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BHARAT PENSIONER

भारत पेंशनर



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'

“ भारत में राष्ट्रवाद ने एक ऐसी शक्ति का संचार किया है
जो लोगों के अंदर सदियों से निष्क्रिय पड़ी थी। ”
-सुभाष चंद्र बोस

महान स्वतंत्रता सेनानी
नेताजी सुभाष चंद्र बोस जी
को उनकी जयंती पर कोटि-कोटि
नमन।



13 January

BHARAT PENSIONERS SAMAJ, NEW DELHI*(Federation of All India Pensioners' Associations), Regd No. S - 2023 of 1962 - 63.**Niti Ayog Unique Identity No. = DL/2016/0102111)**Associate NGO, INTERNATIONAL FEDERATION ON AGEING, TORONTO, CANADA**2/13-A, LGF (Backside), Jangpura - 'A', Hospital Road, New Delhi - 110 014, Tel-011-24376642 & 49027335**Details of Managing committee elected by 65th virtual AGM on 30.12.2020*

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Continued from page 3

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Voice Call) Contact Time: 11.30-2.30 pm only, Visitors
Time: 11.00-2.00 pm Membership Rates wef
01.04.2020 (Individual) One year Rs. 375/- (Foreign)
\$ 70 Two years Rs.700/- Three years Rs.1000/- Annual
Affiliation (Assn/Institution etc) : Rs. 600/- Annual
Postage Charges by Speed Post/Regd Post: Speed Post
Charges : Rs. 240/- for Delhi / NCR : Registered Book
Post Charges : Rs. 340/- for Outside Delhi/NCR. [Please
prepare drafts/Multi City cheques in favour of
BHARAT PENSIONERS SAMAJ OR send eMO with
complete details to Bharat Pensioners Samaj - 2/13A,
LGF (Back side) Jangpura 'A' Hospital Road, New
Delhi.**

BHARAT PENSIONER

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You May Also Deposit in BPS Bank Account

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

Proceeding 65th AGM held on 30.12.2020

Because of unusual circumstances due to Pandemic Covid-19 after due notice and circulating in advance the agenda and necessary documents such as welcome address, Secretary Genl report, Draft resolutions, accounts and meeting link etc Bharat Pensioners Samaj 65th virtual AGM was held. Sh. Surya Prakash BPS Secy. for Statutory/Autonomous Bodies pensioners (From Karnataka) planned and conducted the proceedings. In the absence of the President Sh K. C. Pipal and due to illness, Working President Shri M M Kapur (from Delhi) in the gracious presence of BPS Patron Sh. S. Suryanarayanan ji (From Tamilnadu) presided the AGM 86 Delegates from different parts of the country joined the virtual meeting which started with reciting Vande Matram by Ms Bhagyawati BPS M. C. member from Secunderabad (Telangana) at 11.00 AM as per schedule. After paying Homage to those who laid down their lives defending the country & fighting Covid-19 Pandemic by observing one minute silence. Shri M. M. Kapur delivered the welcome address and then Patron Sh. Suryanarayanan addressed the meeting. In addition to passing Secy Genl Annual Report, Annual Accounts, conducting election of office bearers for the next term and appointment of Auditor, the following issues were raised by the delegates :-

- 1-All CGHS Wellness centres should have facility for Vaccination against Covid.
- 2-Hyderabad hospital charged upto Rs 20 lakh in one fatal case, but not even 5 lakhs reimbursed so far putting the family into misery.
- 3-All CGHS claims should be settled within 3 months.
- 4-Legal heirship certificate is insisted, even in cases where the particulars are given in Form 3 declaration pasted in SB, causing delay in sanctioning FP.
- 5-Banks are insisting on several documents and KYC for disbursing FP, whereas only a copy of Death Certificate was required.
- 6-PPO number is not noted in Bank passbooks, causing difficulty in transferring pension account to a different branch.
- 7-Is it necessary that daughter nominated as dependent for FP should reside with parents?

8-Delay in uploading PPO to the System of the Bank concerned. Pensioners copy sent through Whats App is not accepted.

The Secretary General clarified the current rule position and promised to take up the issues.

One important resolution adopted related to the denying of benefits of Supreme Court orders, even in rem cases. SG requested that individual Associations should send separate representations digitally to put pressure on DOPT.

The meeting concluded after thanks to the Chair.

Address of Patron Sh S.Suryanarayanan

I am happy to note that, despite heavy odds especially in these Corona times, the Bharat Pensioners Samaj is holding its 65th Annual General Meeting in the virtual mode on this 30th day of December 2020.

Bharat Pensioners Samaj, the apex body serving the interests of all Central Government, including Railways and Defence, State Governments, Autonomous/Statutory Bodies, PSUs, BSNL, EPS 95, to name a few, has been doing yeomen service to the cause of pensioners. It has been pursuing the just demands and grievances of pensioners covering the entire spectrum of issues like pension and related matters, healthcare, social/individual security and right to life with dignity. It is also an associate of the International Federation on Ageing, Toronto, Canada. It is my privilege to be associated with this eminent organisation.

I have gone through the Agenda and the Resolutions to be deliberated upon in this meeting and wholeheartedly support the Resolutions. I wish that these Resolutions receive the just and timely attention and consideration that they deserve.

In my view, the time has come for Bharat Pensioners Samaj to be given its rightful place in the Government Human Relations/Health Care machinery, so that the Samaj is able to play its rightful proactive role in both policy and its implementation so as to serve the interests of pensioners in a more meaningful and beneficial manner. This is all the more relevant in the present context where the ratio of pensioners to serving employees is of the order of 1.6:1, and the health requirements of pensioners, all senior citizens, are different from those of serving employees. That BPS is an associate of the International Federation on Ageing is a plus point in its favour to be given this rightful place. Let us all strive to make this happen!

Jai Hind!

Freezing of Dearness Allowance & Dearness Relief will continue even after 30th June, 2021: Cabinet Secretary to Sec, NC JCM

National Council (Staff Side) 13-C, Ferozshah Road, New Delhi ~ 110001 Shiva Gopal Mishra Secretary
No.NC/JCM/2021 Dated: January 18, 2021
 All Members of the Staff Side,
 National Council(JCM)

Dear Comrades,

Sub: Brief of the meeting held today with the Cabinet Secretary (Government of India)

Met today with the Cabinet Secretary (Government of India) and handed him over a copy of our letter dated 16th January, 2021, expressing our anguish over freezing of Dearness Allowance/Dearness Relief payable to the Central Government Employees and Pensioners/Family Pensioners. I also demanded for payment of Dearness Allowance/Dearness Relief with arrears since 01.01.2020.

During the course of discussion, the Cabinet Secretary said that the country was passing through an unprecedented situation, that is why, Government had to take such an action, but he further said that, there should not be any doubt that freezing of Dearness Allowance/Dearness Relief will continue even after 30th June, 2021.

I also asked: him that, no action has been taken: our letter dated 11th January, 2021 (Reg. undue delay in settling the issues discussed in the meeting of the Standing Committee of NC/JCM and 47th meeting of the NC/JCM). He immediately called Addl. Secretary(Es&T), DoP&T, and asked her to organize all the meetings due as well as to get implemented the issues agreed in the meetings of the NC/JCM referred to above.

Dearness Allowance: Reconsider the decision of Freezing DA / DR – Request to the Prime Minister Expected DA – AICPIN for the month of November 2020 increased by 0.4 points.

This above is for your information.

Comradely yours,

(Shiva Gopal Mishra) Secretary

Note: It is clarified that during the course of discussion, cabinet Secy. never mentioned that freezing of DA/DR will be continued after 30th June 2021. We, therefore, hope that DA/DR will be paid after 30th June 2021.

This is for your information”

NoBPS/SG/Dated 15.01.2020 Shri Piyush Goyal
 Hon’ble Minister of Commerce, Min of Commerce,
 Udyog Bhawan, New Delhi-110001.

E-MAIL:cimoffice@nic.in

Sir,

Sub: Extn of 7th CPC orders to the Tea Board under the administrative control of Ministry of Commerce
 Greetings from Bharat Pensioners Samaj.

Bharat Pensioners Samaj Federation is the apex body representing all India Penrs’ Assns, having reach to over ten lakh civilian penrs from all departments and disciplines of Govt of India. We are also an associate NGO of International Federation on Ageing, Toronto-Canada and one of the institutions identified as a nodal body by the Department of Penrs and Penrs Welfare, Govt of India. Penrs Assn of Autonomous/Statutory Bodies of Central Govt is one of our affiliates.

At the outset, on behalf of all our affiliates, we wish to convey our sincere thanks to you and the Commerce Ministry for permitting the statutory organisations like Coffee Board, Rubber Board, Tea Board, Spices Board, Tobacco Board and MPEDA to implement 7th CPC orders in terms of OM dated 4.8.2016 and 12.5.2017 in respect of their pensioners/family pensioners. While all the Boards have implemented the orders of the Ministry, it is very unfortunate that the **Tea Board has implemented the Ministry’s orders, only, partially and not implemented the orders contained in OM dated 12.5.2017 ever after a lapse of 60 months.**

Though the Statutory Bodies like Coffee Board, Tea Board, Rubber Board, Spices Board, Tobacco Board and other Boards, which were constituted by an Act of Parliament and which work under the administrative control of Ministry of Commerce, and though the pensioners/family pensioners of these Statutory Bodies were being granted revised pension and other benefits in accordance with the recommendations of earlier Central Pay Commissions, as approved by the Government from time to time almost simultaneously along with the pensioners of the Central Government, it was unfortunate that, initially, there was inordinate delay of almost two years in the implementation of 7th CPC orders in respect of pensioners of these organisations. As we have been given to

understand, these pensioners are being paid pension and other benefits from out of the grants sanctioned to their respective organisations, through their administrative Ministry, ie. Commerce Ministry, under Consolidated of India. These Boards had been permitted to grant 7th CPC benefits to their employees much earlier to the implementation of 7th CPC orders in respect of their retired employees thereby there was discrimination amongst employees and pensioners of the same organisations. Even after issue of permission by the Commerce Ministry to these Boards, the Boards did not immediately implement these orders in respect of pensioners citing the reason of non-availability of funds, whereas in respect of the officers and employees of the Boards 7th CPC order was implemented without much of delay.

It has now been brought to our notice by one of our affiliates, viz. Tea Board Pensioners Association, that, the Tea board has paid revised pension to its pensioners/family pensioners in accordance with OM dated 4.8.2016, - ie. revised pension has been determined with effect from 1.1.2016 by multiplying the pension/family pension by 2.57, and that, in spite of several representations to the Tea Board and also the Commerce Ministry, the Tea Board has not yet revised the pension/family pension in accordance with the OMs dated 12.5.2017 and 6.7.2017, which is more beneficial to the pensioners. The other Boards under your administrative control have already implemented the 7th CPC orders in respect of its pensioners/family pensioners in terms of OMs dated 4.8.2016, 12.5.2017 and 6.7.2017. But, it is regretted that Tea Board has not yet acted as per the directions of the Ministry in this regard even after a lapse of 60 months. Instead, the Tea Board reportedly, has informed the pensioners association that they have written letter to the Government for release of funds etc. On the other hand, when the pensioners approach the Commerce Ministry, they have been informed that the administrative matter including the pension revision matter may have to be dealt with by the Tea Board itself. This clearly evidences that the pensioners of Tea Board, who are all senior citizens, have been made to run from pillar to post to get their legitimate entitlements.

The Commerce Ministry, while permitting the Tea Board to implement the 7th CPC orders in respect of its pensioners/family pensioners, had directed the Tea Board and other Boards that the pension funds/pension corpus available with the Boards and other funds accumulated from past income are their own resources and therefore, can be utilised for implementing the 7th CPC benefits to pensioners. While the Tea Board has implemented 7th CPC orders as per this direction of the Ministry, only, partially i.e. in terms of OM dated 4.8.2016, it has not implemented the provisions of OM dated 12.5.2017 which are more beneficial to the pensioners. We are confident that your kind self will ensure that the penrs/family penrs of Tea Board will also be granted 7th CPC benefits in terms of OM dated 12.5.2017, at the earliest, on par with pensioners of other Boards and other retired pensioners of Central Government thereby making the pensioners/family pensioners of Tea Board also to get the full benefits of 7th CPC recommendations implemented by the Pension Department.

In this connection, Tea Board Pensioners Association has also requested the Deputy Chairman, Tea Board, in its letter dated 29.12.2020, to utilise the Loan Corpus Fund available with the Tea Board for implementation of the orders contained in the OM dated 12.5.2017 as has been done earlier at the time of implementation of orders contained in OM dated 4.8.2016.

Due to the undue delay in extension of the provisions of OM dated 12-5-2017: it is causing severe anxiety & mental agony to the pensioners of Tea Board in the evening of their lives. We are confident that your kind self will take care of Tea Board pensioners and will order extension of provisions of OM dated 12.5.2017 to them.

Thanking you

With regards,

Truly yours

S.C. MAHESHWARI

SECRETARY GENERAL

CC: Dr. Anup Wadhawan, IAS Commerce Secretary
Ministry of Commerce New Delhi 110 001.

S.C. MAHESHWARI

SECRETARY GENERAL

No.SG/BPS/HFW/2021/01 09.01.2021 Shri Rajesh Bhushan, IAS Secretary Ministry of Health and Family Welfare 154-A, Nirman Bhawan Near Udyog Bhawan Metro Station, Maulana Azad Road New Delhi - 110 011. e-mail:secyhfw@nic.in

Sir,

Sub: Health care facilities to the penrs of Autonomous/Statutory Bodies of Central Govt
Greetings from Bharat Pensioners Samaj.

Bharat Pensioners Samaj federation ' is the apex body representing all India Penrs' Assns, having reach to over ten lakh civilian penrs from all deptts & disciplines of Govt of India. We are also affiliated to International Federation on Ageing, Toronto-Canada and one of the institutions identified as a nodal body by the Deptt of Pension and Penrs' Welfare, GoI. Penrs Assn of Autonomous/Statutory Bodies of Central Govt is one of our affiliates.

We wish to bring to your kind attention that, while the Government employees are covered under Central Government Health Scheme for the medical needs, the employees of most of the Autonomous/Statutory Bodies working under different Ministries of Central Government get medical assistance either under CS (MA) or under CGHS. But in the case of retired employees of ABS/SBS, they neither get the CS (MA) facility nor CGHS facility and they are all left to fend for themselves. Only those retired employees of these Autonomous/Statutory Bodies, who were under CGHS, while they were in service, are getting CGHS facility and others are not covered under any other Health Scheme. Several Courts have held that "A serving employees, who enjoys benefits under CS(MA) Rules, 1944, cannot be left high and dry immediately after retirement for want of medical care. (H. P. High Court CWP No. 4621 of 2011 DOD 28.12.2015 in the case UOI Vs Shankar Lal Sharma, CAT-Delhi order in Pratap Singh (Pensioner) vs Director, subsidiaries 2007 (2) SLJ 185 & CAT Chandigarh order dated 07/05/1918 in OA060/00737 Dharminder Sharma VS UOI & others). His medial issues are required to be looked into with some sensitivity, compassion and sympathy', 'It is the prime responsibility of the State to protect the health and vigour of retired Government officials, this being their fundamental right under Article 21 read with

Articles 39(3), 41, 43 and 48-A of the Constitution' and 'Right to health is a human right and questioned as, how the Government, as a principal employer, could abdicate the responsibility of taking care of the health of its retired employees'. Though the Penrs Associations of Autonomous/Statutory Bodies of Central Government had requested the Government for suitable health care facilities, the Government has not responded, positively, so far. Therefore, there is an urgent need to bring all the pensioners/family pensioners of these ABS/SBs under a Health Scheme to cater to their medical needs, especially in their old age belonging to that vulnerable group of older people, who often face medical emergencies requiring immediate medical attention and treatment. Bharat Pensioners Samaj, therefore, appeal to your good self to provide to the retired employees of Autonomous/Statutory Bodies of Central Govt health care support on par with all other Central Government serving/Retired employes through CGHS or any other suitable health care facilities or health insurance scheme so that they also get medical treatment on cashless basis.

