.1.2006, in no case, shall be lower than 50% of the sum of the minimum of pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale from which the pensioner had retired. A clarification was issued vide DoP&PW OM of even number dated 3.10.2008 that the pension calculated at 50% of the minimum of pay in the pay band plus grade pay would be calculated at the minimum of the pay in the pay band (irrespective of the pre-revised scale of pay) plus the grade pay corresponding to the pre-revised pay scale.

2 Several petitions were filed in Central Administrative Tribunal, Principal Bench, New Delhi inter alia claiming that the revised pension of the pre-2006 pensioners should not be less than 50% of the minimum of the pay band + grade pay, corresponding to the pre-revised pay scale from which pensioner had retired, as arrived at with reference to the fitment tables annexed to Ministry of Finance, Department of Expenditure OM No. 1/1/2008-IC dated 30th August, 2008. Hon'ble CAT, Principal Bench, New Delhi vide its common order dated 1.11.2011 in OA No.655/2010 and three other connected OAs directed to re-fix the pension of all pre-2006 retirees w.e.f. 1.1.2006 based on the Resolution dated 29.8.2008 of the Department of Pension & Pensioners' Welfare and in the light of the observations of Hon'ble CAT in that order.

3. The above order was challenged by the Government by filing Writ Petition No. 1535/2012 in respect of OA No. 655/2010 and WP No.2348-50/12 in respect of the three other connected OAs in the High Court of Delhi. The Hon'ble High Court in its common Order dated 29.4.2013 noted that the DoP&PW had, in the meanwhile, issued an OM No.38/37/08-P&PW (A) dated 28.1.2013 which provided for stepping up of pension of pre- 2006

pensioners w.e.f. 24.9.2012 to 50% of the minimum of pay in the pay band and grade pay corresponding to prerevised pay scale from which the pensioner had retired.

Hon'ble High Court observed that the only issue which survived was, with reference to Paragraph 9 of OM dated 28.1.2013 which makes it applicable w.e.f. 24.9.2012 instead of 1.1.2006. Hon'ble High Court of Delhi dismissed the Writ Petition No. 1535/2012 along with three other Writ Petitions vide its order dated 29.4.2013. Special Leave Petitions (No.23055/2013 and No.36148-50/2013) filed against the said order dated 29/4/2013 of the Hon'ble Delhi High Court have also been dismissed by the Hon'ble Supreme Court.

4 Accordingly, in compliance with the above judicial pronouncements, it has been decided that the pension/family pension of all pre-2006 pensioners/family pensioners may be revised in accordance with this Department's OM No.38/37/08-P&PW(A) dated 28.1.2013 with effect from 1.1.2006 instead of 24.9.2012. Further, this benefit has already been granted to the Applicants in OA No. 655/2010 vide OM of even No. dated 26/08/2014 read with OM dated 19/09/2014 following dismissal of SLP (C) No.23055/2013 by the Hon'ble Supreme Court.

5. In case the consolidated pension/family pension calculated as per para 4.1 of O.M. No.38/37/08-P&PW (A) dated 1.9.2008 is higher than the pension/family pension calculated in the manner indicated in the O.M. dated 28.1.2013, the same (higher consolidated pension/family pension) will continue to be treated as basic pension/family pension.

6. All other conditions as given in OM No. 38/37/08-P&PW (A) dated 1.9.2008, as amended from time to time shall remain unchanged.

7. The Ministry of Agriculture, etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and subordinate Offices under them on a top priority basis. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

BHARAT PENSIONER

8. This issues with the approval of Ministry of Finance ID Note No.1(9)/EV/2011-Vol.II dt 24.7.2015.

9. Hindi version will follow.

Sd/ (Harjit Singh) Deputy Secretary to the GoI"

18. Learned counsel has further drawn our attention to the judgment of this Tribunal in OA No. 655/2010 dated 01.11.2011 which has been the genesis of the DoPT OM. Accordingly, it would be pertinent to quote the relevant extracts of the said judgment: -

