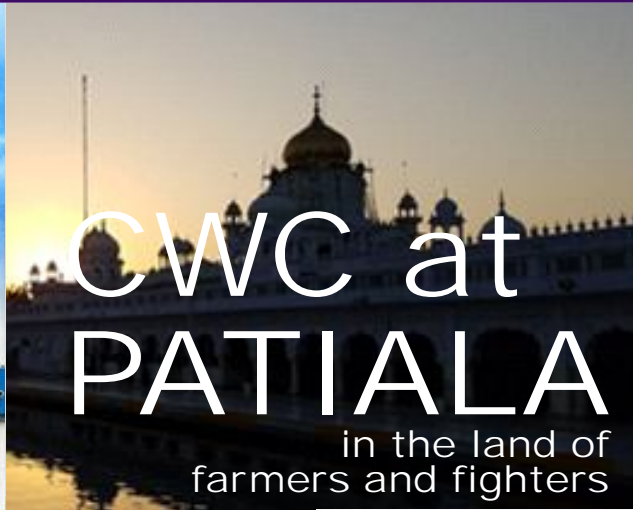


# PENSIONERS' PATRIKA

पेंशनर्स  
पत्रिका

VOL. VIII No 5 SEPTEMBER-OCTOBER, 2024  
Bimonthly Journal of AIBSNLPWA (CHO)

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## ONLY BSNL

In the avalanche hit areas of Wayanad, BSNL provided 4G services, Diesel engine support and speedy internet to Rescue Teams, **within 48 hours.**





## MEETING THE MINISTER

GS and other leaders met Dr Pemmasani Chandrasekhar, MoS(C) at Guntur on 20-07-2024 and presented a memorandum on our Pension Revision. Please see Page 12)

## BSNL PENSIONERS ON AGITATIONAL PATH

Members of AIBSNLPWA and DOTBSNLPA Kerala circle jointly held demonstrations before SSA offices on 26-7-2024 demanding pension revision, opening of atleast one hospital with cashless facility in each district under BSNLMRS and CGHS ... Few photos



# PENSIONERS PATRIKA

BIMONTHLY JOURNAL  
OF AIBSNLPWA (CHQ)

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## Editorial

# THE SEASON OF DISASTERS

Many parts of our country faced fierce fury of the Nature in monsoon season of this year in an unprecedented way. Delhi received record single day rain, 10 deaths were reported from Uttarakhand, 4 in Himachal Pradesh, 5 in Delhi, 2 in Greater Noida in UP, 3 in Haryana, 18 in Rajasthan and 5 in Bihar. Karnataka coastal areas, Konkan, Mumbai, Pune and Nashik regions of Maharashtra, Gujarat as well, faced unusual rainfall. Heavy rainfall triggered flash floods in Jammu and Kashmir. Cloudbursts were also reported in the region, leading to massive discharges of water, causing damage to bridges and buildings. Rivers in Rajouri district were overflowing. In first week of August 2024 Himachal and Uttarakhand had cloudbursts which affected more than 10000 Kedarnath pilgrims and killed few. Even Rajasthan experienced unusual heavy rains causing many fatalities. Gurugram, the millennium city of India, became 'jalgram'.

The North Eastern states of India have faced severe natural calamities, including devastating floods, landslides and storms, leaving widespread destruction in their wake. In Assam, the death toll from floods, landslides, storms, and lightning has tragically risen to 109. Over five lakh people have been affected. More than 2 lakh domestic animals and poultry have been impacted by the relentless flooding. Arunachal Pradesh faced a different but equally devastating challenge. In Nagaland a massive landslide had rendered many families homeless. In Tripura, relentless rainfall caused a major landslide. Mizoram faced significant destruction due to Cyclone Remal. Meghalaya and Sikkim too had experienced landslides. Manipur experienced its third-worst flood since 1988.

Kerala had the worst of it all, rendering 425 dead and 100 and odd missing. Disasters do not discriminate region or religion.

According to the Meteorological Department, India recorded 9 per cent more rainfall than normal in July, with the central part of the country receiving 33 per cent excess rain. Heavy rain has been forecast for Delhi, Himachal Pradesh, Uttarakhand, Rajasthan and Bihar, among others. We have little control over natural calamities. But we can reduce its impact with proper planning to minimize human casualties. All countries face the brunt of climate change which jeopardizes developmental gains achieved. India ranks third, after China and US, in number of recorded natural disasters. We need a comprehensive and effective disaster management system. We hope that Niti Ayog will look into this critical issue.