Pending grant of suitable health care facilities to the retired employees of Autonomous/Statutory Bodies of Central Government, BPS appeal to your good self to a) instruct all the empanelled hospitals under Central Government Health Scheme to extend medical facilities to the pensioners/family pensioners of Autonomous/Statutory Bodies of Central Government at CGHS rates on payment of cash across the counter so that it will reduce the financial burden of these pensioners at least to some extent and b) to incorporate as one of the conditions in the MOU to be entered with the empanelled hospitals under CGHS to the extent that the pensioners/family pensioenrs of Autonomous Bodies of CG have to be extended medical benefits at CGHS rates on payment of cash.

Thanking you,

With regards,

Yours sincerely,

S. C. Maheshwari
Secretary General

NoBPS/SG/AB/SB/021/2 Dated 12.01.2021

Shri Kshatrapathi Shivaji, IAS Secretary, GOI M/O
Personnel, PG & Pension-DOP &PW

Sir,

Sub: Welfare of Pensioners of Autonomous/
Statutory Bodies of Central Government by taken
care of by DOP&PW

Greetings from Bharat Pensioners Samaj.

Bharat Pensioners Samaj is the apex body representing all India Federation of Pensioners' Associations, having reach to over ten lakh civilian pensioners from all departments and disciplines of Government of India. We are also associate NGO of International Federation on Ageing, Toronto-Canada and one of the institutions identified as a nodal body by the Department of Pensioners and Pensioners Welfare, Govt of India. Pensioners Association of Autonomous/Statutory Bodies of Central Government is one of our affiliates.

At the outset, on behalf of all our affiliates, we wish to appreciate the various welfare measures undertaken by the Department of Pension and Pensioners Welfare under your leadership and express our gratitude to your kind self and DoP&PW on several welfare measures undertaken, especially on the extension of the date for submission of life certificate, this year, up to 28.02.2021, though we had requested for extension up to 31.3.2021 in view of the pandemic Covid-19 in the country. The other welfare measures like payment of provisional family pension on death of a government employee during service, provisional release of retirement benefits under the CCS(Pension) Rules, 1972 during the Covid 19 pandemic, exemption of BSR Code of Bank essentials from Pension Claim Forms, Relaxation of Rule 80A for payment of provisional family pension on death of a government employee during service, Dispensing with the condition of 7 years of service for sanction of enhanced family pension, Relaxation of the conditions for sanction of family pension to divorced daughters, dispensing submission of Form No.14 by the Pensioners' Spouse in case he or she had Joint Account with the pensioner, submission of digital life certificate through Jeevan Pramaan Portal, etc., have brought great relief to pensioners and family pensioners.

Conducting video conferences for the benefit of pensioners during Lockdown was another pensioner friendly initiative by the Department.

At the same time, though the Department of Pension and Pensioners Welfare has taken several welfare measures, as cited above, in respect of pensioners/family pensioners of Central Government, it is very unfortunate that there is a separate treatment for persons retiring from the Autonomous/Statutory Bodies of Central Government, which has been established by an Act of Parliament and which are functioning under the administrative control of various Ministries of Central Government. The retired employees of these organisations have to wait for separate orders by their respective Administrative Ministries for implementation of orders relating to revised pension, DR, etc, as and when issued by your Department. When the 7th CPC orders were issued, the retired employees of these organisations had to wait for nearly 2 years for implementation of those orders. In respect of some of these organisations, 7th CPC orders have been implemented only partly. Since for all practical purposes, these organisations also serve the Central Government for promoting its schemes and programmes, they should also be extended sanctions announced by the Government, simultaneously, along with the Central Government pensioners, especially when they are getting pension and other benefits in terms of CCS (Pension) Rules, 1972, as amended from time, and when they are paid pension and others benefits from the grants sanctioned to their respective organisations under Consolidated Fund of India through their respective Administrative Ministries. It may also not be fair on the part of the Government to make these pensioners/family pensioners, who are all senior citizens, to run from pillar to post to get their legitimate rights such as pension and other benefits as and when revised and also to get their grievances resolved. In order to obviate the difficulties faced by the pensioners/family pensioners of these organisations, we suggest that-

a) there should be a single window system in DoP&PW to address problems of pensioners/family pensioners, whether they are from Central Government or from Autonomous/Statutory Bodies

of Central Government as long as they are getting pension and other benefits in terms of CCS (Pension) Rules, 1972,

b) welfare of the pensioners of Autonomous/ Statutory Bodies of Central Government may also be taken care of by the Department of Pension and Pensioners Welfare as has been done in the case of pensioners of Central Government, and

c) pensioners/family pensioners of Autonomous/ Statutory Bodies of Central Government are also covered in the orders issued by your Department in the matter of payment of pension, gratuity, commutation, dearness relief, etc. to CG pensioners so that these pensioners/family pensioners are also treated on similar footings.

We urge the Government, through your good self, to consider our above suggestions, favourably, and cause issue of necessary orders, accordingly, in the interest of all the pensioners/family pensioners, at the earliest, so that there will not be any hassles in getting the pension and other benefits by the pensioners of ABs/SBs of Central Government without inordinate delay.

Thanking you and regards.

Yours sincerely,

S.C. MAHESHWARI

SECRETARY GENERAL

NoSG/BPS/OPD/Rly/01/021 Dated: 18.01.2021 DG (RHS)/M/O Railways (Railway Board)

Sub: OPD Treatment in Private Empanelled Hospitals

Ref: RSCWS (Railway Senior Citizens Welfare Society) No.RSCWS/HO/CHD/P/Memo-Medical/01/2021-1dt: 12th Jan 2021 addressed to Director General (Railway Health Services) Railway Board, (copy attached)

Sir,

RSCWS is an affiliate of **Bharat Pensioners Samaj federation '(BPS)** the apex body representing all India Penrs' Assns, having reach to over ten lakh civilian penrs from all deptts & disciplines of Govt of India. Organization is also an associate NGO of International Federation on Ageing (IFA), Toronto-Canada and is one of the institutions identified as a nodal body by the Deptt of Pension and Penrs' Welfare, Govt of India.

Bharat Pensioners Samaj (BPS) fully supports the

RSCWS representation regarding OPD Treatment in Private Empanelled Hospitals submitted to you vide their No No.RSCWS/HO/CHD/P/Memo-Medical/01/2021-1 dt: 12.01.2021 (copy attached) and request you for an early favourable decision to help RELHS beneficiaries in the evening of their lives.

Thanking you,

Yours truly,

S C Maheshwari

Secy. Genl. Bharat Pensioner's Samaj

Copies to:

Shri Umesh Balonda, ED(S&T), Transformation Cell, RB

Sh Ajeet kumar Srivastava, Ex. Dir, Accounts, Tranfn Cell, RB(edfx2@rb.railnet.gov.in)

Attachment

Railway Senior Citizens Welfare Society

No.RSCWS/HO/CHD/P/Memo-Medical/01/2021-1 Dated: 12th Jan 2021 Director General (Railway Health Services) Railway Board, Rail Bhawan, New Delhi-110001 (CC by e-mail to: DG RHS)

Dear Sir,

Sub: Improvement of Health Delivery System and Emergency Treatment in (Railway) Empanelled Private Hospitals- Regarding OPD Treatment in private empanelled hospitals.

Ref: Railway Board's Letter No. 2018/TransCell/Health/CGHS(eoff. No. 3270783) Dated 28/12/2020, Para 9).

1.1 As a part of improvement of health delivery system, one very appreciable point regarding OPD treatment, has been covered vide para 9 of letter under reference and that would be especially beneficial to pensioners.

1.2 But this aspect is with respect to railway empanelled hospitals only. This facility is already being availed by railway medical beneficiaries, simply on production of their Cards or RELHS cards or even PPO copies etc

2.1 As per extant practice, OPD treatment from private empanelled hospitals is not permitted to rly penrs; so the interested railway beneficiaries have to directly approach and get treatment, at their own cost, from specialists of Railways/CGHS/ECHS empanelled private hospitals.

2.2 But the big drawback is that Rlys empanel much lesser number of all the Hospitals and Diagnostic centres which are empanelled under CGHS/ECHS. For example, in Chandigarh tricity area, which comprises of UT Chandigarh and Mohali & Panchkula districts, where best of medical facilities are available, the CGHS empanelled hospitals and diagnostic centres, respectively are 28 & 08 numbers, whereas Railways have empanelled only 06 hospitals & 02 diagnostic centres.

3.1 The non-railway covered CGHS/ECHS empanelled hospitals & diagnostic labs do not entertain railway beneficiaries at CGHS/ECHS rates. The pensioners, particularly those living away from the locations of rly hospitals, would like to avail OPD medical facilities, at their own cost, from any of the CGHS/ECHS specialists/super specialists of their choice or nearest to their places of residence.

3.2 Secondly railway penrs, especially those in the 70+ age group, are required to go in for different medical tests periodically, related to their specific health conditions. They cannot afford to travel to far off railway hospital locations to get these tests done. Even in railway hospitals, specialised test facilities are not available; so the railway doctors refer them to empanelled local labs; all this process causes so much harassment to the elderly persons.

4.1 Thus it would be desirable to co-ordinate with CGHS & ECHS authorities, may be through the Min of Health & Family Welfare, to issue directives to all their empanelled hospitals and diagnostic centres, to provide treatment investigation to all bona fide central govt medical beneficiaries, particularly penrs of indian Rlys, at CGHS/ECHS rates, for OPD and IPD treatments & diagnostics. Their identity may be got verified by any means—penr ID card, RELHS card, UMID or CTSE cards.

4.2 After all Railways is also central government with the difference that we have our own separate medical set up; so has the defence ministry but they cover all CGHS/ESIC hospitals & diagnostic labs plus some more.

4.3 This will have absolutely no financial or workload impact on railway hospitals; rather the burden on rail hospitals would be reduced with railway beneficiaries diverting themselves to private empanelled hospitals.

It is therefore earnestly requested that instructions may kindly be got issued in respect of 4.1 above.

Sd/- (T S Kalra) (Retd) CEE & President, RSCWS
Copies to:

Dr Vijay Kumar, Principal Ex. Dir, Health, RB
(pedhealth@rb.railnet.gov.in)

Shri Umesh Balonda, ED(S&T), Transformation
Cell, RB (eder@rb.railnet.gov.in)

Sh Ajeet kumar Srivastava, Ex. Dir, Accounts,
Tranfn Cell, RB(edfx2@rb.railnet.gov.in)

No SG/BPS/OPD/Rly/01/021/02 Dated:18.01.2021

**Chief Medical Director, N. F. Railway, Maligaon
HQ. Guwahati-781012**

Sub : **Deplorable condition of NJP Rly Hospital.**

Ref : **Jt. General Secretary N. F. Railway,
Pensioners Association /PNO New Jalpaiguri NO.
NFRPA/JGS/NJP/ORG/25/20 DATE:24-11-2020**

Sir

Bharat Pensioners Samaj federation '(BPS) is the apex body representing all India Penrs' Assns, having reach to over ten lakh civilian penrs from all deptts & disciplines of Govt of India. Organization is also an associate NGO of International Federation on Ageing (IFA), Toronto-Canada and is one of the institutions identified as a nodal body by the Deptt of Pension and Penrs' Welfare, Govt of India.**N.F.Railway Pensioners' Association** is an affiliate of Bharat Pensioners Samaj.

We draw your attention to **Jt. General Secretary N. F. Railway, Pensioners Association /PNO New Jalpaiguri NO. NFRPA JGS/NJP/ORG/25/20 DATE:24-11-2020** regarding deplorable condition of NJP Rly Hospital (copy attached) which is self explanatory. Undersigned is pained to point out that so far no steps are taken from your end to improve the situation.

You are therefore, requested to expedite action to improve the situation without further delay.

Thanking you,

Yours truly,

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

APPEAL

**DONATE TO BPS GENEROUSLY TO
ENABLE IT TO CONTINUE
SERVING YOU**

NO.NFRPA/JGS/NJP/ORG/25/20 dt:24-11-2020

To The Chief Medical Director, N. F. Railway,
Maligaon HQ. Guwahati-781012

Through: CMS/NJP

Dear Sir,

Sub: Deplorable condition of NJP Railway Hospital.
Under painful circumstances, I, on behalf of N. F. Railway Pensioners availing Medical facilities at NJP Railway Hospital, beg to draw your kind attention to the following facts for favour of your immediate action please.

That, at present, the NJP Railway Hospital, though of Super Specialty Construction, its service to the patients is most frustrating.

(1) That, there is acute shortage of regular attending Physicians, probably five in numbers including CMS himself.

(2) The Eye Clinic is locked for last many months on account of withdrawal of the Eye Specialist due to administrative reason, for which we do not have any periodical check-up and are continuing to use the same eye drops prescribed by the previous doctors.

We, therefore request you either provide an Eye Specialist or arrange us to avail Medical Aid from the locally available Registered Eye Clinic.

(3) That, there is no Diabetologist and any Doctor, including very junior Contractual ones, are repeating the old prescriptions without any review. We, therefore, request you to kindly arrange regular check-up of the Diabetic patients by a Specialist.

(4) That, there is only one Cardiologist, who is deputed to perform Indoor duty having no particular chamber / clinic and thus he is beyond the reach of out-patients with primary heart complaint.

We, therefore request you to kindly provide a particular Heart Clinic / Chamber for the Cardiologist at the Out Door where the out patients can have his valuable consultation.

(5) UMID CARD :- As the Railway Administration has failed to issue UMID CARD to all the eligible pensioners availing Railway Medical Aid under RELHS, it can not be made mandatory for all. Hence,

(a) It is requested that, necessary instructions be issued to all concerned that, no pensioners be harassed in the Railway Hospital for non production of UMID CARD.

(b) It is also requested that, immediate arrangement to be made to issue UMID CARD to the Pensioners, departmentally, who have prescribed Family Medical Identity Card under RELHS as in vogue, without raising an unreasonable pre-condition for 14th digits PPO.

(6) Issue of medicines :- It is requested that, medicines of requisite quality and quantity, as prescribed by the Specialist, be supplied in time. If required, Amount of local purchase should be increased judiciously.

Yours faithfully,

Sd/ (Bimalendu Chakraborty), Jt. General Secretary
N. F. Rly, Penrs Assn/PNO New Jalpaiguri

No: BPS/BDPA (I)/TN/SC-ST/2020 Dated 12th January, 2021.