"29. From the above extracted portion it is clear that the principle of modified parity, as recommended by the V CPC and accepted by the VI CPC and accepted by the Central Government provides that revised pension in no case shall be lower than 50% of the sum of the minimum of the pay in the pay band and grade pay corresponding to revised pay scale from which the pensioner had retired. According to us, as already stated above, in the garb of clarification, respondents interpreted minimum of pay in the pay band as minimum of the pay band. This interpretation is apparently erroneous, for the reasons: a) if the interpretation of the Government is accepted it would mean that pre-2006 retirees in S-29 grade retired in December 2005 will get his pension fixed at Rs.23700/- and another officer who retired in January 2006 at the minimum of the pay will get his pension fixed at Rs.27350/-. This hits the very principle of the modified parity, which was never intended by the Pay Commission or by the Central Government; b) The Central Government improved upon many pay scales recommended by the VI CPC. The pay scale in S-29 category was improved from Rs.39200-67000/- plus Grade Pay of Rs.9,000/- with minimum pay of Rs.43280/- to Rs.37,400-67000/- with grade pay of Rs.10,000/- with minimum pay of Rs.44,700/- (page 142 of the paper-book). If the interpretation of the Department of Pension is accepted, this will result in reduction of pension by Rs.4,00/- per month. The Central Government did not intend to reduce the pension of pre-2006 retirees while improving the pay scale of S-29 grade; c) If the erroneous interpretation of the Department of Pension is accepted, it would mean

that a Director level officer retiring after putting in merely 2 years of service in their pay band (S-24) would draw more pension than a S-29 grade officer retiring before 1.1.2006 and that no S-29 grade officer, whether existing or holding post in future will be fixed at minimum of the pay band, i.e., Rs.37,400/-. Therefore, fixation of pay at Rs.37,400/- by terming it as minimum of the pay in the pay band is erroneous and ill conceived; and d)

That even the Minister of State for Finance and Minister of State (PP) taking note of the resultant injustice done to the pre-11.2006 pensioners (pages 169-170) had sent formal proposal to the Department of Expenditure seeking rectification, but the said proposal was turned down by the officer of the Department of Expenditure on the ground of financial implications. Once the Central Government has accepted the principle of modified parity, the benefit cannot be denied on the ground of financial constraints and cannot be said to be a valid reason.

30. In view of what has been stated above, we are of the view that the clarificatory OM dated 3.10.2008 and further OM dated 14.10.2008 (which is also based upon clarificatory OM dated 3.10.2008) and OM dated 11.02.2009, whereby representation was rejected by common order, are required to be quashed and set aside, which we accordingly do. Respondents are directed to re-fix the pension of all pre-2006 retirees w.e.f. 1.1.2006, based on the resolution dated 29.08.2008 and in the light of our observations made above. Let the respondents re-fix the pension and pay the arrears thereof within a period of 3 months from the date of receipt of a copy of this order. OAs are allowed in the aforesaid terms, with no order as to interest and costs.”

19. We would consciously desist from making any ‘comment upon the fitment table which the applicants have provided to us in the compilation given for our assistance, as the determination of the correct fitment and thereafter an appropriate fixation of pay and subsequent pension, including

its revision, is best left to the concerned executive authority, albeit strictly in accordance with the relevant and extant rules and provisions.

20. In the present matter, the concerned authorities are to be guided by the judgment of this Tribunal in OA No. 655/2010, which has been further translated into the guidelines, circulated vide the DoPT OM dated 30.07.2015 which has been reproduced verbatim above. While we have given due consideration to the contentions of the learned counsel for the respondents, and the averments made in the counter reply, we note that the DoPT OM dated 30.07.2015 categorically states that pension/family pension of all pre-2006 pensioners/family pensioners may be revised in terms of the earlier OM of the year 2013. OM dated 28.01.2013 directs as to how pension/family pension is to be revised and the OM of 30.07.2015 advises that in terms of the instructions contained therein, a further revision is to be done against the background of the order of the Tribunal passed in OA No. 655/2010.

