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A SYMBOL OF
PENSIONERS' UNITY

ESTABLISHED IN : 1955

**BHARAT PENSIONERS'
SAMAJ**

(All India Federation of Pensioners' Associations)
(Registered No. 2023 of 1962-63), Recognised by GOI-DOP&PW
Associate NGO International Federation on Ageing.
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No BPS/SG/Resol/022/04

Dated : 10.01.2022

To

The Secretary,

Department of Pensions and Pensioners Welfare,

Ministry of Personnel, Public Grievances and Pensions.

Gov't. of India, New Delhi.

Sub: Granting of legitimate benefits to pre 2006 pensioners as per DoP&T's 2009 Orders regarding NF Upgradation .

Sir,

This is to submit for your kind information that the Bharat Pensioners Samaj held their Virtual AGM on 30th November, 2021 to discuss the various problems facing the community of pensioners, in our country. The AGM was attended by a large number of delegates of our affiliated associations; and passed a number of Resolutions.

I submit below the Resolution no 17 adopted therein, for your kind consideration and further action:-
"The 66th AGM of Bharat Pensioners Samaj unanimously resolved that the legitimate benefits to pensioners of DoP&T's 2009 Orders of NF Upgradation should not be denied to pre- 2006 retirees, if they are otherwise eligible. Since the pensioners, irrespective of the date of their retirement, constitute ONE INDI-VISIBLE GROUP, the benefits accruing to post-2006 are legally available to pre-2006 pensioners'.

Justification.

From time to time, the Apex Court has repeatedly clarified in their Judgements that benefits of any Scheme introduced by Gov't. are Equally applicable to All pensioners(as they constitute One Single Indivisible Group), irrespective of the dates of their retirement. What is admissible to post-2006 pensioners should, therefore, be admissible to pre-2006 pensioners, too.

Further, the denial of legitimate benefits to pre-2006 pensioners also infringes the Sacred Principle of modified parity , uniformly adopted by the Gov't., w.e.f. 1.1.96. Moreover, in this particular case, the Gov't. have specifically mentioned the admissibility of 2009 Orders also to pensioners, vide DoP&T No. A 14017/64/2008- Estt.(PR) dated 25.9.2009, with a view to make doubly sure that the existing pensioners are not ignored.

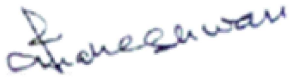
It will be observed, that the scheme is really intended for those in service, so that those who do not get promoted(as normally expected) to higher scale post for lack of adequate Service Prospects in their department, are given Non Functional Promotion to the higher scale post to offset financial loss to them. Obviously, therefore, the VI CPC and the Gov't., when issuing the DoP&T's Orders of 2009 on NF Upgradation, had the existing pensioners very much in their mind, who had suffered during their service period for no fault of theirs. They did not want them to continue to suffer as pensioners, too. Their specific mention about the application of the Orders to pensioners, therefore, leaves NO doubt, whatever, in the matter.

If any doubt still persists, it is requested that a reference be made to DoP&T to get their confirmation,

once for all, that their 2009 Orders of NF Upgradation are Equally applicable to pre-2006 Retiree officers of 'Organised' Central Services, if otherwise eligible. This is essential as the matter affects many pre-2006 pensioners of various 'Organised' Central Services (including the Survey of India), who are being currently denied their Rightful dues.

With best regards,

Yours faithfully,



(SC Maheshwari),

Secretary General, Bharat Pensioners Samaj, New Delhi.

Copy w. c. t. the Secretary, Department of Personnel and Training, Gov't. of India, for information and favour of necessary action to help the pensioners, in their old age to get their legitimate entitlements.

Copy to Shri GS Oberoi, President, AIAROSI and Chief Patron, Central Gov't. Pensioners' Welfare Society, Chandigarh, E 64, Sector 21, Jal Vayu Vihar, Noida(UP). 201301.



Shri S.C. Maheshwari,

Secretary General, Bharat Pensioners Samaj, New Delhi.