To Hon'ble Shri Ravi Shankar Prasad, Minister of Communications, Sanchar Bhawan, New Delhi 110001

Sub: Alleged Harassment to SC/ST Employees – VRS 2019 Optees – by the C.G.M. Tamil Nadu Circle, in delaying the Pensionary benefits – A request to conduct full-fledged inquiry against the administration of CGM TN Circle for deliberate indulging in undemocratic act and violating ministry of Law & Social justice orders and save the administration from further harassment.

Ref: Our letter No: BPS/BDPA (I)/TN/SC-ST/2020 dated 26st August, 2020 & 1st June, 2020.

Hon'ble Sir,

1. Sir, we enclose herewith a copy of our letter dated 1st June, 2020 and 26th August, 2020 on the captioned subject and write to state that no fruitful actions have so far been taken by your office in the matter to yield positive result. The Secretary DoT New Delhi and the CMD BSNL have addressed several letters to the C.G.M. Telecom, Tamil Nadu circle but the issue is not settled and given snail speed attention.

2. Instead of hammering on what we have written to your office on the subject in our previous letters, we write to add further more details to cause early settlement of the long pending case.

3. Recently, the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has considered the issue and emphatically stated that only the caste certificates of the ST employees

appointed after 1995 should be subjected to validation and written a letter to the Secretary, Tamil Nadu Govt.

4. Ironically, when the CGM BSNL, Tamil Nadu is frequently asking the Pensioners to appear before the State / District Level Scrutiny Committees and get their caste certificates validated escaping his responsibility, these instruction become a matter of vital importance and implementation.

5. We would like to enlighten your office to the fact that the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has laid down beyond any doubt that, *only the caste certificates submitted by the ST employees appointed after 1995 should be subjected to verification/ validation*. It means, the ST employees who were appointed prior to 1995 should not be compelled to get their caste certificates validated.

6. Based upon our experience, we have strong feeling that unless your office issues necessary instruction to the CMD BSNL to ask the CGM TN Circle to take cognition of letter of the Parliamentary Committee, the CGM Tamil Nadu will not move an inch saying that it is directive to State Government and he is not bound to take any action on it. Since retirees have under gone a great deal of mental trauma, we request that needful action may kindly be taken expeditiously, in accordance with the directions of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

7. We, therefore, request you to kindly cause issuance of necessary instructions to all concern to act as per guidelines given by Parliamentary Committee and finalize all pending cases WITHIN TWO MONTHS and send REPORT.

We are eagerly waiting for your blessings awarding justice to the aggrieved pensioners and expect the issuance of orders for all VRS 2019 ST Employees to give them due retiring benefits. Expecting your judicious and sympathetic decision,

With Regards, Yours Sincerely, (D.D. MISTRY)

Secretary BSNL/PSU
Bharat Pensioner Samaj

Why should you mute yourself during webinars? Courtesy: kaaranam-ketkadev A Blog for Senior Citizens by a senior citizen

It is very annoying to all participants when the speaker's presentation is interfered with extraneous noise. So, you must keep your mike muted and switch it on only when you have something to speak, and perhaps after raising your hand and getting permission to do so. Some reasons why you should mute yourself, just to make you aware of probable local interferences, are listed below:

1. Some Window shutter may be banging / curtain movements due to wild wind.
2. Some construction or repair work going on nearby.
3. Vendors in the street on their way (nowadays they use loud speakers).
4. Noisy kitchen nearby – frying, grinding masala etc.
5. TV running in the hall, perhaps a fight of foolish actors.
6. Some body knocking at the door or ringing the doorbell.
7. Landline or Mobile callers.
8. Stray / street dogs chasing and barking.
9. Mom / wife / children yelling at you or at each other among themselves.
10. Servants and your family members in loud chatter.
11. Someone sleeping and snorting away.
12. Yourself yawning unmindfully and unmanageably out of sheer boredom.
13. An alarm for the motor pump set or egg timer on its job.
14. Water running in the bathroom.
15. Yourself farting aloud involuntarily.

You might be wondering why I am listing silly causes of continual disturbances. But believe me, most of these, I have experienced my self and are not purely out my imagination. So, beware: mute yourself for your sake and for the sake of others, please.

vyasamoorthy

8 Special Income Tax Benefits for Senior Citizens

For AY 2021-22 (FY 2020-21) under old regime
Here are some of the deductions and benefits which may ease out financial responsibilities for senior citizens.

1. Benefits under Medical Insurance

Under section 80 D, the senior citizens are offered a benefit on account of payment of the health insurance premium up to Rs.50,000/-. Earlier, this limit of deduction for health premium payment was Rs.30,000/- for senior citizens.

For super citizens, under section 80 D, the deduction for the payment of medical premium as well as the actual expenses incurred on their treatment are allowed.

Old age is the time when people above 60 or 80 years would need a lot of money for their treatment as well. Giving them a deduction benefit under Income Tax is a great way to offer some amount of support and help.

2. The Elementary Exemption Benefit

Every individual in India, who falls under the income bracket to pay tax, is allowed for some elementary waivers.

While for the senior citizens, the government has set up this basic exemption limit up to Rs.3 lakhs. For the next 3 lakhs - 5 lakhs slab, a senior citizen will have to pay a tax of 5%.

Super citizens get a higher advantage, considering their income and age. For them, this waiver is of up to Rs.5,00,000 in one financial year.

Other than the senior or super citizens, this exemption for ordinary citizens is up to Rs.2,50,000/- only which leads them to pay more taxes.

3. Privilege on Interest Income

The senior citizens who are residents of India will have to pay no tax on their interest earned up to Rs.50,000/- in a financial year.

Applicable under section 80 TTA of Income Tax, this will take into account interest earned in the savings bank account, deposits. When filing their Income Tax Return, the senior citizens will have to fill the form 15H. The amount of interest earned over Rs.50,000/- would attract the tax as per the slab rate of senior citizens.

4. No Advance Tax

While ordinary individuals have to pay an advance tax if their tax liability is Rs.10,000/- or more in a financial year, senior citizens are free from this burden unless they make income from business or profession. Those not owning a business only have to pay the Self-Assessment Tax.

Advance Tax is an amount paid in advance to the Indian Government which all citizens are bound to pay. Bringing senior citizens in the same bracket isn't essentially fair.

5. Allowance on the treatment of specified diseases
The Government of India gives an allowance to its ordinary citizens to not pay tax if the cost of treatment is close to Rs.40,000/-

Under section 80DDB of the Income Tax, senior citizens get a deduction limit of Rs.1 lakh if they undertake any treatment for specified disease/critical illness in a financial year.

6. Income Tax Return benefits

Super Senior Citizens (individuals above 80 years) can file for their Income Tax Return through either Sahaj (ITR 1) or Sugam (ITR 4). They can choose to do it either manually or electronically.

7. No tax under the Reverse Mortgage Scheme

A senior citizen may reverse mortgage any of his accommodation to make monthly earnings. The ownership of the property remains with the senior citizen and they are given monthly payments for it. The amount paid in instalments to the owner is exempted from Income Tax.

8. Standard Deductions from Pension Income

Senior citizens are allowed a standard deduction of Rs 50,000 on account of their pension income. Section 87A is a legal provision which allows for tax rebate under the Income Tax Act of 1961. The section which was inserted through the Finance Act of 2013 provides tax relief for individuals earning below a specified limit. Section 87 A provides that anyone who is residing in India and whose income does not exceed Rs 5,00,000 is eligible to claim a rebate. Thus full income tax rebate is available with individuals with less than Rs 5 Lac of total taxable income. This rebate is applicable only to individuals and not companies, etc and is calculated before adding the health and educational cess of 4 %.

Withdrawal of circulars - on Recovery of excess pension made to pensioners - January 22, 2021
RBI/2020-21/84 DGBA.GBD.No.SUO 546/45.01.001/
2020-21 January 21, 2021

The Chairman / Chief Executive Officer All Agency Banks

Dear Sir,

Withdrawal of circulars - on Recovery of excess pension made to pensioners

It has been brought to the notice of RBI that the recovery of excess /wrong pension payments from the pensioners are being made in a manner that is not in keeping with the extant guidelines / Court orders.

2. This issue has been examined by RBI and it has been decided that the following circulars issued by Department of Government and Bank Accounts, Reserve Bank of India related to recovery of excess pension paid by agency banks stands withdrawn with effect from the date of this circular -

a. Circular no DGBA.GAD.No.2960/45.01.001/2015-16 dated March 17, 2016

b. Circular no CO.DGBA (NBS) No.44/GA.64 (11-CVL) 90/91 dated April 18, 1991

c. Circular no CO DGBA (NBS) No.50/GA.64 (11-CVL) 90/91 dated May 6, 1991.

3. It may please be noted that though the above-mentioned circulars issued under the signature of RBI stand withdrawn, agency banks are requested to seek guidance from respective Pension Sanctioning Authorities regarding the process to be followed for recovery of excess pension paid to the pensioners, if any.

4. As regards the issue of refund to be made to the government of excess/wrong pension payments, banks may be guided by the guidelines laid down in our Circulars Nos.DGBA.GAD.H10450/45.03.001/08-09 dt 1.6.09 and DGBA.GAD.H.4054/45.03.001/2014-15 dt 13.3.2015. Agency banks are again advised that, where excess pension payment has arisen on account of mistakes committed by the bank, the amount paid in excess should be refunded to the Govt in lumpsum immediately after detection of the same and without waiting for recovery of any amount from the pensioners.

Yours faithfully

(Charulatha S Kar), Chief General Manager

No.W-02/0045/2020-DPE(WC) Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Public Enterprises Public Enterprises
Bhawan, Block No. 14, CGO Complex, Lodhi Road,
New Delhi – 110003 Dated 8th January, 2021

OFFICE MEMORANDUM

Subject: Freezing of Dearness Allowance of Employees of CPSEs – reg.

The undersigned is directed to refer to Ministry of Coal (MoC)'s OM No49015/1/2020-LA&IR dated 07.12.2020 and Ministry of Mines (MoM) 11/18/2020 Met. 1 dated 14.12.2020 seeking clarifications in the matter cited above.

2. DPE vide OM dated 19.11.2020 has issued guidelines on freezing of IDA rate w.e.f. 01.10.2020 till 30.06.2021, in respect of Executives and Non – Unionized Supervisors of CPSEs following 2017, 2007, 1997, 1992 & 1987 IDA pay scales Para 3 of the said OM inter-alia, states that “The above guidelines shall be applicable in case of Executives and Non-unionized Supervisors of CPSEs drawing 2017, 2007, 1997, 1992 & 1987 IDA pay scales.” The other employees including workmen of CPSEs are not covered under these guidelines.

(Samsul Haque)

Under Secretary

Ministry of Coal,

(Shri Ram Shiromani Saroj, Dy. Secretary)

Lok Nayak Bhawan, Khan Market, New Delhi

Ministry of Mines,

(Shri Adhir Kumar Malik, Under Secretary)

WESTERN RAILWAY Headquarter Office, Church Gate, Mumbai – 400020 No.E/IT/HRMS Date: 13/01/2021 Additional Member (HR) Railway Board New Delhi

Sub: Technical issues in e-Pass module of HRMS.
Ref: This Office Letter of even no. Dated 22.12.2020
With reference to this office letter of even no under reference, in continuation of the technical issues faced, some of the following additional important technical issues have been found in e-Pass of HRMS postal, due to which a lot of difficulties are being faced by the employees, while getting the e-Pass issued.

1. Employees are facing multiple problems, while reserving with e-Pass at PRS Counter as well as on IRCTC site like OTP is not generated, at the final

stage of reservation. At the PRS counter, the OTP expires within average of 30 minutes of generation and after that for the next OTP generation, the employees has to wait for several minutes, at the PRS Counter which leads to a sense of frustration among people standing in the queue. In case of timeout i.e. if OTP expires, then booking is not done. It is suggested that the e-Pass module and PRS should be integrated and just by entering UPN in PRS system, all eligible persons in pass should get displayed and as per reservation forms, reservation may be done. OTP generation should not be employee's himself responsibility, but on entering of UPN in PRS system by PRS Clerk, OTP should be received in mobile of employee like bank's debit cards for the purpose of verification. Generation of OTP is also not through mobile application but only on HRMS Portal.

2. The employee is not able to login through the mobile app. In the mobile app of HRMS there is no provision for the employee to apply directly for e-Pass and the employee can only view his application status, the number of issued passes and download the e-Pass.

3. The Group "D" employees also face a lot of trouble in accessing HRMS through the mobile app as most of them do not have Smart phone and lack of computer knowledge and English language. It will be better if Hindi language is supported in both the HRMS website and HRMS app, the employee should be able to view the contents in Hindi and also be able to type in Hindi language. The SMS received should also be in Hindi for easy understanding for Group "D" employees.

4. At present, OTP Generation is done by the employee himself through Computer system, but a provision has to be made that OTP can be generated through the mobile application of HRMS also.

5. Whenever an employee seeks help for generating OTP with the help of others in the PRS Queue, there will be a disclosure of employee's credentials of HRMS which is not ethically correct.

6. The Running Allowance of 30% for Running Staff working in GP 1900 & GP 2800 is not being reflected in the system; as such the running staff is being deprived of their entitled privilege passes.

7. The HRMS Pass Module is not accepting same station code or same Municipal area twice in e-Pass which is creating problems, for example, if one ticket is booked from ADI to BSR and further the employee wants to book from DR (Dadar) to PUNE, it is not being accepted by the system.

8. Unions are raising problems regarding e-Pas which are faced by the employees.

9. Railway Board Policy allows a number of break journeys during booking on Privilege passes, but the same has been restricted to 8 Break Journeys which is violation of extant policy.

10. The PRS system is not accepting name of employee or dependants if it exceeds 16 digit characters in e-Pass which is putting the Railway employee in disadvantage when booking tickets.

11. Now-a-days, many special trains are running and their routes are not available yet in e-Pass module of HRMS, due to which there is difficulty in reservation. In e-Pass module, the passes are issued as per the old routes which need to be synchronized with the new special trains running at present in e-Pass module.

In view of the above, issuing of manual passes may be permitted in case of emergency, till the smooth functioning of the e-Pass module.

This is for your kind information and necessary action.

(Surendra Kumar)

Principal Chief Personnel Officer-WR

Copy to – GM-CRIS/HRMS

Government of India Ministry of Railways (Railway Board)

No. PC-VII/2020/HRMS/16 New Delhi, dated: 14.01.2021

The General Managers, All Indian Railways and Production Units/Training Institutes

Sub: Regarding approval of all relevant data and forms/pension booklet/summarized SR sent to IPAS from HRMS

Settlement module of HRMS has been launched by CRB & CEO, Railway Board on 26.11.2020 and the user guidelines of the module have also been issued and uploaded on the website of Railway Board vide Board's letter dated 14.12.2020.

2. For processing the Settlement process online, Pension Booklet, summarized SR, along with all

other relevant forms and data are required to be sent to IPAS for acceptance and signature of retiring employees is also required to be digitally captured. 3. Subsequently the matter has been examined in consultation with Accounts Directorate and approval is hereby accorded for accepting all the data and forms digitally from HRMS by IPAS for the purpose of processing settlement cases through HRMS.