21. It is imperative to mention that this order got affirmed in the Writ Petition filed before the Hon’ble High Court of Delhi; and the SLP filed in the Supreme Court challenging the order of the Hon’ble High Court stood dismissed.

Accordingly, the order had attained finality, and it finds expression in the DoPT OM of 2015. Therefore, there is no cause before the respondents to now deny the claim of the applicants as expressed in the present Original Application. The principles enunciated in the judgment of the Hon’ble Apex Court in the Civil Appeal No. 10857/2016 dated 11.07.2019 titled All Manipur Pensioners Association versus State of Manipur & Ors., (2020)14 SCC 625, which has been quoted above, should put to rest any other doubts which may sustain as the principle of parity between pre, and post pensioners gets elaborately explained in this judgment. If some records are missing as stated by the respondents, should the pensioners be made to suffer the consequences. Certainly not; the concerned authorities would be obliged to trace them or in the alternative reconstruct them.

22. In view of what has been elaborately detailed and discussed above, the present Original Application is disposed of with a direction to the respondents to pass appropriate orders, forthwith for re-fixation of the pension of the applicants, i.e. pre 1.1.2006 retirees/pensioners in the light of the order of this Tribunal in OA No.655/2010 and the subsequent directions and provisions of DoPT OM dated 30.07.2015 so that the disparity, which has been created post implementation of the Sixth Central Pay Commission, is set right. Pursuant to this re-fixation, other necessary consequential benefits as would accrue to the applicants, shall also be sanctioned and extended in the favour of the applicants. The directions passed herein shall be complied with within a period of 12 weeks from the date of receipt of a certified copy of this order.

23. In the facts and circumstances, there shall be no order as to costs.

(Pratima K. Gupta) (Tarun Shridhar)
Member (J) Member (A)

Can An Employee Withdraw Prospective Resignation Before It Becomes Effective?

Supreme Court Explains

IN THE SUPREME COURT OF INDIA
CIVIL APPEAL NO. 1480 OF 2012

The Supreme Court held that in the absence of anything contrary in the provisions governing the terms and conditions of the office or post and in the absence of any legal contractual or constitutional bar, a prospective resignation can be withdrawn at any time before it becomes effective. The Court was deciding an appeal filed by a female employee against the judgment of the Bombay High Court by which the Division Bench dismissed her appeal and confirmed the order of the Single Judge in a writ petition challenging the order of the Mumbai University and College Tribunal. The two-Judge Bench of Justice J.K. Maheshwari and Justice K.V. Viswanathan observed, "In view of the foregoing discussion, we answer question (A) and (B) in favour of appellant and hold that letter dated 25.03.2003 is an intimation of resignation from a prospective

date i.e., 24.09.2003, which could have been withdrawn by the appellant prior to the effective date. There is no Rule or Regulation brought to our notice which restrains such withdrawal. There was no prior consent to the letter dated 08.04.2003 for accepting resignation w.e.f. 24.09.2003 as 'final, binding and irrevocable' which is on record and therefore, by using such words, the acceptance of resignation was unilateral. As discussed, there was no implied contract and understanding with prior consent. Therefore, the withdrawal of such resignation by appellant prior to the effective date is permissible as per the law laid down.

The Court directed the Trust to regularize the service period of the appellant from the date when they wrongly treated her as having resigned till the date of joining the duty at the new Institution as Principal. It applied the principle of 'no work no pay' and said that the appellant would be entitled to back-wages and salary for such regularized period as she did not work with the Trust. "Thus, it would suffice to observe that in view of her deemed continuance and in view of our findings hereinabove, the period from 24.09.2003 to 01.10.2007 would be regularized by the respondent and be counted as period spent on duty for all purposes including pension. ... we direct that on the regularization of the period and treating the same as period spent on duty, the service tenure of the appellant, both in the institution run by Trust and in M.M.P. Shah College would be counted without any break in service. Since she would have then completed minimum 20 years' service required for pension under the Rules, she would be entitled to her pension and other retiral benefits", it directed. The Court ordered that the retiral and pensionary benefits be calculated and paid accordingly including the arrears of pension and that the said exercise be completed within a period of four months. Accordingly, the Apex Court allowed the appeal and set aside the orders of the College Tribunal and High Court. Cause Title- Dr. Mrs. Suman V. Jain v. Marwadi Sammelan through its Secretary and Others (Neutral Citation: 2024 INSC 127)