## GS Writes

### **Dear Friends, Patiala CWC**

With rich experience of 15 years and escalated efforts to secure a sustainable system for periodical revision of our pension along with central government pensioners we are meeting at Patiala in CWC meeting to discuss the issues and take proper decisions for future actions. We have a three pronged action plan to settle the major issue of pension revision - agitation, negotiation and litigation. Pensioners all over the country have expressed their anger against delay in settlement of the issue; we have met the Minister and all top officers several times and negotiated with them and finally, as a last resort, filed the case. We were aware of the probable procedural delay in litigation also. However, within three years we won the case in CAT. We are sure we will win the case in the High Court too. We hope that better sense will prevail upon the bureaucrats in Sanchar Bhavan that they will honour the judicial orders without dragging the senior citizens to higher courts. After the pronouncement of judgement by PB, CAT, we met Hon MoC, Telecom Secretary, many times and wrote letters for implementation of the judgment. We requested the Telecom Secretary to discuss this issue with the applicant associations but there was no response. Even now, when the Appeal petition filed by Department and the Contempt petition filed by us are pending before the Courts we continued our efforts. Recently our Vice President Com. R S N Murthy and Dy.GS Com. AnupamKaul met senior officers of DoP&PW and DOT probing possibility of settling the issue without dragging the cases. However we are prepared for any eventuality.

Money is not an issue for us. Our members have liberally donated more than Rupees one crore and fourteen lakh. We are quite frugal and shall utilize the fund very thriftily.

### **Notional increment, Commutation**

We regret to note that our bureaucrats have not abandoned their traditional negative attitude, inherited from the colonial rule, towards ordinary workers. Number of Courts of Law has pronounced clear judgements about counting of notional increment for fixing pension. Many departments, including the C&AG, have honoured the judgements and issued orders in favour of some retirees of their respective establishments. Still no general order is issued. Department of Pension is duty bound to clear the doubts and issue clear-cut guidelines in the matter. Similarly, many a court orders have come out asking to reduce the commuted period from 15 years to 12 years. But bureaucracy remains ambivalent. Lack of empathy and indifferent attitude towards the employees below are still present in the bureaucratic structure. This has hampered the process of inclusive development.

### **Relief Activity**

AIBSNLPWA is not an organization working for the benefits of its members alone. We are committed to the society. That is why we have joined the relief activities in Kerala to help victims of recent disaster in Wayanad district. Our country is facing unprecedented fury of the Mother Nature now. Natural calamities and disasters do not discriminate people based on region or religion. A long term policy is needed to address this national problem. AIBSNLPWA shall not lag behind in joining the efforts of extending helping hand to people in distress at any part of the country, provided such efforts are made by the authorities of the state.

15-8-2024

**V Vara Prasad,  
General Secretary**

CHQ LETTERS  
**PENSION REVISION**

Date: 6/7/2024

**To**  
**Shri Jyodiradithya Scindiaji,**  
**Hon. Minister for Communication,**  
**Govt. of India, New Delhi**

Respected Sir,  
We are the biggest pensioners' association in Telecom having a membership of more than 80,000 throughout the country. On behalf of our association, the elders who laid the strong foundation for telecommunication, welcome you, sir, the young and energetic minister to this ministry.

Despite our sincere efforts through discussion at various levels on several occasions the above issue is still hanging. There is no benchmark/guidelines for pension revision for BSNL/MTNL pensioners who were absorbed from Department of Telecom though there is a statutory guarantee for pension/family pension by Govt. of India from its budgetary allocation on combined service. **This is unique because these absorbees are only covered under CCS (Pension) Rules.**

**Six pensioners' associations including our association approached Hon PB, CAT, Delhi which gave its clear order on 20/09/2023 directing DoT to revise the pension in accordance with rules, treating the absorbees as Central Govt employees for all intents and purposes.**

**May we request you, sir, to instruct Secretary, DoT or any other senior officer in Sanchar Bhawan to discuss with the applicant associations to have purposeful discussion to arrive at a solution to the above issue because most of the pensioners are in evening of their life.**

Date: 6/7/2024

**To Shri Pralhadjoshiji,**  
**Hon. Minister for consumer affairs, food & public distribution,**  
**New Delhi Camp at Hubballi**

Respected Sir,  
At the outset we express our sincere thanks for your help to meet previous Ministers for communication S/shri Ravi Shankar Prasadji, Ashwini Vaishnavji to sort out the above issue. But unfortunately that issue is still hanging.