4. This issues with the approval of the Accounts Directorate and competent authority, Railway Board.

(Jaya Kumar G) Dy. Director, Pay Commission-VII & HRMS Railway Board Ph. 011-47845125, [e-mail-jaya.kumarg@gov.in](mailto:jaya.kumarg@gov.in)

Extension of dead line for issuance of manual pass to Railway Employees till 28.02.2021 – Railway Board Order No. PC-VII/2020/HRMS/6 dated 22.01.2021

Government of India Ministry of Railways (Railway Board) No. PC-VII/2020/HRMS/6 New Delhi, dated: 22.01.2021

To,
The General Manager,
All Indian Railways and Production Units/Training Institutes

(As per mailing list)

Sub: Extension of dead line for issuance of manual pass to Railway Employees.

Ref: Board's letter No. PC-VII/2020/HRMS/6 (Part) dated 16.11.2020 and 17.11.2020 (Corrigendum).

Please refer to Board's letter dated 14.08.2020 (RBE No. 66/2020) circulating the guidelines for e-Pass / PTO module of HRMS. The dead line for issuance of physical passes was extended upto 31.12.2020 vide Board's letter referred above and it was also communicated that from 1st January, 2021 onwards the system may invariably be shifted to e-Pass module in respect of all serving employees.

2. It has been observed that e-Pass / PTO module of HRMS has gained acceptance amongst large number of Railway Employees and nearly 2,75,000 Passes have been issued through HRMS module till date. However, it is observed that some issues have been reported from certain quarters regarding issuance of e-Pass arising out of certain technical / logistic issues resulting in delay in issue of passes

and issuing tickets to employees. The complaints have largely been relating to generation of OTP as well as regarding completion of data entry in exceptional cases and also relating to acquaintance with the new mode of issuance of passes.

3. In order to increase the awareness amongst Railway Employees, various efforts have been made such as circulation of short videos relating to use of e-Pass module, issue of instructions in bilingual and vernacular languages.

4. The issue has further been examined in Board's office and in order to avoid any hardships to the employees in availing the passes, it has been decided by the competent authority that in exceptional and emergency cases where e-Pass could not be issued due to non-completion of data entry or any other unforeseen technical problems which could not be resolved within a stipulated time frame, physical passes may be issued till 28.02.2021. However, issue of passes through HRMS module shall be given priority and issue of physical passes may be resorted to in emergent and extraordinary situations only. While issuing the passes through physical mode, pass account of the employee in the e-Pass module may be updated invariably.

5. This issues with the approval of Competent Authority.

(Jaya Kumar G) Dy. Director, PC-VII & HRMS
Railway Board

Appeal

NOTHING CAN BE ACHIEVED
WITHOUT STRUGGLE.
EVERY STRUGGLE NEEDS
MONEY
DONATE GENEROUSLY TO
BPS IF YOU WISH IT TO
CONTINUE TO STRUGGLE
FOR YOUR WELFARE WITH
THE SAME ZEAL & PASSION

Redressal of Public Grievances – Standard Operating Procedure issued by Fin min

File No. M-51011/1/2020-CDN-CGA/1066 Ministry of Finance Department of Expenditure, Controller General of Accounts Dated 13th January, 2021; **Office Memorandum**

Subject: Standard Operating Procedure for Redressal of Public Grievances-reg.

In order to enhance the effective grievance redressal mechanism in the CGA office, a Standard Operating Procedure (SOP) for redressal of public/pensioner's grievances/representations has been framed as under:

- (a) Coordination Section is the Nodal agency in CGA office to monitor the Public Grievances.
- (b) Jt. CGA (CDN) is designated as the Public Grievance Officer for the CGA office.
- (c) All grievance representations received in the CGA office, either by letter, email, fax, to be invariably routed through Public Grievance Officer (PGO) before they are sent to concerned sections/divisions.
- (d) Grievances received other than through PG portal or emails, should be necessarily acknowledged, with an interim reply within 3 days of receipt.
- (e) All out efforts should be made to redress public grievances received through various means including PG portal with in 30 days time frame.
- (f) In case it is anticipated that redressal of a grievance is likely to breach the time line of 30 days, the reason/justification for the anticipated delay as well as the expected time by which the grievance would be redressed, should be intimated to the petitioner/complainant. This may be done with the approval of the Jt.CGA concerned.
- (g) No grievance is to be rejected without the same having been independently examined at the level of Dy.CGA/Jt.CGA concerned.
- (h) Grievance representations received in CGA Office pertaining to field offices/CPAO shall immediately be forwarded to the Pr.CCAS/CCAs/CA(IC). The Grievance Monitoring Cell/CDN Section shall monitor and follow up the matter at appropriate level. A DO reminder shall be issued at the level of Jt. CGA after 15 days and the matter brought to the notice of Addl.CGA subsequently.
- (i) Grievances cases related to NTRP refunds shall be handled by GIFMIS-NTRP to take up the matter with concerned office to ascertain refund status and ensure timely redressal as per timelines and escalation matrix.
- (j) PG portal has been launched by the Government for redressal of grievances faced by general public. However, CGA office has been receiving large number of grievances/representations from Officers/Officials of CGA organisation through PG Portal for redressal of administrative/Service matters. Such submissions of representations directly to other authorities by-passing the prescribed channel of communication, may be forwarded by Coordination section to the concerned field offices indicating that appropriate action should be taken against those officers/officials who have violated extant instructions in this regard. This may be taken as final disposal of the grievance by the Coordination section of CGA office.

2. To ensure prompt and effective redressal of grievance, the following time lines shall be adhered to:

Category A – Grievance relating to O/o CGA

S. No.	Description	Timelines (not later than)
1.	Transfer of grievance by Coordination section to other section in O/o CGA on its receipt in CPGRAM portal	2 working days on the receipt of grievance
2.	If the subject pertains to the section, reply/interim reply is to be furnished by the concerned section to CDN section	5 working days from the date of receipt of letter from CDN section
3.	If the subject does not pertain to the section, return of grievance to CDN section.	Same day on its receipt
4.	Reply/interim reply of the grievance by Coordination section to the applicant after obtaining approval from Competent Authority	2 working days thereafter

Category B – Grievance relating to INGAF & CPAO

S. No.	Description	Period (not later than)
1.	Transfer of grievance by Coordination section to INGAF/CPAO on its receipt in CPGRAM portal	2 working days on the receipt of grievance
2.	If the subject pertains to the section, reply/interim reply is to be furnished by the INGAF/CPAO to Coordination section	5 working days from the date of issue of letter from Coordination section O/o CGA
3.	If the subject does not pertain to the section, return of grievance to Coordination section O/o CGA	1 working day on its receipt
4.	Reply/interim reply of the grievance by Coordination section to the applicant after obtaining approval from Competent Authority	2 working days thereafter

Category C- Grievances relating to Accounting formation of different Ministries.

S. No.	Description	Timelines (not later than)
1.	Transfer of grievance by Coordination section to the concerned Accounting formation on its receipt in CPGRAM portal	2 working days from the receipt of grievance
2.	If the subject is related to a Ministry, reply/interim reply is to be furnished by Principal Accounts Office of that Ministry to Coordination section	5 working days from the date of issue of letter from Coordination section O/o CGA
3.	If the subject does not pertain to that Ministry, return of grievance to Coordination section O/o CGA	2 working days on its receipt
4.	Reply/interim reply of the grievance by Coordination section to the applicant after obtaining approval from Competent Authority	2 working days thereafter

3. In all categories A, B & C, if the reply/interim reply is not received from the section/Ministry within the stipulated timeline reminder(s) are to be issued. The escalation matrix is as under:

S. No.	Description	Timelines (no later than)	Reminder to be issued at the level
1.	Issue of reminder-1 on non receipt of reply in Coordination section O/o CGA from O/o CGA/Ministry	On the following day of the completion of the timeline prescribed for receipt of reply from the concerned Ministry	At ACGA/Dy CGA level
2.	Issue of reminder-2	After 3 working days of receipt of reminder-1	DO From Jt. CGA

Level to be escalated for subsequent follow up, if required

4. All Sections/verticals and field units of Civil Accounts Organisation are requested to strictly adhere to the timelines set as per SOP.

5. This issues with the approval of Controller General of Accounts

(Dr. Richa Pandey)

Asstt. Controller General of Accounts

**Recovery of dues other than Government dues
from the retirement benefits of BSNL VRS-
2019 Scheme retired employees**

BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise) Corporate Office
Pension Section, 5th floor Bharat Sanchar Bhawan
No.48-2/2020-Pen (B) Dated: 20-01-2021

To

All Heads of Circles/Telecom Districts/ Regions/
Projects/Telecom Stores/Telecom Factories &
Other Administrative Offices

Bharat Sanchar Nigam Limited

Sub: Recovery of dues other than Government
dues from the retirement benefits of BSNL VRS-
2019 Scheme retired employees – regarding.

Sir,

I am directed to refer to this Office letter of even
no. dated 29/09/2020, wherein guidelines to recover
due amount from the BSNL retirees, other than
those retired under BSNL VRS-2019 Scheme has
been issued. This is in accordance with the
instructions issued vide DOT letter No.1/ misc/ Pen/
Issues/ BSNL/ DDG(Accts)/ 2019-Part(2)/2525 to
2958 dated 24/08/2020.

2. After issuance of the aforesaid letter, the
guidelines to recover dues from the BSNL VRS-
2019 retirees, who have been occupying BSNL
accommodation after retirement, from their terminal
benefits were under consideration.

3. Now, with the approval of the Competent
Authority, it has been decided to recover the dues
from the 2019 BSNL VRS optees, who are still in
occupation of BSNL accommodation and also from
those who have not submitted “No Dues
Certificate” (NDC) in the following manner till they
submit NDC after vacation of quarters :-

- i) The amount of Leave Encashment payable by
BSNL to the BSNL VRS-2019 retiree will be
withheld;
- ii) The remaining 8% of Ex-Gratia amount payable
to BSNL VRS-2019 retiree will be withheld;
- iii) Recovery will be made from the amount of
reimbursement of Outdoor/Indoor Medical claims
submitted by the retiree;

iv) Recovery will be made from the amount of
reimbursement of LTC/TA claims submitted by the
retiree;

v) Recovery will be made from the amount of
reimbursement of Mobile Handset/ Briefcase / Bag/
News Paper claims etc. Submitted by the retiree.

4. In this regard, the Unit/Branch, dealing with the
allotment of BSNL Quarters may be asked to send
Notice/ reminders to the concerned retirees for
submitting the “No Dues Certificates” (NDC). After
receiving the NDC, only the withheld amount in
respect of the concerned retiree may be released
by the Circle.

5. Further, as per the Clause 3,B 4 & 5 of Public
Premises (Eviction of Unauthorised Occupants)
Act, 1971, Estate Officer is having full powers to
issue Show Cause Notice to the Retired Employees,
who were unauthorizedly occupying the
Residential Accommodation, stating “Why an
order of eviction should not be made within a period
of three working days”. Hence, Estate Officers of
the Circles are required to take necessary action,
accordingly.

6. Estate Officers of the Territorial Circles may take
extra care to collect the details of the staff quarters
in merged Units in their concerned Circle either
through REM in ERP or otherwise and take
necessary action to evict the unauthorised
occupants under the provisions of the powers
vested with them as per the “Eviction of
Unauthorised Premises Act of 1971”.

7. The Estate Officers of the Circle/SSA are
responsible for any loss caused to BSNL, if they
do not exercise the powers vested with them.
Suitable action may also be initiated to recover the
outstanding dues, if any, from the unauthorised
occupants. Action taken in this regard may be
intimated to this Office from time to time.

8. All the Heads of Circles/Administrative Units of
BSNL are, therefore, “requested to take necessary
action, in accordance with the aforesaid guidelines.

Yours faithfully,

Sd/ (Sudhanshu Shekhar Ray)

Asstt. General Manager (Estt.)

Partial withdrawal of NPS via self declaration - January 18, 2021

Pension Fund Regulatory and Development Authority B-14/A, Chhatrapati Shivaji Bhawan, Qutub Institutional Area, Katwaria Sarai, New Delhi-110016

CIRCULAR

CIR No.: PFRDA/2021/3/SUP-ASP/3 dt: 14.01.2021

To, All Stakeholders under NPS

Sub: Ease of Partial withdrawal of NPS Subscribers through self – declaration

Presently, all NPS Subscribers who have been under the NPS for three years or more, are permitted to avail non-refundable partial withdrawal from their own contributions to the extent of 25% up to three times for specified reasons (refer Annexure I) in PFRDA (Exits and Withdrawal under the National Pension system) Regulations 2015.

As of now, the eligible Subscribers need to submit their application for partial withdrawal to the respective nodal officers/POPs along with the supporting documents to substantiate the reasons for their request for partial withdrawals.

In order to ease the process of partial withdrawal and make it simple, online and paperless in the interest of Subscribers, it has now been decided to allow the Subscribers to allow partial withdrawal based on 'self-declaration' and thereby doing away with the submission of supporting documents to substantiate the reasons for partial withdrawal.

To further expedite the process and to ensure timely payment of partially withdrawn amount into the Subscribers' bank account, the partial withdrawal requests received online shall be directly processed in Central Record Keeping Agency (CRA) system thereby doing away with the authorization of the request at the level of nodal office/POP.

This liberalized process is however strengthened by effective due diligence with technology enabled 'Instant Bank Account verification' through penny drop to identify the beneficiary and the Subscriber's bank account. In order to ensure payment of amount into correct bank account number and rightful beneficiary, CRAs shall be carrying out 'Instant Bank Account Verification through penny drop and the cost of the same shall be borne by the Subscribers. The process of partial

withdrawal based on self-declaration is provided at the Annexure II. Central Record Keeping Agencies (CRAs) are accordingly advised to make this feature available in their system at the earliest in the interest of Subscribers.

The Subscribers shall also have the option for submitting partial withdrawal requests off line with 'self-declaration' to the associated nodal officers/POPs, as per the prevalent practice but without any supporting documents to substantiate the reasons for partial withdrawal.

This circular is issued under Section 14 of PFRDA Act 2013 and is available at PFRDA's website (www.pfrda.org.in) under the Regulatory framework and in "Circular" section of CRA under intermediaries.

K Mohan Gandhi, General Manager
([k.mohangandhi\[at\]pfrda.org.in](mailto:k.mohangandhi[at]pfrda.org.in))

Annexure I

(Reasons of Partial Withdrawal) [Refer Reg. 8 of PFRDA (Exit and Withdrawal) Regulations, 2015]

Higher education of his/her children

Marriage of his/her children

Purchase or construction of residential house or flat
Treatment of specified illness such as Cancer, Kidney failure, Primary Pulmonary Arterial Hypertension, Multiple Sclerosis, Major organ transplant, Coronary Artery Bypass Graft, Aorta Graft Surgery, Heart Valve Surgery, Stroke, Myocardial Infarction, Coma, Total Blindness, Covid 19, Paralysis and Accident of serious/life threatening.

For meeting expenses of skill development/re-skilling or any other self-development activities.

For establishing his/her own venture or any start-up.

To meet medical and incidental expenses arising out of the disability or incapacitation suffered by the subscriber

Annexure II

(Process of Partial withdrawal through self – declaration)

Subscribers can submit the partial withdrawal request online/off-line to CRA/Nodal Office/PoPs, as the case may be.

