ESTABLISHED IN : 1955

BHARAT PENSIONERS' SAMAJ

(All India Federation of Pensioners' Associations)
(Registered No. 2023 of 1962-63)

A SYMBOL OF PENSIONERS' UNITY
MEMBER SCOVA

Member International Federation on Ageing, Montreal (Canada)
2/13-A - LGF Backside, Jangpura - 'A', New Delhi - 110 014
Mobile : 09868488199 | Telephone : 011-24376642
E-mail : bharatpensioner@gmail.com | Website : www.bharatpensioner.org

Correspondence Address : 410-A/411-A, Swaminarayan Avenue, Near A.E.C. Over Bridge, 132 ft. Ring Road, Naranpura, Ahmedabad - 380013.
Ph. : (O) 079-27476566 | (M) +91 98790 90682 | E-mail : didimistry@gmail.com | Web : www.bdpa.in

An Apex Body Federation of Pensioners' Associations

No. BPS/BDPA(I)/P. A. Vanathi/NCSC/2026 Date: 26th November, 2026

To,
The Hon'ble Chairperson,
National Commission for Scheduled Castes,
Lok Nayak Bhawan, Khan Market,
New Delhi – 110003.

Subject: Supplementary submission regarding the family pension claim of Smt. P.A. Vanathi, divorced daughter of Late Shri P. Ayyamalai – Reference to BDPA (INDIA), Tamil Nadu Circle representation dated 18.11.2026.

Respected Sir/Madam,

With reference to the representation dated 18.11.2026 submitted by the Circle Secretary, BDPA (INDIA), Tamil Nadu Circle, concerning the above case, Bharat Pensioner Samaj (BPS) wishes to place before the Hon'ble Commission certain additional observations arising from our independent examination of the matter.

Our examination has brought out three important aspects:

1. Applicability of the 2009 Lok Adalat Regulations:

The original matrimonial proceedings, HMOP No.153/2008, were instituted before the competent judicial forum and settled through Lok Adalat on 08.07.2008, much before the National Legal Services Authority (Lok Adalats) Regulations, 2009, came into force on 20.10.2009. The subsequent restriction concerning divorce-related matters cannot be applied retrospectively to question the legality of the earlier proceedings. The Punjab and Haryana High Court judgment in *Mrs. Raj Kumari v. The Presiding Judge, Lok Adalat*, LPA No.432 of 2013, dated 18.02.2014, is relevant in this context, subject to the distinction in its factual circumstances.

2. Insistence on further ratification:

BSNL, while referring to Rule 54 of the CCS (Pension) Rules, 1972, has subsequently insisted upon separate ratification of the Lok Adalat award by another competent court. However, no specific statutory provision or pension rule requiring such additional ratification has been identified in the communication dated 12.08.2026.

3. Examination on merits:

BPS is not seeking automatic sanction of family pension merely on the strength of the Lok Adalat award. Our submission is that the award should be considered in its proper legal perspective and the claimant's entitlement examined on merits under the applicable pension rules. Any objection to accepting the Lok Adalat award, or any ground for rejecting the claim, should be supported by a specific provision of law and communicated through a reasoned decision.

We respectfully request the Hon'ble Commission to take these additional legal observations on record and consider them while examining the representation already submitted by the Tamil Nadu Circle.

We, therefore, respectfully request the Hon'ble Commission to intervene in the matter and ensure that this poor and distressed Scheduled Tribe divorced woman is not subjected to any further harassment or avoidable procedural hurdles. The concerned BSNL authorities may kindly be directed to examine and expedite her family-pension claim strictly in accordance with the applicable rules and communicate the action taken and final decision to the Hon'ble Commission.

We sincerely hope that the intervention of the Hon'ble Commission will bring an early and just resolution to this long-pending matter.

With regards,

Yours faithfully,



(D. D. MISTRY)
Secretary BSNL/PSU
Bharat Pensioner Samaj (BPS)

Copy to:

Shri D. Chandrasekaran, Circle Secretary, BDPA (INDIA), Tamil Nadu Circle, for information and further coordination.

Encl.: Relevant extract of Section 2, paragraphs 6, 7 and 8 of BPS representation dated 25.11.2026 addressed to CMD, BSNL.

Relevant extract of Section 2, paragraphs 6, 7 and 8 of BPS representation

1. There is also a relevant judicial pronouncement concerning the subsequent restriction on referring divorce-related matters to Lok Adalats. In Mrs. Raj Kumari v. The Presiding Judge, Lok Adalat, Samjhauta Sadan, Panchkula & Anr., L.P.A. No. 432 of 2013, decided on 18.02.2014, the Punjab and Haryana High Court considered the proviso to sub-regulation (2) of Regulation 10 of the National Legal Services Authority (Lok Adalats) Regulations, 2009, which provides that matters relating to divorce shall not be referred to Lok Adalats. The Court specifically

observed that the Regulations came into force on 20.10.2009 and that the said restriction would apply only to references or proceedings initiated on or after that date. In the present case, HMOP No. 153/2008 had already been instituted before the competent judicial forum, and the matter was referred to and settled before the Lok Adalat on 08.07.2008, much before the 2009 Regulations came into force. Therefore, the subsequent restriction cannot be applied retrospectively to question the legality of the proceedings or award in this case. The factual setting in that case involved a Permanent Lok Adalat and was not identical to the present court-referred matter; nevertheless, the Court's interpretation of the prospective application of the 2009 restriction is relevant to the present proceedings.

2. Further, the BSNL communication dated 06.05.2026 refers to Rule 54 of the CCS (Pension) Rules, 1972, and sets out the administration's interpretation of the eligibility condition relating to the institution of divorce proceedings during the lifetime of the employee/pensioner. It is important to note that HMOP No. 153/2008 was instituted during the lifetime of Late Shri P. Ayyamalai, and the matter was also settled through the Lok Adalat award dated 08.07.2008, again during his lifetime. Thus, the original matrimonial proceedings were initiated before the competent judicial forum well before the demise of the pensioner. However, the subsequent BSNL communication dated 12.08.2026 insists upon separate ratification of the Lok Adalat award by another competent court, without identifying any specific statutory provision or pension rule requiring such additional ratification. We, therefore, request that the claim be examined on its merits under the applicable pension rules, and that any ground for denying the claim or insisting upon further legal proceedings be supported by a specific provision of law and communicated through a reasoned decision.

3. We wish to make it clear that BPS is not seeking automatic sanction of family pension merely on the strength of the Lok Adalat award. The request is that the award be considered in its proper legal perspective and that the family-pension application be examined on its merits under the applicable rules. **If BSNL considers that the award is insufficient, or that any specific provision disentitles the claimant to family pension, it should clearly identify that provision and communicate a reasoned decision. The claim should not be rejected or kept pending merely because the settlement was recorded through a Lok Adalat.**