रेलवे पेंशनर्स समाज, सहारनपुर: 23.03.2024 रेलवे पेंशनर्स समाज एवं आई क्यू हॉस्पिटल के संयुक्त तत्वावधान में संस्था कार्यालय पर आयोजित निःशुल्क नेत्र परीक्षण शिविर में डॉक्टर कवलीन कौर ने अपनी टीम कर्मवीर सिंह, सुरेंद्र कुमार, अंकुश कुमार, राजेंद्र रतूड़ी के सहयोग से 77 सदस्यों एवं परिवैजनों का नेत्र परीक्षण कर उनको उचित परामर्श दिया। उन्होंने वरिष्ठ नागरिकों को नेत्र सुरक्षा संबंधी टिप्स दिए, विशेष कर होली के अवसर पर एवं ग्रीष्म ऋतु के समय में।

संस्थापक आरसी शर्मा ने डॉ कवलीन कौर एवं उनकी सहयोगी टीम का सम्मान किया एवं उनके प्रति आभार व्यक्त किया। उन्होंने कहा कि इस तरह के निःशुल्क चिकित्सा परीक्षण शिविर वरिष्ठ नागरिकों के लिए बहुत ही आवश्यक एवं महत्व पूर्ण है, जहां पर वरिष्ठ नागरिक स्वयं से परीक्षण कराने के लिए जाना टाल जाते हैं, वहां ऐसे अवसर पर वे अपना परीक्षण करा लेते हैं जिससे उनको अपनी स्थिति के बारे में सही जानकारी मिल जाती है। अध्यक्ष आर के धींगड़ा एवं महामंत्री एन एस चौहान ने बताया कि संस्था का 11वां वार्षिक सम्मेलन 27 अप्रैल 2024 को आयोजित किया जाएगा। कोषाध्यक्ष जे पी शर्मा ने सदस्यों से वार्षिक सम्मेलन में अधिक से अधिक संख्या में सम्मिलित होने का अनुरोध किया।

विशिष्ट उपस्थित –हरीश कुमार, बी पी श्रीवास्तव, अरविंद शर्मा, मूलचंद रांगड़ा, देवेंद्र कुमार, जे एन शर्मा, अमरनाथ त्यागी, वेद प्रकाश, बलजीत जायसवाल, इंद्रजीत कुमार, स्वतंत्र भारद्वाज, विजय तलवार, इकबाल अजीम, उषा शर्मा, माया दुबे, उर्मिला शर्मा, बिनीता कुमारी, सविता जायसवाल आदि।

Central Government Pensioners Association Santipur: Minutes of 33rd Annual General body meeting held on 4.2.2024 at Santipur public library hall of santipur cenral govt. pensioners association. first of all shri M K Chakravarty General Secretary of CGPA santipur branch in the meeting and Shared, the house is duly composed of with requisite Quorum and meeting to be strated. he proposed the name of shri p.saha to preside over the meeting and shri shyama mondal sended the proposal. house greeted the president. shri p saha took the chair to preside over the meeting. the meeting was conducted as per following agenda.

1. As advised by president, secretary read the annual report and accepted by E.C Body for the year 2022-2023.

2. Placing and adoption of audit report and payment account for in 2022 to 2023 as directed by the president, Treasur Shri Sameer Kr. Pal Placed the audited reports+payment for the year 2022+2023 which was unanimosely accepted by the house. the members presences in the meeting unimmosly accepted in audit reports.

3. The proceeding 32nd AGM held 16.10.2022 read out by General Secretary and unanimously.

4. There after reports from state Govt. Federation state teachers association etc. greeted the meeting and express the success of in meeting and gretted to the member.