For online withdrawal-Login to CRA system using login credentials.

Select Partial Withdrawal and the eligible amount of partial withdrawal displayed. D. Select the reasons for partial withdrawal in the drop down option.

Furnish Self Declaration: "I submit the request for partial withdrawal and the amount thus withdrawn shall be utilized for the purpose of declared reasons as specified by PFRDA exit regulations. I am fully responsible and accountable to spend the amount thus withdrawn for the stated reason".

Check Bank Account Number which is the non-editable mode.

Submit the request and authorize by using OTPs/e Sign.

Email and Mobile number need to be updated to authenticate using OTPs in case of online mode. CRA executes partial withdrawal post "instant Bank Account Verification" by penny drop.

The amount will be received by the Subscriber on T+4th working day. T being the date of online submission by Subscriber/authorization by Nodal Office/POP (in offline mode)

No supporting documents are to be submitted in offline or online mode.

Husband's Appointment On Compassionate Ground Won't Take Away His Fundamental Right Of Remarriage: Allahabad High Court - 17.01.2021
The Allahabad High Court last month ruled that the petitioner (Husband) employed on compassionate basis on the death of his wife, won't be precluded from re-marrying.

The Bench of Justice Pankaj Mithal ruled, "Merely because petitioner has been appointed on compassionate basis, he cannot be forced to sacrifice his/her fundamental right of remarriage, after the death of the earlier spouse.

Court No. – 29

Case :- WRIT – A No. – 8797 of 2020

Petitioner :- Mohammad Haidar

Respondent :- State Of U P And Another

Counsel for Petitioner :- Surendra Prasad Mishra

Counsel for Respondent :- C.S.C., Daya Ram Yadav
Hon'ble Pankaj Mithal, J.

Heard Sri Surendra Prasad Mishra, learned Counsel for the petitioner and learned Standing Counsel for State-respondent No.1.

Briefly stated facts of the present case are that the petitioner was appointed on compassionate basis
BHARAT PENSIONER

on the death of his wife. The petitioner now intends to marry the younger sister of his wife.

Therefore, he seeks permission from Basic Shiksha Adhikari where he is employed to re-marry. Learned Standing Counsel submits that there is no requirement under law for getting any permission for re-marriage by an employee. The petitioner appears to have applied for permission to re-marry in view of Rule 5 of the 1974 Rules.

Rule 5 of the Uttar Pradesh Recruitment of Dependents of Government Servant Dying in Harness Rules, 1974 (hereinafter referred to as 'the Rules, 1974') provides as under:-

"5. Recruitment of a member of the family of the deceased – (1) In case a Govt servant dies in harness after the commencement of these rules, and the spouse of the deceased Govt servant is not already employed under the Central Govt or a State Govt or a Corporation owned or controlled by the Central Govt or a State Govt, one member of his family who is not already employed under the Central Govt or a State Govt or a Corporation owned or controlled by the Central Govt or a State Govt shall, on making an application for the purpose, be given a suitable employment in Govt Service on a post except the post which is within the purview of the Uttar Pradesh Public Service Commission, in relaxation of the normal recruitment rules if such person –
(i) fulfils the educational qualifications prescribed for the post:

Provided that in case appointment is to be made on a post for which typewriting has been prescribed as an essential qualification and the dependent of the deceased Govt servant does not possess the required proficiency in typewriting, he shall be appointed subject to the condition that he would acquire the requisite speed of 25 words per minute in typewriting well within one year and if he fails to do so, his general annual increment shall be withheld and a further period of one year shall be granted to him to acquire the requisite speed in typewriting and if in the extended period also he again fails to acquire the requisite speed in typewriting, his services shall be dispensed with. Provided further that in case appointment is to be made on a post for which the knowledge of computer operation and typewriting has been prescribed as an essential qualification and the

dependent of the deceased Govt servant does not possess the required proficiency in computer operation and typewriting, he shall be appointed subject to the condition that he would acquire the 'CCC' certificate in computer operation awarded by the DOEACC Society or a certificate equivalent thereto from an Institution recognized by the Govt together with the required speed of 25 words per minute in typewriting well within one year and, if he fails to do so, his general annual increment shall be withheld and a further period of one year shall be granted to him to acquire the required certificate in computer operation and the required speed in typewriting and if in the extended period also he again fails to acquire the required certificate in computer operation and the required speed in typewriting, his services shall be dispensed with."

(ii) is otherwise qualified for Govt service; and
(iii) makes the application for employment within five years from the date of the death of the Government servant:

Provided that where the State Govt is satisfied that the time limit fixed for making the application for employment causes undue hardship in any particular case, it may dispense with or relax the requirement as it may consider necessary for dealing with the case in a just and equitable manner:

Provided further that for the purpose of the aforesaid proviso, the person concerned shall explain the reasons and give proper justification in writing regarding the delay caused in making the application for employment after the expiry of the time limit fixed for making the application for employment along with the necessary documents/proof in support of such delay and the Govt shall, after taking into consideration all the facts leading to such delay, take the appropriate decision."

(2) As far as possible, such an employment should be given in the same deptt in which the deceased Govt servant was employed prior to his death.

(3) Every appointment made under sub-rule (1) shall be subject to the condition that the person appointed under sub-rule (1) shall maintain other members of the family of deceased Govt servant, who were dependent on the deceased Govt servant immediately before his death and are unable to maintain themselves.

(4) Where the person appointed under sub-rule (1) neglects or refuses to maintain a person to whom he is liable to maintain under sub-rule (3), his services may be terminated in accordance with the Uttar Pradesh Govt Servant (Discipline and Appeal) Rules, 1999, as amended from time to time."

The aforesaid Rule nowhere stipulates that any permission is required by a person employed on compassionate basis for re-marriage. It only provides that the person employed on compassionate basis shall maintain other members of the family of the deceased govt servant. It also provides that in case he neglects or refuses to maintain them, his services may be terminated. This does not mean that there is any rider on the right of the employee to re-marry. This is what has also been laid down by this Court in the case of Smt. Santoshi v. State of U.P. and 2 others, Writ-A No. 834 of 2020, decided on 21.1.2020. It has been observed that right to marry with person of choice is an integral part of Article 21 of the Constitution of India. Merely because petitioner has been appointed on compassionate basis, he cannot be forced to sacrifice his/her fundamental right of remarriage, after the death of the earlier spouse. A person would not earn any disqualification on this score and warrant any disciplinary proceedings. Thus, there is no provision under law which requires any person to seek permission from the employer for re-marriage.

In view of the aforesaid facts and circumstances, as there is no statutory requirement under law for seeking permission of Basic Shiksha Adhikari for the purpose of re-marriage by an employee, who has been appointed on compassionate basis, I am of the opinion that the petitioner has unnecessarily invoked the writ jurisdiction of this Court.

The petition as such is misconceived and is dismissed.

Appointment on compassionate grounds – EPFO Circular - January 17, 2021 Appointment on compassionate grounds – EPFO Circular Employees' Provident Fund Organisation Ministry of Labour & Employment, Government of India No. HRM-V/II1(07)/Compassionate Appointment Policy Matter/2019/Vol.III/2191 dt: 14.01.2021

All Addl. CPFC (HQ) (Zones)/All Addl. CPFC (Zones) Director (PDNASS)/Addl. CPFC (ASD) All Regional PF Commissioners/OIC of Regional Offices

Subject: Appointment on compassionate grounds-Regarding.

Reference: (i) Head Office letter No.HRM-V/I11(07)/Compassionate Appointment Policy Matter/2019/Vol.III/ 1/473/2020, 1/474/2020, 1/474/2020 and 1/478/2020 dated 23.07.2020. (ii) HO No.B-11/1/2020-HRM-VI dated 10.09.2020.

Sir/Madam,

Central Provident Fund Commissioner while reviewing the pendency of Compassionate Appointment proposals expressed his displeasure on inordinate delay in disposal of compassionate appointment proposals and non-submission of Report at Quarterly Zonal Screening Committee meeting. Further, CPFC directed that in light of delegation of powers and detailed guidelines, all compassionate appointment proposals pending at the level of Zonal Office shall be considered and disposed off latest by 31st January 2021.

2. An action taken report on above direction may be furnished to this office by 03.02.2021 for the perusal of CPFC.

Yours faithfully

(Uma Mandal) Addl. Central PF Commissioner (HRM)

Husband's Appointment On Compassionate Ground Won't Take Away His Fundamental Right Of Remarriage: Allahabad High Court

उत्तर मध्य रेलवे कार्मिक विभाग मण्डल रेल प्रबन्धक
कार्यलय दि० 19.01.2021 प्रयागराज पत्र सं०— सी
एस / स. का. अ. / एल. के. / एच. आर. एम.
एस—ई—पास/2021 समस्त शाखा अधिकारी एवं सर्व
सम्बन्धित उत्तर मध्य रेलवे/प्रयागराज

विषय— सेवानिवृत्त कर्मचारियों को एच.आर.एम.एस. के माध्यम से ई—पास निर्गत करने के सम्बन्ध में।

विषयगत के आलोक में आपको अवगत कराया जाता है कि तत्काल प्रभाव से सेवानिवृत्त कर्मचारियों को भी HRMS के माध्यम से ई—पास निर्गत किया जाना है ताकि सेवानिवृत्त कर्मचारीगण सुविधानुसार अपने निवास स्थान से ही अपना मानार्थ पास प्राप्त कर सकें। जिसके लिए

निम्न अभिलेखों की आवश्यकता होगी।

1. पीपीओ की छायाप्रति
2. कर्मचारी का रेलवे द्वारा जारी पहचान पत्र
3. पुराना पास (PDF Format) में
4. सेवानिवृत्त चिकित्सा पहचान पत्र (PDF Format) में
5. सेवानिवृत्त कर्मचारी का पासपोर्ट साइज फोटोग्राफ
6. आश्रित पत्र पारिवारिक सदस्यों का पृथक पासपोर्ट साइज फोटोग्राफ
7. आश्रित पारिवारिक सदस्यों से सम्बन्धित प्रमाण पत्र (PDF Format) में
8. प्रतिवर्ष भरा जाने वाला पास घोषणा पत्र (नया भरकर) (PDF Format) में
9. शिक्षा रत पुत्र का एकेडमीक प्रमाण पत्र (PDF Format) में
10. आधार कार्ड की छायाप्रति (PDF Format) में

अतः कृपया तदनुसार समस्त सेवानिवृत्त कर्मचारीगण अपने मोबाईल नम्बर और पीपीओ नम्बर को भारतीय रेलवे द्वारा निर्धारित वेबसाइट hrms.indiarail.gov.in/ HRMS में जाकर रजिस्ट्रेशन करावें।

कर्मचारी जिस कार्यालय से वर्तमान में वर्तमान में पास लें रहा उसी कार्यालय के प्रभारी (इंचार्ज) से सम्पर्क कर अपना विवरण निर्धारित वेबसाइट पर अपडेट कराएं। मण्डल कार्यालय से जो कर्मचारी पास लें रहें हैं, वो अपना सम्पूर्ण विवरण सम्बन्धित दस्तावेज संलग्न कर ई—मेल passdrmoofficepryj@gmail.com पर, विषय में पीपीओ सं० और नाम लिख कर भेज सकते हैं। इसका विस्तृत प्रचार सेवानिवृत्त कर्मचारियों के मध्य किया जाय। (लवकुश)

सहायक कार्मिक अधिकारी कृते मण्डल रेल प्रबन्धक (का०) उत्तर मध्य रेलवे प्रयागराज

Submission of Life Certificate by NPS-AR pensioner through Jeevan Pramaan. - January 14, 2021

GoI Ministry of Finance Department of Expenditure Central Pension Accounting Office Trikoot, Bhikaji Cama Place, New Delhi-110066

CPAO/Data Bank/Life Certificate/OM/2020-21/360 dated:11.01.2021

Subject : Submission of Life Certificate by NPS-AR pensioner through Jeevan Pramaan.

The Central Pension Accounting Office is Pension

Disbursing Authority for National Pension system-Additional Relief (NPS-AR). The NPS-AR pens are required to submit Life Certificate in the month of November every year for continuation of the pension. Life Certificates are sent to CPAO through the Bank Branches of the pens, where the pens maintain their pension accounts.

2. A new interface (Aadhar based) for submission of Life Certificate has been developed in Jeevan Pramaan for NPS-AR pens and this interface is now live for submission of Digital Life Certificate (DLC) through Jeevan Pramaan. Now NPS-AR pens can submit their Life Certificate through Jeevan Pramaan. For Jeevan Pramaan User Manual for uploading Digital Life Certificate visit : https://drive.google.com/file/d/1gTR6fcH4Uvnx7C7EGhh53JPzcNxpqOm_/view?usp=sharing

This issue with the approval of Chief Controller (Pension).

(Satish Kumar Garg) Sr. Accounts Officer, CPAO

Payment of final instalment of Ex-Gratia in respect of retirees of BSNL VRS-2019 instructions thereof - January 14, 2021

Bharat Sanchar Nigam Limited (A Govt of India Enterprise) Corporate Office Establishment Cell BSNL Bhawan H.C. Mathur Lane, New Delhi-01

Most Urgent Top Priority

F.No:BSNLCO-A/11(11)/8/2020-ESTAB dt: 12.01.21 To, All Heads of Telecom Circles & All Heads of Other Administrative Units, B S N Limited

Sub: Payment of final instalment of Ex-Gratia in respect of retirees of BSNL VRS-2019 instructions thereof.

Sir, I am directed to refer to the above cited subject and to inform that sanction of fund for the payment of final instalment of Ex-Gratia is being released by DOT shortly. Accordingly, all circles are requested to initiate the process for release of final instalment of Ex-Gratia in ERP/SAP as per the existing guidelines. It must be ensured that Ex-Gratia is calculated as per details of PPO finalised by CCA offices i.e. last pay drawn and service particulars etc. In cases of discrepancy, Ex-Gratia may be processed strictly as per Annexure-D verified by the CCA. ERP cell may be contacted in case of any technical doubt related to running of ERP process /opening of T-code etc.

2. The processing of payment of Ex-Gratia may be completed by 14.01.21. Fund request, indicating the amount to be paid VRS optees, including all kind of recoveries and TDS may be emailed to Banking Cell of BSNL Corporate Office on email address: budget.corporate[at]bsnl.co.in by 15.01.21.

3. PGM(ERP), ALTTC, Ghaziabad shall also in parallel provide consolidated circle wise fund to be authorized for payment of VRS retirees and the TDS to be paid, to Banking Cell by 15.01.2021.

4. In case of recoveries, all the recoveries should be posted in SAP simultaneously.

Yours faithfully,

(Sanjeev Kumar) Assistant General Manager (Estt.I)

ECHS Order to all empanelled hospitals not to charge PPE Kit from non-covid patient - 14.01.2021 Central Organisation ECHS Adjutant General's Branch Integrated Headquarters Ministry of, Defence (Army) Thimayya Marg Near Gopinath Circle, Dethi Cantt-110010

B/49770/AG/ECHS/Treatment/Policy 28 Dec 2020

All Regional Centres

Rates for Treatment at Private Health Care Organizations (HCOs) Empanelled Under ECHS in view of the Covid-19 Pandemic

1. Please refer the following:

(a) CO ECHS letter No B/49773/AG/ECHS/Rates/Policy dt 29 Jul 2020.

