

Feedback on BPS Preliminary meeting with 7th CPC

on 23rd July 2014

BPS and BCPC were the first Pensioners' organizations to be called for preliminary meeting with 7th CPC on 23rd to discuss the reply to questionnaire, the Memorandum & the allied issue submitted by them. Only 45 minutes were given to each organization. S.C.Maheshwari G.S. BPS /Chairman BCPC had the opportunity to discuss the issues from both the Forums:

Following issues were discussed & explained to the full satisfaction of the Chairman & the members of 7th CPC who were very receptive, patient & themselves actively participated in deliberations which ensued.

At the end Chairman remarked that NCJCM Memorandum is very exhaustive, includes most of the issues raised today & that he will take it as a base for consideration.

1. New Pension Scheme: Response of commission was negative. Commission was apprised of the back ground, its failure in other countries & the fate of EPS 95.They were also informed that it will be acceptable if 50% of last drawn is ensured.
2. Reasonable ratio to be maintained between maximum & minimum salary & Pension and adoption & adoption of common multiplication factor for revision
3. Ratio between maximum & minimum paid to be 5:1 for Defense Personnel and re-employment of ex servicemen as well as raising status of defense civilian pensioners to ex servicemen.
4. Inclusion of full DA in emoluments for calculating Pension. There was a very lively discussion on the issue in which the entire penal of 7th CPC participated & cross examined Secy. Genl BPS. Finally they agreed to BPS point of view.
5. 100% neutralization of inflation : It was explained to the Commission that 100% neutralization is illusionary and DA is not sufficient, as the very system of calculation is faulty & unrealistic,
6. Payment additional pension to start from the age of 65 years. Chairman agreed that age of 100 years for Pensioners was illusionary.
7. Parity in Pensions :It was explained to the commission that full parity exists for High Court Supreme Court Judges, Govt. has agreed to OROP in case of

Defence pensioners & Sr Bureaucrats (S32 & above) have achieved it through modified parity formula of 6th CPC but for others who too are citizens of same category & same country even the formula for parity given by 5th CPC & accepted by Govt. is not being honored.

8. Pension to BSNL pensioners. It was submitted that since they are governed by CCS(Pension) Rules 1972. They be treated at par with C.G.Pensioners for the purpose of revision of Pension, Chairman advised to submit separate Memorandum
9. Discrimination in medical facilities to pensioners of Postal department & merger of 33 Postal dispensaries with CGHS.
10. Medical facilities. To Pensioners following issues raised in BPS memorandum were discussed in detail & the Chairman was agreeable to BPS views.

(i) "Health is not a luxury" and "not be the sole possession of a privileged few". It is a Fundamental Right of all present & past Employees!

To ensure hassle free health care facility to Pensioners/family pensioners, Smart Cards be issued irrespective of departments to all Pensioners and their Dependents for cashless medical facilities across the country. These smart cards should be valid in

- all Govt. hospitals
- all NABH accredited Multi Super Specialty hospitals across the country which have been allotted land at concessional rate or given any aid or concession by the Central or the State govt.
- all CGHS, RELHS & ECHS empanelled hospitals across the country.
- Medical attendants. For reimbursement of bills for treatment & for hospitalization. No referral should be insisted in case of medical emergencies. For the purpose of reference for hospitalization & reimbursement of expenditure thereon in other than emergency cases Doctors/Medical officers working in different Central/State Govt. department dispensaries/health units should be recognized as Authorized medical attendant.

The enjoyment of the highest attainable standard of health is recognized as a fundamental right of all workers in terms of Article 21 read with Article 39 for a, 41, 43, 48A and all related Articles as pronounced by the Supreme Court in Consumer Education and Research Centre & Others vs Union of India (AIR 1995 Supreme Court 922) The Supreme court has held that the right to health to a worker is an integral facet of meaningful right to life to have not only a meaningful existence but also robust health and vigour. Therefore, the right to health, medical aid to protect the health and vigour of

a worker while in service or post retirement is a fundamental right-to make life of a worker meaningful and purposeful with dignity of person. Thus health care is not only a welfare measure but is a Fundamental Right.

We suggest that, all the pensioners, irrespective of pre-retiral class and status, be treated as same category of citizens and the same homogenous group. There should be no class or category based discrimination and all must be provided Health care services at par .

(ii). Hospital Regulatory Authority: To ensure that the hospitals do not avoid providing reasonable care to smart card holders and other poor citizens, a Hospital Regulatory Authority should be created to bring all NABH-accredited hospitals and NABL-accredited diagnostic Labs under its constant monitoring of quality, rates for different procedures & timely bill payments by Govt. agencies and Insurance companies. CGHS rates may be revised keeping in mind the workability as per market conditions.

(iii).Fixed Medical allowance (FMA): As is recorded in Para 5 of the minutes of Committee of Secretaries (COS) held on 15.04.2010 (Reference Cabinet Secretariat, Rashtrapati Bhavan No 502/2/3/2010-C.A.V Doc No. CD (C.A.V) 42/2010 Minutes of COS meeting dated 15.4.2010) which discussed enhancement of FMA. "CGHS card estimates for serving Personnel: Since estimates are not available separately for pensioners M/O Health & Family Welfare had assessed the total cost per card p.a. in 2007-2008 = Rs 16435 i.e. Rs.1369 per month for OPD". Adding to it inflation, the figure today is well over Rs 2000/- PM. Ministry of Labour & Employment, Govt. of India vide its letter no. G-25012/2/2011-SSI dated 07.06.2013 has already enhanced FMA to Rs 2000/- PM for EPFO beneficiaries. Thus, to help elderly pensioners to look after their health, Adequate raise in FMA will encourage a good number of pensioners to opt out of OPD facility which will reduce overcrowding in hospitals. OPD through Insurance will cost much more to the Govt. As such the proposal for raising Fixed Medical allowance to Pensioners is fully justified and is financially viable.

We suggest that FMA for all C.G. Pensioners be raised to at least Rs 2000/- PM without any distance restriction linking it to Dearness Relief for automatic further increase. We further suggest that FMA be exempted from INCOME TAX. Fixed Medical Allowance (FMA) is a compensatory allowance to reimburse the medical expenses. As Medical Reimbursement is not taxable, FMA should also be exempted from Income Tax.

11. DA /DR merger commission did not agree to discuss the issue as it is not covered by TOR

12. Interim relief Commission response did not appear to be very positive on our stressing the issue they said they will look into.

13. 6th CPC anomalies. Chairman asked for submission of detailed list through supplementary memorandum.

14. Plight of those born on 1.1.1938/46: Commission said, they will look into.

15. Plight of those retiring on 30 June Commission said, they will look into.

16. Restoration of Commutation in 12 years: commission said they will look into the details provided.

17. Grievance redressed. Chairman was critical of the functioning of the system already existing & remarked "you will not be benefited. Court is the only alternative"

Friends,

BPS has done its duty well, issues raised by us have received due attention from NCJCM as well as the 7th CPC.

S.C.Maheshwari
Secy Genl BPS