5. Secretary replied all quaries and varies question raised by the members.

6. As our President expired during Nov 2023 shri panchahan saha elected as President for time being to next election

7. Faciltion to auditor shri Ajit Singh flower and gift. President shri P.Saha addressed to the members and requested to member and requested them to co-opreation.

8. To hike in cost of rent registration fees, electricity, stationery etc. it was decided during EC meeting to enhance establishment charges.

भागलपुर जिला पेंशनर्स समाज घोषा: 26वाँ-वार्षिक स्थापना दिवस समारोह भागलपुर जिला पेंशनर्स समाज घोषा का स्थापना दिवस सम्मेलन समारोह दिनांक:-04.12.2023 श्री भिखारी यादव जी की अध्यक्षता में सम्पन्न हुई जिसमें सचिव श्री संत लालजी ने संगठन को मजबूत करने एवं बैंकों का समस्यों एवं पेंशन अदालत में पेंशनधारियों की समस्यों के बारे में विस्तार से बताये। तथा कार्यकारी अध्यक्ष श्री सुरेश जी ने मेम्बरशीप 2024 में बढ़ाने के सम्बन्ध में चर्चा किया एवं विभिन्न वक्ताओं जैसे भी विसून देव जी श्री महेन्द्र यादव कनक लाल ठाकुर महावीर श्री मिथिलेश कुमार साह ने अपनी बातों को रखे। 80 वर्षों से अधिक उम्र वाले पॉच पेंशनधारियों को फूलों की माला, अंगवस्त्र, चादर देकर सम्मानित किये गये।

पेंशनर्स एसोसिएशन राजस्थान: भीलवाड़ा जिले में पेंशनर्स व वरिष्ठ नागरिकों की कतिपय प्रमुख समस्याओं की ओर ध्यानाकर्षण अपेक्षित है जो इस प्रकार है-

- 1, वरिष्ठ नागरिक संरक्षण अधिनियम 2007 के तहत सार्वजनिक स्थलों के लिये वरिष्ठों को प्राथमिकता प्रदान करने व प्रतीक्षरता पेंशनर्स तथा वरिष्ठ नागरिकों को बैठने की समुचित सुविधा प्रदान करने का उल्लेख है। चिकित्सा विभाग ने भी ऐसे ही आदेश जारी कर रखे हैं किन्तु इनकी पालना नहीं हो रही है, वैसे भी पेंशनर्स आदि को अस्वस्थ होने पर उम्रदराज होते हुए भी हास्पिटल व अन्य सार्वजनिक स्थानों पर जाना पड़ता है जो बहुत कष्टकारी होता है।
 - 2, हॉस्पिटल में पर्ची बनाने डॉक्टर को दिखाने पुनः पर्ची अपलोड कराने जांचों के बाद पुनः रिपोर्ट अपलोड कराने में कई घंटे लगते हैं। अतः वरिष्ठ नागरिकों के लिए अलग से व्यवस्था होनी चाहिये।
 - 3, पूर्व में RPFM की मासिक बैठक कलेक्टर की अध्यक्षता में होती थी जहां समस्या का त्वरित निदान होता था। किन्तु RGHS के लिए राज्य बीमा व प्रावधानी विभाग को नोडल अधिकारी बनाने के बाद समस्याएं जस की तस रहती हैं क्योंकि उनका न तो प्रभाव है और न अधिकार। यह विभाग केवल डाकघर का कार्य करता है, वह भी अनियमित रूप से करता है।
 - 4, RGHS में कैश-लैस के लिए व्यवस्था होने के बावजूद पंजीयन शुल्क व जांच की राशि अग्रिम लेते हैं जो आखिर में लोटाई जाती है। फिर ऐसी कैश-लैस व्यवस्था का क्या औचित्य है।
 - 5, निजी हॉस्पिटल इलाज के लिए अधिकृत होते हुए भी यदा-कदा सूचना पत्र लगा देते हैं कि हार्ट, युरोलोजी, नैत्र चिकित्सा, ईएनटी आदि का RGHS में उपचार अग्रिम आदेश तक नहीं करेंगे। ऐसे में निशुल्क चिकित्सा का प्रावधान होते हुए भी भुगतान करना पड़ता है।
 6. पेंशनर्स व वरिष्ठ नागरिकों की और भी कई समस्याएं हैं जिनको समय-समय पर अवगत कराया जायेगा।
- अनुरोध है कि उपरोक्त बिन्दुओं पर सभी संबंधित विभागों को लिखा जावे व उनका निरीक्षण कर विद्यमान समस्याओं का निराकरण कर पेंशनर्स एवं वरिष्ठ नागरिकों को राहत प्रदान करें। आपके कुशल नेतृत्व में अवश्य ही अपेक्षित कार्यवाही की जायेगी ऐसा विश्वास है।