(b) CO ECHS letter No B/49770/AG/ECHS/Treatment dt 11 Nov 2020.

2. The rates of PPE kit to be levied by the empanelled hospitals for covid or suspect covid cases have been laid down as per the above letters. In the case of non-covid patients, no additional PPE is authorised.

3. It has been observed with concern from the feedback received from the envt that Empanelled Hospitals are charging from Non Covid cases of ECHS beneficiaries for Patient Safety kits / PPE kits, which is against the prevalent orders. It is once again reiterated that no cash Charges will be levied upon the ECHS beneficiaries by empanelled Hospitals.

4. You are requested to direct all empanelled hospitals not to charge PPE Kit from non-covid patient.

(Anupam N Adhulia) Col Dir (Med) for MD ECHS

Revision of Casualty Pensionary awards in respect of pre-1996 and pre-2006 Medical Officers of Armed Forces by inclusion of NPA for revision of Disability/War Injury Pension and Special/Liberalized Family Pension|Central Govt Employees - 7th CPC - Staff News- 23.01.2021

Revision of Casualty Pensionary awards in respect of pre-1996 and pre-2006 Medical Officers of Armed Forces by inclusion of NPA for revision of Disability/War Injury Pension and Special/Liberalized Family Pension|Central Govt Employees - 7th CPC - Staff News: Revision of Casualty Pensionary awards in respect of pre-1996 and pre-2006 Medical Officers of Armed Forces by inclusion of Non-Practice Allowance (NPA) for To

The Chief of the Army Staff

The Chief of the Naval Staff

The Chief of the Air Staff

Sub: Revision of Casualty Pensionary awards in respect of pre-1996 and pre-2006 Medical Officers of Armed Forces by inclusion of Non-Practice Allowance (NPA) for revision of Disability Pension/War Injury Pension and Special Family Pension/Liberalized Family Pension.

Sir, The undersigned is directed to refer to this Min letter No. 1(7)/2014-D(Pen/Pol) dt 31.06.15 wherein it was decided that in case of pre-1996 retired Medical Officers of Armed Forces, NPA @ 25% shall be added to minimum of scale of pay as on 01.01.96 while determining minimum guaranteed pension/family pension in terms of this Ministry's letter No. 1(1)/99/(Pen/Sers) dt 07.06.99 subject to the ceiling that pay plus rank pay plus NPA shall not exceed Rs. 29,500/-. It had also been decided that in case of pre-2006 retired Medical Officers of Armed Forces, NPA @ 25% shall be added to the minimum of the pay in the pay band plus the grade pay and Military Service Pay, where applicable, while determining minimum guaranteed pension/family pension from 1.1.06 in terms of Para-5 of this Ministry letter No.17(4)/2008(1)/D(Pen/Policy) dt 11.11.08 subject to the ceiling that pay plus grade pay plus Military Service Pay wherever applicable and NPA, shall not exceed Rs.85000/-. Similarly, for revision of pension/family pension with effect from 24.09.12, NPA @ 25% shall also be added to the minimum of the fitment table for the rank in the revised pay band as indicated under fitment tables annexed with SAI 2/S/2008 and equivalent

instructions for Navy and Air Force, plus Grade pay and Military Service Pay, where applicable, for determining minimum guaranteed pension in terms of this Ministry's letter No. 1(11)/2012-D(Pen/Policy) dt 17.01.13, as modified vide letter dt 25.11.14 subject to the ceiling that pay plus grade pay plus Military Service Pay wherever applicable and NPA, shall not exceed Rs. 85000/-,

2. DoP&PW vide their OM No. 1/6/2017-P&PW(F) dt 10.10.18 have issued clarification that for the purpose of revision of Disability Pension/Family Pension of the pre-96 & pre-06 penrs covered under CCS (EOP) Rules, NPA @ 25% shall be added to the minimum of the pay in the revised scale of pay as on 1.1.96 & minimum of pay in pay band plus Grade pay or minimum of the pay in the revised pay scale applicable from 1.1.06 corresponding to the pay scale from which the penr ret'd, respectively.

3. Matter has been under consideration of the Govt for quite some time to extend the provision of DoP&PW OM No.1/6/2017-P&PW(F) dt 10.10.18 to Armed Forces personnel also while calculating casualty pensionary awards. It is hereby clarified that for the purpose of revision of Casualty Pensionary Awards ie. Disability Pension/War Injury Pension/Special Family Pension/Liberalized Family Pension of the pre-1.1.96 retired Medical Officers of Armed Forces also, NPA @ 25% shall be added to minimum of scale of pay as on 1.1.96 while determining casualty pensionary awards w.e.f. 1.1.96. Similarly, for the purpose of revision of Casualty Pensionary Awards of pre-2006 retired Medical Officers of Armed Forces, NPA @ 25% shall be added to the minimum of the pay in the pay band plus the grade pay and Military Service Pay, where applicable while determining casualty pensionary awards w.e.f. 1.1.06.

4. The total emoluments to be reckoned for calculation of the Casualty Pensionary Awards in terms of above provisions would not exceed Rs.29500/- w.e.f. 1.1.96 & Rs.85000/- w.e.f. 1.1.06.

5. Other terms and conditions stipulated in this OM No.1(7)/2014/D(Pen/Pol) dt 31.07.15 shall remain unchanged.

6. This issues with the concurrence of MoD (Finance/Pension) vide their ID No.10(8)/2018/Fin/Pen dt 23.12.20.

7. Hindi version will follow.

Yours faithfully,(Ashok Kumar)Ud Secy to the GoI

IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA.

CWP No. 2503 of 2016 a/w

CWPOA No. 663 of 2020-12-21

Reserved on: 02.11.2020

Decided on: 06.11.2020

1. CWP No 2503 of 2016

Hari Prakash Petitioner.

Versus

State of Himachal Pradesh & ors. Respondents.

2. CWPOA No. 663 of 2020

Krishan Pal.....Petitioner.

Versus

State of H P & anr.....Respondents.

Coram

The Hon'ble Mr Justice Tarlok Singh Chauhan,
Judge.

The Hon'ble Ms Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting? Yes

For the petitioner : Mr B Nandan Vashishta,
Advocate for the petitioner in CWP No. 2503 of
2016.

Mr Rajesh Kumar, Advocate, for the petitioner in
CWPOA No. 663 of 2020.

For the respondents : Mr Ashok Sharma, Advocate
General with Mr Vinod Thakur, Mr Shiv Pal
Manhans, Addl. AGs, Ms Bhupinder Thakur, Ms
Seema Sharma and Mr Yudhbir Singh Thakur, Dy.
AGs for respondents No. 1,2,4 and 5 in CWP No.
2503 of 2016 & for respondents No. 1 and 2 in
CWPOA No 663 of 2020.

Mr Shashi Shirshoo, CGC, for respondents No. 3
and 6 in CWP No. 2503 of 2016.

Whether the reporters of the local papers may be
allowed to see the Judgment?

Jyotsna Rewal Dua, Judge Whether an employee
who retired on 31st of a month is entitled to the
increment which would have fallen due on 1st of
the next month is the question involved in the Civil
Writ Petition No. 2503 of 2016.

2. Petitioner was appointed as Technical Assistant
in the Department of Industries (Geological wing)
on 1.3.1968 in the pay scale of Rs 250-550. He retired
as Senior Hydrogeologist on 31.3.2003 in the pay
scale of Rs 10025-15100 (pre-revised). His grievance
is that even after rendering twelve months of
continuous service from 1.4.2002 to 31.3.2003, he
has been retired without giving him the benefit of

one increment which was due to him on 1.4.2003. A
petition preferred in this regard by the petitioner
(T.A No.530/2015) has been dismissed by the
erstwhile H.P. Administrative Tribunal on 8.8.2016.
Aggrieved, instant writ petition has been preferred
by the petitioner seeking following reliefs:

I. To quash Annexure P-10, the order passed by
Hon'ble H P Administrative Tribunal dated 8.8.2016
whereby the TA of the petitioner has been
dismissed without giving due considerations to
the grounds raised by the petitioner in TA.

II. To strike down the offending part of impugned
provision of R 56 (a) of Fundamental Rules being
unconstitutional to the extent it causes undue
hardship and is discriminatory to the petitioner as
it deprives him from getting the benefit of due and
legitimate one increment even after rendering 12
months continuous and uninterrupted service for
the reason that his date of birth falls on 1st April
which also happens to be his date of next increment.

III. Or in the alternative, the Respondents No. 1
and 2 may kindly be directed to grant necessary
relaxations in favour of the petitioner by invoking
the provision of FR-5-A as undue recurring
financial hardship has been caused to the petitioner
in his pension and Pensionary benefits and thereby
enabling the petitioner to get the benefits of one
increment since the petitioner has already rendered
12 months continuous and uninterrupted service
in the time scale of his post but on superannuation,
has been illegally deprived of the benefits of one
increment due to the wrong interpretation of FR 56
(a) by the Respondents, with further prayer to grant
consequential necessary benefits flowing there
from along with admissible interest on the arrears
accruing thereto".

3. We have heard learned Counsel for the parties
and gone through the record.

3(i). In support of his claim of the increment
immediately falling due post retirement, learned
Counsel for the petitioner relied upon a judgment
passed by the High Court of Judicature at Madras
in WP No. 15732 of 2017, titled P. Ayyamperumal
vs. Registrar, CAT decided on 15.9.2017, wherein it
was observed that on completing one year of
service from 1.7.2012 to 30.6.2013, the petitioner
therein became entitled for the benefit of increment,
which accrued to him 'during that period' though

the increment fell due on 1.7.2013 when he was not in service.

The relevant extract from the judgment is reproduced hereinafter:

6. In the case on hand, the petitioner got retired on 30.06.2013. As per the Central Civil Services (Revised Pay) Rules, 2008, the increment has to be given only on 01.07.2013, but he had been superannuated on 30.06.2013 itself. The judgment referred to by the petitioner in State of Tamil Nadu, rep. by its Secretary to Government, Finance Department and others V. M. Balasubramaniam, reported in CDJ 2012 MHC 6525, was passed under similar circumstances on 20.09.2012, wherein this Court confirmed the order passed in W P No. 8440 of 2011 allowing the writ petition filed by the employee, by observing that the employee had completed one full year of service from 01.04.2002 to 31.03.2003, which entitled him to the benefit of increment which accrued to him during that period.

7. The petitioner herein had completed one full year service as on 30.06.2013, but the increment fell due on 01.07.2013, on which date he was not in service. In view of the above judgment of this Court, naturally he has to be treated as having completed one full year of service, though the date of increment falls on the next day of his retirement. Applying the said judgment to the present case, the writ petition is allowed and the impugned order passed by the first respondent-Tribunal dated 21.03.2017 is quashed. The petitioner shall be given one notional increment for the period from 01.07.2012 to 30.06.2013, as he has completed one full year of service, though his increment fell on 01.07.2013, for the purpose of Pensionary benefits and not for any other purpose. No costs."

The SLP (Civil) preferred against this judgment was dismissed in limine by the Hon'ble Apex Court on 23.07.2018 with following order:

Delay condoned.

On the facts, we are not inclined to interfere with the impugned judgment and order passed by the High Court of Judicature at Madras.

The special leave petition is dismissed."

The review petition against the order dated 23.07.2018 was dismissed on 8.8.2019. Learned Counsel for the petitioner also pressed in service the judgment passed in WP (C) 10509/2019, titled

Gopal Singh Vs. Union of India and others, decided by a Division Bench of High Court of Delhi on 23.1.2020 where under relying upon the judgment in P Ayyamperumal's case supra the writ petition was allowed and respondents therein were directed to grant notional increment to the petitioner w.e.f. 1.7.2019 for the service rendered by him from 1.7.2018 to 30.6.2019. The respondents were further directed to re-fix the Pensionary benefits of the petitioner.

Relying upon the above judgments, learned Counsel for the petitioner submitted that in the instant case petitioner had rendered continuous service of twelve months on the date of his retirement but he was not granted the benefit of one increment which was due and admissible to him on 1.4.2003.

3(ii) Opposing the petition, on behalf of the State, learned Additional Advocate General placed reliance upon a decision rendered on 29.7.2020 by the Madhya Pradesh High Court in Madhav Singh Tomar & ors. Vs. M P Power Management Co. Ltd & ors., (WP No. 9940 of 2020) wherein relying upon an earlier order passed by a Division Bench of the High Court on 10.7.2017 in writ appeal No. 717 of 2016, the writ petition claiming next annual increment due immediately after retirement was dismissed keeping in view the Fundamental Rules governing service conditions of the petitioner. Reliance was also placed by learned Additional Advocate General upon a Full Bench decision of Andhra Pradesh High Court delivered on 27.1.2005 in Principal Accountant General vs. C Subba Rao 2005 Lab I.C. 1224 where the impugned order of the Tribunal holding the employee entitled to an annual increment that fell due on 1.1.2002 after his retirement on 31.12.2001 was quashed and set aside. Relevant extract from the judgment is as under:-

16. As per F R 17, extracted hereinabove, a Government servant shall begin to draw the pay and allowances attached to his post with effect from the date when he assumes the duties of that post until he ceases to discharge those duties. "Pay" as defined in F R 9 (21) (a) means, the amount drawn monthly by a Government servant which also includes the increment given at an anterior date. Therefore, after retirement, a person will not be entitled to any pay including the increment that

may be due from the posterior date. F R 22 regulates the initial pay of a Government servant who is appointed to a post in time-scale and F R 24 and F R 26 regulate the sanction of increment to a Government servant, who is on duty. A reading of various Fundamental Rules extracted hereinabove would show that a person appointed as a Government servant is entitled to pay in time-scale of pay. He is also entitled to draw the increment as per time-scale of pay as a matter of course as long as such Government servant discharges duties of the post and such Government servant shall not be entitled to draw the pay and allowances attached to the post as soon as he ceases to discharge those duties. In other words, as per F R 17 read with F Rs 24 and 26 annual increment is given to a Government servant to enable him to discharge duty and draw pay and allowances attached to the post. If such Government servant ceases to discharge duties by any reason say, by reason of attainment of age of superannuation, such Government servant will not be entitled to draw pay and allowances. As a necessary corollary such employee would not be entitled to any increment if it falls due after the date of retirement, be it on the next day of retirement or sometime thereafter.

17. F R 56 (a) creates a legal fiction. Even if a person attains the age of 60 years on any day of the month, he shall be retired on the afternoon of the last day of the month. A Government servant, who attains the age of 60 years on any day in a month, is deemed to have not attained the superannuation till the last day of the month. In the case of a Government servant, whose date of birth is first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of 60 years. In this case, actually and factually, a Government servant would have completed the age of 60 years a day before the date on which his date of birth falls. Therefore, there are two situations. In the first situation, a Government servant though he attains the age of 60 years on any day of the month, he is deemed to have not attained such age till the afternoon of the last day of that month.