Hon MoC Shri Ashwini Vaishnavji told that the judgement of PB, CAT, on the issue of pension revision will be implemented and DoT will not go on appeal. But on the other hand, DoT filed a Writ Petition before Hon Delhi High Court which is yet to be admitted.

**May we request the new Hon. MoC Shri Jyodiradithya Scindia, through you, sir, to implement the judgement dated 20/09/2023 of PB, CAT, Delhi taking it as a guideline/benchmark for pension revision.**

**GRANT OF NOTIONAL  
INCREMENT FOR PENSION  
CHQ letter dated 8-07-2024**

To  
The Secretary,  
Department of Telecom,  
Sanchar Bhawan, 20, Asoka Road,  
New Delhi-110001

Sir,  
Sub: **Grant of one annual increment earned on the last day of their service for rendering services during the preceding one year from the date of retirement with good behavior and efficiently – reg**

- Ref: 1) our letter dated 17/01/2024  
2) DOPT ID No.19/4/2024-Pers.Policy, Pay (Promotion), dated 14/3/2024  
3) OA 310/00285/2021 before CAT, Madras  
4) OA No.293/2021 before CAT, Madras  
5) File No.2/3/2023-EC-IV(SC)/190-E dtd.20/2/2024 of CPWD  
6) SOO No.2024/JUT/Admn/03 & 04 dtd.8/3/224 of North Western Railway  
7) DRDO/DOP/Coord & Award/02/200069/M/01/222/D(R&D) dtd.8/3/2024, Ministry of Defence  
8) ASP/WP176/2019/dlgs dtd. 20/12/2023 of Dept. of Post, Namakkal Dvn  
9) EI/CAT/221 to 226/2022 dtd. 27/2/2024 of Dept. of Post. Bhavnagar Dvn

This is in addition to our earlier letter mentioned under Ref 1 (copy attached for ready reference) The above subject-matter is well known and needs no elaboration.

DOPT under reference 2 (C.P. No.12/2024 in OA No.310/00391/2021) para 2 states "DoT may please take cognizance of the position stated in paras 3 and 4 (of 11/3/24 ID note) and take action as deemed necessary in view thereof and

with due regard to the judicial orders in the instant case".

Hon CAT, Madras in its order dated 29/10/2023 in OA No.310/00285/2021 (Reference No 3) stated "**the respondents are directed to consider and dispose of the claim of the applicants in the light of the decision of Hon Apex Court in Civil Appeal No.2471 of 2023 (SLP© No.6185/2020 in the case of The Director, KPTCL & Ors Vs C P Mundianamani & Ors dated 11/4/2023**".

The decision of the Apex Court on the above subject was implemented by various departments like **CPWD, Railways, Defence. Even the postal department which is under the Ministry of Communication has implemented and extended the benefits ( Reference 5 to 9)**

The pensioners who retired under "VRS 2019 scheme" filed petition before Hon CAT, Madras under OA No.293/2021 (Reference under 4). BSNL management rejected their claim stating that since they have gone on voluntary retirement, they are not similarly placed. This contention of the BSNL management is wrong because:

a) Director (HR), BSNL corporate office on 23/11/2019 stated "**Some doubts have been expressed by some quarters of employees that VRS group will be treated as a separate group and will be dealt distinctly. Here, it is clarified that for BSNL employees, retirement on VRS (VRS 2019) is neither a distinct nor a separate group but will be at par with retirement on superannuation. Similarly, Industrial Dearness Relief on pension amount will also be available to VRS optees**

as is available to employees who are retiring on superannuation. Therefore, any such doubts are devoid of any merit”

**[extracts from the Message of Director HR of BSNL are given below. ]**

b) Normally the employees who retire voluntarily have their own choice of date of retirement but under VRS-2019 scheme, the employees did not have the choice and all were struck off from the roll on 31<sup>st</sup> January 2020

c) Normal voluntary retirees are relieved on the forenoon of the date of retirement, chosen by the official. But all the officials who retired under VRS-2019 scheme were relieved on the afternoon of 31<sup>st</sup> January 2020

So, the employees who opted for VRS-2019 scheme should be treated at par with the retirees on superannuation and they are also entitled.

Since various departments including our sister organization of Department of Post (under our own Ministry) have honoured the judgement of the Apex Court atleast for those who sought and got legal remedy for notional increment.

We request DoT also may take a positive decision to implement it atleast for those who sought and obtained legal order including those who retired under VRS-2019 scheme. A line in reply is highly solicited.