नार्दन रेलवे पेंशनर्स फोरम अम्बाला: वार्षिक अधिवेशन दिनांक 18 अक्टूबर 2023 को एन.आर.एम.यू. ऑफिस अम्बाला में मनाया। अधिवेशन की अध्यक्षता डा० निर्मल सिंह जी, जनरल सैक्रेटरी व श्री हरनाम सिंह जी प्रधान एन.आर.एम.यू. अम्बाला डिविजन अम्बाला ने की। उन्होंने पेंशनर्स को यूनियन का पूर्ण सहयोग देने का आश्वासन दिया।

श्री रविन्द्र जी मण्डल कार्मिक अधिकारी अम्बाला विशेष रूप से उपस्थित रहे। उन्होंने बताया कि सरकार पेंशनर्स के लिए क्या काम कर रही है। इस अवसर पर श्री एस. एन. शर्मा रि.ए.एस.टी.ई. तथा सुभाषचन्द्र रि.पी.डब्ल्यू.एस को 75 वर्ष आयु पूर्ण करने पर सम्मानित किया गया। संस्था के जनरल सैक्रेटरी श्री पी.एन.शर्मा ने संस्था द्वारा किए गए कार्यों के बारे में बताया। संस्था के प्रधान श्री डी. आर.नागपाल जी ने अपने समापन भाषण में उपस्थित अतिथियों व संस्था के प्रधान श्री डी.आर.नागपाल जी ने अपने समापन भाषण में उपस्थित अतिथियों व संस्था के सदस्यों का धन्यवाद किया।

इस अवसर पर श्री बनारसी लाल, श्री सुभाष शर्मा, श्री आर. सी, गुप्ता, श्री चकवर्ती वर्मा, श्री सुभाष सहगल, श्री अशोक शर्मा व अन्य सदस्य उपस्थित रहे।

The R P A Palakkad held 44th A G M on March 16th. The mtg began with hoisting of association's flag & prayer followed by welcoming remarks for the Chief Guest, Shri Varadarajan S S, Secy. Genl. of the N F R P Palakkad, and the President of RPA, Sh.A Krishnankutty. Various issues pertinent to pensioners, such as access to medical treatment and pension-related matters, were discussed by key speakers including Shri Krishnankutty and Shri Varadarajan. The meeting also reviewed the association's activities for 2023 and financial accounts, along with felicitations from other railway pensioner associations. Members actively participated in discussions, raising concerns about medical facilities and pension schemes. A resolution with eleven demands, including the appointment of the 8th CPC and improvements in pension and medical facilities, was unanimously passed. The event concluded with the recognition of twenty pensioners aged 80 and a vote of thanks from Shri Santhosh Lal, the Sub-Editor of Rail Pensioner magazine.