Assuming that such a situation is not contemplated – as in the case of persons holding constitutional offices like, Judges of Supreme Court, High Court, Members of Election Commission, Comptroller and

Auditor General etc; if a Government servant is retired on a day before the actual date of birth on any day of the month and the increment of such Government servant falls on the first of the succeeding month, can he claim annual grade increment? The answer must be an emphatic “no”. Because, by the date on which the increment falls due, such Government servant ceased to be a Government servant. It is therefore logical and reasonable to conclude that merely because for the purpose of F R 56 (a), a person is continued till the last date of the month in which he attains the age of superannuation, such an employee cannot claim increment which falls due on the first day of the succeeding month after retirement.”

4(i). Fundamental Rules (‘FR’ in short) govern all general conditions of service of employees. FR 56 relates retirement of an employee. The relevant part of the Rule 56 (a) reads as under:-

F. R. 56 (a) Except as otherwise provided in this rule, every Government servant shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years: Provided that a Government servant whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years.

Provided further that a Government servant who has attained the age of fifty eight years on or before the first day of May, 1998 and is on extension in service shall retire from the service on expiry of his extended period of service.

Or on the expiry of any further extension in service granted by the Central Government in public interest, provided that no such extension in service shall be granted beyond the age of 60 years.”

In terms of FR 56 (a), a Government servant retires on the last day of the month in which he attains age of superannuation. In case his date of birth is the first of a month, then he shall retire on the afternoon of the last day of the preceding month on attaining age of superannuation. Petitioner with date of birth as 01.04.1945 had retired from service on 31.03.2003 on attaining 58 years of age of superannuation.

4(ii) The day when the government employee retires has to be treated as his last working day. FR 17 (1)

provides that an officer shall begin to draw pay and allowances attached to the post w.e.f. the date when he assumes duties of that post and shall cease to draw them as soon as he ceases to discharge those duties.

The rule reads as under:

“F.R. 17 (1) Subject to any exceptions specifically made in these rules and to the provision of sub-rule (2), an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post, and shall cease to draw them as soon as he ceases to discharge those duties.”

Rule 5 of CCS Pension Rules says that date of retirement of the Person shall be treated as his last working day and his claim to pension shall be regulated by provisions of rules in force at the time of his retirement. The Rule reads as under:-

“5. Regulation of claims to pension or family pension

(1) Any claim to pension or family pension shall be regulated by the provisions of these rules in force at the time when a Government servant retires or is retired or is discharged or is allowed to resign from service or dies, as the case may be.

(2) The day on which a Government servant retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as his last working day. The date of death shall also be treated as a working day”

Under Rule 83 (1) of CCS Pension Rules, pension becomes payable from the date a Government servant ceases to be borne on the establishment. The Rule is extracted hereinafter:-

“83 Date from which pension becomes payable

(1) Except in the case of a Government servant to whom the provisions of Rule 37 apply and subject to the provisions of Rules 9 and 69, a pension other than family pension shall become payable from the date on which a Government servant ceases to be borne on the establishment.”

Rule 34 of CCS Pension Rules provides for determination of Average emoluments with reference to emoluments drawn by a Government servant during last ten months of the service. Under Rule 33 ‘emolument’ means basic pay as defined in Rule 9 (21) (a) (i) of Fundamental Rules which a

Government servant was receiving immediately before his retirement Rule 33 is as under:-

“33. Emoluments

“The expression ‘emoluments’ means basic pay as defined in Rule 9 (21) (a) (i) of the Fundamental Rules which a Government servant was receiving immediately before his retirement or on the date of his death; and will also include non-practising allowance granted to medical officer in lieu of private practice.

EXPLANATION.—Stagnation increment shall be treated as emoluments for calculation of retirement benefits.”

The petitioner was not on duty on 1.4.2003. Increment can be drawn only when an employee is on duty. The increment in terms of FR 24 & 26 did not become due during the period of service of the petitioner. Therefore, increment on 1.4.2003 cannot be sanctioned in favour of petitioner on the ground that he had completed twelve months of continuous service. The date of increment falls due on the first day of the succeeding month after the retirement. Petitioner retired on the basic pay drawn by him on 31.3.2003 i.e. his date of retirement. His pension has to be determined accordingly. Petitioner had become a pensioner on 1.04.2003. He cannot be held entitled to any increment which may fall due post his retirement. He is entitled only to those increments which fall due to him during the period of his service.

4(iii) Learned counsel for the petitioner contended that in P Ayyamperumal’s case (supra) a direction was issued to the respondents to grant the employee one notional increment for the purpose of Pensionary benefits for the period 01.07.2012 to 30.06.2013 as he had completed one full year of service on his retirement on 30.06.2013 even though next increment fell due on 01.07.2013. He further submitted that since the SLP against this judgment was dismissed by the apex Court on 23.07.2018 and review petition was also dismissed on 08.08.2019, therefore, the legal position has now been settled by the apex Court that the increment which falls due on the day immediately following the day of retirement, has to be granted to the employee on the ground that he had completed 12 months of service on the date of his retirement.

The aforesaid contention of learned counsel is untenable. It is settled law that an order refusing Special Leave to Appeal may either be a speaking order or the non speaking one. In either case, it will not attract doctrine of merger. In the instant case, the order refusing Special Leave to Appeal is non speaking, therefore, it does not stand substituted in place of the order under challenge. In this regard, it would be appropriate to refer to paragraph 44 of the judgment Passed by apex Court in (2000) 6 SCC 359 titled Kunhayammed and others Vs. State of Kerala and another, relied upon in (2019) 4 SCC 376, titled Khoday Distilleries Limited and others Vs. Sri Mahadeshwara Sahakara Sakkare Karkhane Limited, Kollegal.

“44. To sum up our conclusions are:-

(i) Where an appeal or revision is provided against an order passed by a court, tribunal or any other authority before superior forum and such superior forum modifies, reverses or affirms the decision put in issue before it, the decision by the subordinate forum merges in the decision by the superior forum and it is the latter which subsists, remains operative and is capable of enforcement in the eye of law.

(ii) The jurisdiction conferred by Article 136 of the Constitution is divisible into two stages. First stage is upto the disposal of prayer for special leave to file an appeal. The second stage commences if and when the leave to appeal is granted and special leave petition is converted into an appeal.

(iii) Doctrine of merger is not a doctrine of universal or unlimited application. It will depend on the nature of jurisdiction exercised by the superior forum and the content or subject-matter of challenge laid or capable of being laid shall be determinative of the applicability of merger. The superior jurisdiction should be capable of reversing, modifying or affirming the order put in issue before it. Under Article 136 of the Constitution the Supreme Court may reverse, modify or affirm the judgment-decree or order appealed against while exercising its appellate jurisdiction and not while exercising the discretionary jurisdiction disposing of petition for special leave to appeal. The doctrine of merger can therefore be applied to the former and not to the latter.

(iv) An order refusing special leave to appeal may be a non-speaking order or a speaking one. In either case it does not attract the doctrine of merger. An order refusing special leave to appeal does not stand substituted in place of the order under challenge. All that it means is that the Court was not inclined to exercise its discretion so as to allow the appeal being filed.

(v) If the order refusing leave to appeal is a speaking order, i.e. gives reasons for refusing the grant of leave, then the order has two implications. Firstly, the statement of law contained in the order is a declaration of law by the Supreme Court within the meaning of Article 141 of the Constitution. Secondly, other than the declaration of law, whatever is stated in the order are the findings recorded by the Supreme Court which would bind the parties thereto and also the court, tribunal or authority in any proceedings subsequent thereto by way of judicial discipline, the Supreme Court being the apex court of the country. But, this does not amount to saying that the order of the court, tribunal or authority below has stood merged in the order of the Supreme Court rejecting special leave petition or that the order of the Supreme Court is the only order binding as resjudicata in subsequent proceedings between the parties.

(vi) Once leave to appeal has been granted and appellate jurisdiction of Supreme Court has been invoked the order passed in appeal would attract the doctrine of merger; the order may be of reversal, modification or merely affirmation.

(vii) On an appeal having been preferred or a petition seeking leave to appeal having been converted into an appeal before Supreme Court the jurisdiction of High Court to entertain a review petition is lost thereafter as provided by sub-rule (1) of Rule (1) or Order 47 of the C.P.C.”

In (2019) 6 SCC 270, titled State of Orissa and another Vs. Dhirendra Sunder Das and other, principle of law was reiterated that dismissal of an SLP in limine without giving any detailed reason does not constitute any declaration of law or a binding precedent under Article 141. The relevant paragraph is reproduced here in below:-

“9.27 It is a well settled principle of law emerging from a catena of decisions of this Court, including

Supreme Court Employees' Welfare Association v. Union of India & Anr. (1989) 4 SCC 187 and State of Punjab v. Davinder Pal Singh Bhullar (2011) 14 SCC 770, that the dismissal of a S.L.P. in limine simply implies that the case before this Court was not considered worthy of examination for a reason, which may be other than the merits of the case. Such in limine dismissal at the threshold without giving any detailed reasons, does not constitute any declaration of law or a binding precedent under Article 141 of the Constitution".

In (2020) 5 SCC 421, titled Union of India and others Vs. M. V. Mohanan Nair, it was held that the law declared by the Supreme Court has to be essentially understood as a principle laid by the Court and it is this principle which has the effect of a precedent. A principle can be delivered only after examination of the matter on merits and not on the basis of a decision delivered on technical grounds without entering into the merits at all. A decision unaccompanied by reasons cannot be said to be a law declared by the Supreme Court though it will bind the parties inter se in the litigation. The relevant paragraph of the judgment (supra) is reproduced hereinbelow:-

"48. Article 141 of the Constitution of India provides that the law declared by the Supreme Court shall be binding on all courts within the territory of India, i.e. the pronouncement of the law on the point shall operate as a binding precedent on all courts within India. Law declared by the Supreme Court has to be essentially understood as a principle laid down by the court and it is this principle which has the effect of a precedent. A principle as understood from the word itself is a proposition which can only be delivered after examination of the matter on merits. It can never be in a summary manner, much less be rendered in a decision delivered on technical grounds, without entering into the merits at all. A decision, unaccompanied by reasons can never be said to be a law declared by the Supreme Court though it will bind the parties inter-se in drawing the curtain on the litigation. In Union of India v. All India Service Pensioners' Association and another (1988) 2 SCC 580, the Supreme Court held that "when reasons were made by the Supreme Court for

dismissing the SLP, the decision becomes one which attracts Article 141 of the Constitution which provides that the law declared by the Supreme Court shall be binding on all the courts within the territory of India."

Therefore, it cannot be said that by dismissal of SLP against the judgment rendered in P Ayyamperumal's case (supra), the apex Court had laid down the binding principle of law that increment which falls due on first day post the retirement of an employee is to be granted to him only for the reason that he had rendered 12 months of service on the day of his retirement.

Learned Tribunal rightly held that power to relax requirement of a rule, provided under F.R. 5-A can be exercised only in consonance with the rule and not in a routine manner. Petitioner had retired on 31.03.2003. It was in 2014 that he moved representations seeking claim on the increment which would have fallen due on 01.04.2003. We have already held that petitioner had retired on 31.03.2003 on the basis of pay drawn by him on that date. His status as on 01.04.2003 was that of a pensioner. Therefore, increment which fell on 01.04.2003 cannot be granted in his favour.

No other point was urged by the learned counsel. For the foregoing reasons, we find no merit in the present writ petition and the same is accordingly dismissed. Pending applications, if any, also stand disposed of.

CWPOA No. 663 of 2020

The petitioner, a Junior Basic Teacher, with 01.03.1958 as his date of birth was due for superannuation on 29.02.2016. The date of his annual increment was 1st March of every year. He being a State awardees was granted an extension of one year in service in light of State Government instruction, dated 30.11.2015. After availing the extended service, petitioner superannuated on 28.02.2017. His representation requesting one day extension in service has been rejected. Hence he has preferred instant writ petition to claim increment which fell on 01.03.2017. Point involved is covered by the discussions made above. This writ petition is, therefore, also dismissed. Pending applications, if any, also stand disposed of.

(Tarlok Singh Chauhan), Judge, (Jyotsna Rewal Dua), Judge. November 6th, 2020 vandana

WPL-10056-20.doc IN THE HIGH COURT OF JUDICATURE AT BOMBAY ORDINARY ORIGINAL CIVIL JURISDICTION WRIT PETITION (L) NO.10056 OF 2020 Transport & Dock Workers Union & Anr. .. Petitioners Versus Union of India & Ors. .. Respondents ... Mr.K.P.Anilkumar a/w Ms.Priyanka Kumar for the Petitioners. Mr.Nand Kishore for Respondent No.2. CORAM: S.S.SHINDE & MANISH PITALE, JJ. DATED : 13th JANUARY, 2021 P.C:-

1. The learned counsel appearing for the petitioners prays leave to amend the petition so as to implead Ministry of Ports, Shipping and Waterways as party respondent. Leave granted. Amendment be carried out forthwith.

2. Issue notice to the respondents returnable on 9th February, 2021. In addition to service of notice through Court, the Petitioners shall serve a private notice by Registered Post A.D. and/or by Courier service and/or hand delivery or by e-mail/fax on the respondents and shall file affidavit of service with tangible proof before the returnable date.

3. In the meantime, it will be open to the respondents to file the affidavit in replies.

4. So far as prayer for ad-interim relief is concerned, the petitioners have placed reliance upon the order passed by the High Court of Karnataka at Bengaluru in case of Bharat Electronics Workers Union Vs. Union of India and Ors. [Writ Petition No.15361/2020 (L-RES)] and submitted that adinterim relief may be granted in terms of prayer clause (D) to the extent of applicability of the Memorandum and Circular mentioned in prayer clause (D) to the workmen. The prayer is vehemently opposed by the learned counsel appearing for the second respondent. He submits that the Memorandum and Circular is applicable even to the Class III and Class IV employees.

5. The High Court of Karnataka at Bengaluru in the Writ Petition (supra), has passed the following order : “Learned Senior Counsel Sri. Subba Rao, appearing for the petitioner-Bharat Electronic Workers Union, draws the attention of this Court to a decision of the Kerala High Court in the case of FACTS

Workers Organization Vs. Union of India and others in W.P.(C) No.26423/2020 decided on 17.12.2020 wherein similar office order issued by the Central Government Undertaking was clarified as applicable only to the Executives and Non-Unionized Supervisors of CPSEs and it is not application to the Non-Executives. The Officer Memorandum dated 19.11.2020 issued by the Ministry of Heavy Industries and Public Enterprises Department of Public Enterprises, Government of India, freezing Dearness Allowance of employees of Central Public Sector Enterprises (CPSEs) is sought to be implemented by the respondent No.3- Public Sector undertaking, but is made applicable to the Non Executives also. The Kerala High Court has recorded the submission of the Additional Solicitor General of India, who has submitted that the Office Memorandum dated 19.11.2020 is applicable only in the case of Executives and Non-Unionized Supervisors of CPSEs and it is not applicable insofar as the workmen in this enterprises are concerned. Consequently, there shall be an ad-interim order of stay of the operation and execution of the impugned Office Memorandum dated 26.11.2020 at Annexure-C, till the next date of hearing. Pending final adjudication of this Writ Petition, the respondent No.3 is directed to ensure that the payment of the Dearness Allowance to the workers with effect from 01.10.2020 as per the Memorandum of settlement dated 28.12.2018 is made. The amount already deducted or recovered by the respondent No.3 shall be subject to the final outcome of this writ petition. Learned Central Government Counsel is directed to take notice for respondent Nos.1 and 2. Issue emergent notice to respondent No.3.”

6. In the facts of the present case, till next date, we deem it appropriate to restrain the respondents from implementing Memorandum dated 19-11-2020 and Circular dated 07-12- 2020 to the extent of its applicability to the workmen (Group ‘C’ and Group ‘D’ employees).

7. Stand over to 9th February, 2021. (MANISH PITALE, J.) (S.S.SHINDE, J.)

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125th Birth Anniversary of Netaji Subhash Observed by N. F. Rly. Pensioners' Association Njp. Br. on 23.01 .2021 through hoisting of National Flag and explaining the significance of the day by the Br. President Shri Bimalendu Chakraborty in presence of about 90 members.

N. F. Rly. Pensioners' Association, Njp Br. Observes 72nd Republic Day by hoisting National Flag by its president Shri Bimalendu Chakraborty, chanting National Anthem with slogan on National Harmony and Protection of constitutional Rights. BC/NJP

सहारनपुर पेंशनर्स समाज — संरक्षक एन एस चौहान ने कहा कि जिन रेलवे पेंशनर्स ने अभी तक अपने जीवन प्रमाण पत्र अपने बैंक में जमा नहीं कराए हैं वे 28.2.2021 तक अवश्य जमा करा दे जिस से पेंशन बिना रुकावट के मिलती रहे। अध्यक्ष आर के धीगड़ा ने 29.12.2020 को अम्बाला मंडल पर आयोजित हुई वर्चुअल रेलवे पेंशन अदालत के बारे में जानकारी दी जिसमें संस्था द्वारा भेजे गए सभी 22 मामलों का निस्तारण हुआ। 30.12.2020 को भारत पेंशनर्स समाज के वर्चुअल आयोजित हुए 65वें वार्षिक अधिवेशन के बारे में जानकारी दी।

रेलवे पेंशनर्स वेल्फेयर एसोसिएशन अम्बाला — रेलवे पेंशनर्स वेल्फेयर एसोसिएशन अम्बाला का एक शिष्टमंडल 23 जनवरी 2021 को CMS UMB श्री सुरेंद्र मोहन शर्मा जी से मिला व अपनी समस्याएँ उनके सम्मुख रखी। पेंशनर्स की ओर से सर्व श्री प्रेमचन्द कश्यप, ए एल पुरी, रोशन लाल, अशोक चोना, के सी गोयल, रामसरण कश्यप व वी डी मिश्रा जी ने भाग लिया। श्री प्रेम चन्द कश्यप जी ने शुरूआत करते हुए

CMS का स्वागत एवम धन्यवाद किया अपना बहुमूल्य समय देने के लिए। प्रेम जी—प्रायः हम देखते हैं कि ज्यादातर बीमारिया भी बुजुर्गों को ही लगती है और उन्हें चिकित्सा की अधिक आवश्यकता होती है कई बार शरीर में कुछ बीमारिया पनपती रहती है और उन्हें और फिर अचानक से उभर कर गंभीर रूप ले लेती हैं। अगर उनका समय पर निदान हो जाए तो बेहतर है। हम चाहते कि साल में एक बार कमसे कम हर एक के शरीर का पूर्ण चेक अप हो जाए तो काफी बचाव हो सकता है। उनकी रेगुलर दवाइयों का Review भी हो जाएगा। CMS--ठीक है। वैसे तो हम सभी मरीज का चेक अप करवाते ही हैं। यह विचार अच्छा है। साल में एक बार चेक अप करवा दिया जाएगा। प्रेम जी--OPD Room no 40 में अक्सर मरीजों की भीड़ रहती है कई बार तो दो-दो घण्टे प्रतीक्षा करनी पड़ती है बुजुर्गों को बहुत परेशानी होती है CMS-- जब भी थोड़ा रश होगा एक और डाक्टर को साथ में बैठा देंगे। प्रेम जी--उम्मीद कार्ड के बारे में रेलवे बोर्ड ने 28.12.2020 को एक पत्र जारी किया है जिससे उम्मीद कार्ड धारक Emergency में रेलवे के पैनलड अस्पताल से फ्री में इलाज करवा सकेंगे। क्या इस बारे में उन अस्पतालों को अवगत करवा दिया गया है? हो सकता है वे हमें मना कर दे तो हमें क्या करना होगा? CMS-- अभी तक Zonal HQ से कोई दिशानिर्देश नहीं आये हैं जैसे ही आएंगे वैसे ही शीघ्र कार्य शुरू कर दिया जाएगा। प्रेम जी--इस समय हमें OPD से कागज का टोकन प्लास्टिक के बनवा दिये जाएं तो कैसा रहेगा CMS- हम बनवा देंगे रामसरण जी-- सर मेरी धर्म पत्नी बीमार हो गयी थी बीपी आदि की तकलीफ थी रेलवे अस्पताल से दवा ली तो कोई आराम नहीं आया हालत बिगड़ने पर प्राइवेट डाक्टर से दवा ली तो तुरन्त आराम आ गया। क्या जो दवा बाजार से ली वह यहाँ उपलब्ध नहीं हो सकती CMS-- ऐसा होना तो नहीं चाहिए फिर भी दवा LP से उपलब्ध करवा देंगे। पुरी जी--गंभीर रोगी को क्या Emergency में एम्बुलेंस की सेवा प्राप्त हो सकती है और उसके लिए क्या करना होगा?

CMS-- रेलवे अस्पताल की Emergency में फोन करिये आपको एम्बुलेंस मिल जाएगी परन्तु वह शहर की सीमा तक ही मिलेगी।

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A4357	Eknath B Patil	Jalgaon	01/22
A4358	Prakash S Patil	Jalgaon	01/22
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A4362	Chango R Das Zope	Jalgaon	01/22
A4363	V S Tripathi	New Delhi	01/22
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A4368	Azad Singh	Lucknow	01/22
A4369	P C Barua	Dibrugarh	01/22
A4370	S Ravi	Tirchy	01/22
A4373	G Mohan	Villupuram	01/22
A4374	A GnanaSekaran	Villupuram	01/22
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A4355	All India MES Civil	VSP	01/22
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M5953	CGPA	Rajasthan	12/21
A2647	CGPA	Giridih	01/22
A2668	Rly Pens Assn	Jhargram	01/22
M6645	Rly Karamchari	Bareilly	01/23
M5866	Rly Pens Society	Rajasthan	01/22
A3481	P&T Acco.&Fin.	Hyderabad	01/22
A1651	Kendriya Pen Samaj	Patna	01/23
M0092	Pens Wel Samaj	New Delhi	01/22
M0340	CG Pens Assn	Nadia	01/23
A1140	RREA	Sonebhadra	01/22
A2644	CGPA	Arrah	01/22
A0965	Rly Pen Assn	Jharkhand	01/22
A4192	BSF Ex-Service	Salugara	01/22
A2972	AICGPA	Malegaon	01/22
M8305	Purvottar Rly Pen	Gorakhpur	01/22
A3557	Rly Mens Fed.	Itrasi	01/22
A1914A	Mehasana Division	Mehasana	01/22
A1418	Cent.Govt.Pen Wel.	Kolkata	01/22
A3811	Cent Govt Pens	Sangli	01/22
M4478	Pensioners Samaj	Ajmer	01/22

M8876	P&T CG Pens Assn	Arrah	02/22
M8855	Rly Pens Wel Assn	Salem	01/22
A1132	Loco Running Staff	Ambala	01/22

RENEWAL -ANNUAL

WL2789	Ganga Pd Gupta	Delhi	12/21
WL9077	Harbhajan S Seehra	Agra	12/21
A0237	R K Verma	Gorakhpur	01/22
A3995	N D Chawla	Delhi	12/21
A2804	S D Khanna	Pune	01/22
A4216	R Raju	TamilNadu	01/22
A3690	A Padmanathaw	Chennai	01/22
A3491	Mirza Liaquat Baig	Bhadrak	01/22
A3295	AE Duraiswami	Pune	01/22
M8616	Bal P Tripathi	Mauganj	01/22
A2813	V N Nair	Pinaraji	01/22
A4278	Phool Chand	Ambala	01/22
M5813	D Mohan	Ongle	01/22
A4158	Om Prakash Bhola	Mohali	01/22
M6829	Rajinder K Rishi	Barnala	01/22
M7474	R K Kapoor	Delhi	01/22
A1914	Sanwal R Yadav	Rewari	01/22
M6239	P L Gupta	ShyamGarh	01/22
M6391	Ram N Pathak	Ferozabad	01/22
WL9356	S C Maheshwari	Gurugram	01/31
A3548	Sukh Lal Gupta	Delhi	01/22
A0297	Charanjit Singh	Jalandhar	01/22
A0924	B Panneer Selvan	Chennai	01/22
A0873	K Subramanyam	Raigarh	01/22
WL9446	M V Sankaranaryan	Delhi	01/22
M8863	Vijay Pal Bhardwaj	Delhi	02/22
M5715	M P Dubey	Indore	01/22
M5686	B R Chugh	Delhi	01/22
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A0106	Hari Dev Sharma	New Delhi	01/22
M8625	Swaran Singh	Kalan	02/22
A0228	A G Parmar	Ahmedbad	02/22
WL9109	Brahma N Singh	Gorakhpur	01/22
A3467	Dinesh Saran	Gorakhpur	01/22
A3468	Y B Khare	Gorakhpur	01/22
A3470	Vishnu Singh	Gorakhpur	01/22
A1628	K V Subbarao	Hyderabad	03/22
M8237	Surya P Mehta	Vadodara	01/22
A2400	G M Jagdale	Ratlam	01/22
M4597	G S Chandok	Rajkot	01/22
M8540	A U Shaikh	Dahod	01/22
A3939	S K Krishna Rao	VSP	12/22
A3002	S V Yadappanavan	Hubli	01/22

A4164	M S Subhramanya	VSP	01/22	Cent Govt Pens	M3655
A2365	J Sitharmaiah	VSP	02/22	Rama Krishna	A3537
A2862	K S Chauhan	Gujrat	01/22	SEC Rly Pens Assn	M6607
M5786	Tirath Ram Sharma	Talwandi	01/22	South E Rly Pen Assn	M7487
WL9446	M V Sankaranaryan	Delhi	01/23	C G Pens Wel Assn	M0581
A3829	Srirang G Mahingad	Solapur	01/22	Govt Pens Wel Assn	M8657
M8610	M Satyanaryan	Hyderbad	02/22	A Sundararjulu	A1326
A2891	Surender Kumar	Ludhiana	01/22	Krishna Gopal SUD	M6302
M7106	Bhagwan Das	Delhi	01/22	B K Sehgal	M8831
A3824	Ghanshyam	Delhi	01/22	H B Lall	M3754
RENEWAL - BIENNIAL				Samir K Chakraborty	M7977
A3224	Deshraj Babbar	Ambala	01/23	D N Pingle	A4187
A0737	Chhittaranjan Sarkar	Hoogly	01/23	Mahesh Chandra	A0238
WL9353	R K Sikri	Delhi	01/23	D V Adinarayana	A2579
A3789	P Palanisamy	Surampatti	01/23	Sita Ram Chowdhary	A2582
M7213	C P Jain	Jaipur	01/23	R S Raidas	A2584
M8253	M A Venkatachalan	Kulai	01/23	Y P Kasal	A0892
RENEWAL - TRINNEAL				N N Balooni	A1900
A0423	S N Sinha	Hyderbad	01/24	M A Lari	M6855
WL2964	Y P Bawa	Delhi	01/24	O P Khullar	M4546
A2128	K Madhava Swamy	Bangalore	01/24	Bulla Prasad Rao	M8265
M7144	O P Shairya	SrigangaNgr	01/24	K A Chudasma	M8306
M8097	A N Chakrawarty	Asansol	01/24	C B L Srivastava	A1001
A3987	C S Gopinath	Bengaluru	01/24	K Tiru Vallur	A3493
DONATION				O P Sidana	A0471
A3067	S Suryanarayan	Chennai	10000/-	M C Gupta	M7193
A3224	Deshraj Babber	Ambala	500/-	B K Gandhi	WL2863
A3491	Mirza Liaquat Baig	Bhadrak	500/-	G C Tiwari	A4025
A1914	Sanwal Ram Yadav	Rewari	625/-	Omprakash Dhamija	A4034
WL9353	R K Sikri	New Delhi	1000/-	Jawahar Lal	A4301
WL9446	M V Sankarnaryan	Delhi	625/-	Makardhwaja Hota	A4302
WL9334	V K Teneja	Delhi	501/-	H G Mate	A4303
WL9446	M V Sankarnaryan	Delhi	630/-	Subhash C chakaborty	A1116
NM	R Tanna Telcom Pen Bhavnagar		3000/-	N Chandrika	A2191
OVERDUE ASSNS/MEMBERS				Rly Pens Samaj	A2566
FEBRUARY 2021				B S Deshpande	A3807
K Krishna Rao			A3525	Cent Govt Emp	A3668
Retd. Rly Fedration			A1307	Lila Ram Jhangiani	A0628
P Pandarir Aman			A0573	Haryana Govt Pens Assn	A3704
P & T Pens Assn			M1302	K K Sinha	M7632
P G Pagare			A0584	Himaanchal Pens Sangh	M5050
Varista Rly Pens Kalyan			A3081	Gurdial Chand	A3827
Sunbhash C Sethi			A4050	Madhya Pradesh Pens Samaj	A4300
P & T Cent Pens Assn			A3604	S Surya Narayana	A3067
Manohar Lal			A1145	Fed Of Pens Assn of Auto	A4041
Retd. Rly Officers Assn			A0098	R N Tripathi	WL9360
C B Gamit			A1150	Rly Pens Assn	M5610
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LOK SABHA UNSTARRED QUESTION NO: 391 ANSWERED ON: 03.02.2021

Policy for Pensioners Sanjay (Kaka), Ramchandra Patil, Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:-

- (a) whether the Government is working on improvement in pension process to facilitate pensioners as it is very lengthy and time consuming;
(b) if so, the details thereof;
(c) whether the Government is considering to launch new pension policy for pensioners; and
(d) if so, the details thereof?

ANSWER

a) & (b): In order to improve the pension process to facilitate pensioners, Department of Pension & Pensioners' Welfare had developed 'Bhavishya', a common software module for Ministries, which has now been functioning as a mandatory platform for processing Pension & related benefits of Central Civil Pensioners w.e.f. 01.01.2017. By keeping track of the progress as well as close monitoring of each pension case, it introduces transparency and accountability into the system thereby plugging delays. This system is at present being successfully implemented in 811 Offices of 96 Ministries/Departments/Apex Bodies through 7372 DDOs. This system has also laid down the foundation of e-PPO and made a provision to integrate the e-PPO in the DigiLocker of the retiree.

(c) & (d): There is at present no proposal/consideration to launch new pension policy for central civil pensioners.

NOTIONAL D R FOR PENSIONERS						
All India CPI (IW)	July 2020	Aug 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020
Base 2001=100	336	338	340	344	345	342
% increase over 01.06.06	183.34%	184.64%	185.93%	187.34%	188.5%	189.39%
% increase over 01.01.16	25.47 %	26.05%	26.62%	27.23%	27.77%	28.15%

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