New Members

A4661	Penrs Assn	Bhilwara	02/25
A4662	M L Gupta	Kaithal	02/26
A4663	H R N Ramurthy	Shivamogga	02/25
A4664	Meena S Kaushik	Bengaluru	02/25
A4665	Rattan Ch Bhulal	Amritsar	02/25
A4666	Pardeep Chadha	Mohali	02/25
A4667	U K Keshalal	Rajkot	02/25
A4668	Naresh Kumar	Rewari	02/25

Association Members

A0337	Secy C G P Assn	Nadia	03/25
A3481	P&TAFSO Assn	Hyderabad	03/25
M5866	Rly Penrs Society	Jaipur	03/25
A2566	Rly Penrs Samaj	Saharanpur	02/25
M6645	Rtd Rly K Samiti	Bareilly	03/25
M581	C G Penrs Assn	Bareilly	03/25
M5878	N R Penrs Forum	Amabala	02/25
M3663	Rly Penrs Assn	Sahibganj	03/27
M1476	A I Orgn of Penrs	Agra	07/26
A4456	Penrs K S Samiti	Ujjain	03/25
A4523	L S P P Assn	Tirvendrum	03/25
A2633	REP Assn N&N	Vishakapatnam	03/25
A3486	CG Penr W Assn	Hoshiarpur	03/25
M5610	Rly Penrs Assn	Durg	03/25
M8305	P Rly Penrs Assn	Gorakhpur	02/25

Renewal Members - Annual

M7327	A N Chatterjee	Delhi	02/25
A4034	Om P Dhamija	Ganganagar	03/25
A4363	V S Tripathi	New Delhi	02/25
M5404	A Krishnamurthy	Banglore	07/25
A1942	B Somnadhan	Hyderabad	02/25
A1212	Pelluri M Rao	Hyderabad	02/25
A4042	Vijay Pal Singh	Faridabad	03/25
L9350	P N Vjrh	New Delhi	03/25
A3105	R N Mukherjee	New Delhi	03/25
A4022	K Muthaiah	Madurai	03/25

A4391	Jawahar Lal mali	Udaupur	03/25
M4370	Balbir Singh	Yamunanagar	07/25
L9308	G M Halvadia	Sihor	03/25
A4301	Jawahar Lal	Delhi Shahdra	02/25
M5917	AmiyaDas Gupta	Bishn Pur	04/25
M6927	G L Sharma	Amroh	03/25
M8647	G T Kumishkar	Dharwad	03/25
A2756	Raghbir Singh	Patiala	04/25
A1183	E L Narayana	Hyderabad	03/25
M8999	P D K Swamy	Gurgaon	03/25
A2739	B C Ganatara	Rajkot	03/25
L9109	Brahma N Singh	Gorakhpur	02/25
A3467	Dinesh Saran	Gorakhpur	02/25

Renewal Members - Biennial

M7632	K K Sinha	Muzzafarnagar	03/26
A1638	R S Sankaran	Coimbatore	03/26
M4591	B Chakrabarty	Bhaktinagar	04/26

Renewal Members - Triennial

A3842	S S Newariya	Wardha	03/27
M8058	K V Ravi	Banglore	04/27
A2055	M S Sowdaiyan	Thanjavur	03/27

Donation

L9366	Rameshwar K	New Delhi	2000/-
A4249	B V Bhaskar	Banglore	2000/-
M1955	Bharat Pen Samaj	Rewa	5000/-
A3105	R N Mukherjee	New Delhi	1000/-
M3663	Rly Penrs Assn	Sahibganj	500/-
A2633	REP Assn N&N	Vishakapatnam	500/-
M8647	G T Kumishkar	Dharwad	100/-
A4665	Rattan C Bhulal	Amritsar	100/-
M4591	B Chakrabarty	Bhaktinagar	200/-
A2756	Raghbir Singh	Patiala	610/-
M5610	Rly Penrs Assn	Durg	1000/-
A2983	Rly Penrs Assn	Chennai	10000/-
M7037	R K Yadav	Rewari	660/-

April 2024

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Base 2001=100	396	398.59	400.06	399.74	400.03	CPI (IW) for Feb 2024 not announced
% increase over 01.01.06	235.32%	236.58%	237.99%	239.34%	240.61%	
% increase over 01.01.16	48.49%	49.05%	49.68%	50.27 %	50.83%	

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