Encl: Copy of Ref 1 to 9

## OUR TRIBUTES



Our esteemed AGS and former Circle Secretary of Jharkhand, Com. R. N. Singh expired on July 26, 2024. Com. Singh was a dedicated and committed leader who tirelessly worked for the welfare of our members. His invaluable contributions will always be remembered by all of us. In his last message to the GS on the previous day he expressed his regret at being unable to attend the CWC in Patiala due to health problems. May his soul rest in eternal peace.

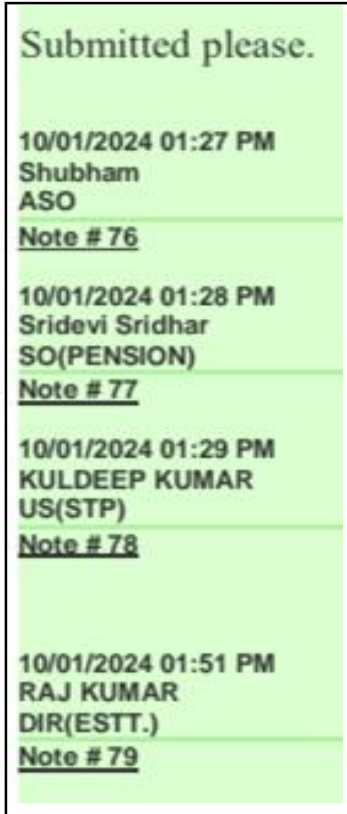


Com. Pitchai Mohanraj (80) expired on 26-7-2024 in Chennai. He was Chairman of the Reception Committee for the formation conference of AIBSNLPWA held at Tambaram on 20<sup>th</sup> August 2009. Com. Pitchai Mohanraj has been our Kalmandapam Branch Secretary when died. We convey our heartfelt condolence on the demise of one of our founders.



Sri B. Parveetesam (64), prominent leader of AIBSNLPWA, Visakhapatnam branch expired on 2-7-2024. His sincerity, hard work, dedication, commitment and integrity is matchless. He played pivotal role in assisting the core committee, in the successful conduct of AIC at Visakhapatnam. We salute the soul, console and standby the bereaved family.

# WHO SAID THEY ARE INEFFICIENT?



In DOT, three officers cleared the file within three minutes, to file Appeal in Delhi High Court against the CAT judgement in our pension case.

## On 10-01-2024

at 1.27 PM Shubham, ASO submitted the file.

at 1.28 PM Sridevi Sridhar, AO (Pension)  
cleared the file.

at 1.29 PM Kuldeep Kumar, US(STP)  
cleared the file.

## SAME DAY

at 1.51 PM Rajkumar (Director Estt )  
cleared the file, signed it.

at 1.53 PM Roshni Sohni (DDG Estt)  
cleared the file, signed it.

at 3.48 PM Ajay Kumar Sahu, Member(S)  
also cleared the file.

SO QUICK, SO EFFICIENTLY.

Above information was supplied by DOT to Shri Amarnath Thakur, Retd Sr. GM of Kolkata. Please see the screenshot on the left side.

## WE MUST APPRECIATE THIS EXTRA EFFICIENCY

On 15-01-2024 early morning at 5.38 AM, the Secretary (Telecom) cleared the file.

On 19-01-2024 Sh. Devusunh Chauhan, MoS(C) also cleared the file.

Finally, on 20-01-2024 the Hon'ble Ashvini Vaishnav, MoC, signed the file with a direction to file the Appeal immediately.

---

**While moving the file as efficiently as above, to approach the Delhi High Court, they told various organizations of BSNL/MTNL pensioners that they were sending proposals to Nodal Ministries honouring the verdict of CAT. Masters in the art of Double Speak !!!**



# ADDITIONAL PENSION

From 1-1-2006, based on recommendation of the sixth CPC, central government employees are eligible to get 20% additional pension with DA thereon on attaining the age of 80 years. Different benches of CAT and High Courts pronounced contradictory judgements as to whether the said additional increment shall be payable on completion of 80 years or on entering 80th year. The case has gone to Supreme Court also. However, the government has not honoured Court orders. Ten doctors retired from the PGI of Medical Education, Chandigarh filed a case before CAT Chandigarh and got a judgement that the additional pension shall be payable from the beginning of the year they attained the age of 80. Extracts from the Judgment of Chandigarh CAT pronounced on 3-2-2023.. Editor

***“2. The brief matrix of the facts leading to filing the present OA is that the applicants are retired faculty from respondent No. 2 Institute. They are aggrieved by the action of the respondents whereby they declined the claim of the applicants for the grant of 20% increase in basic pension on entering 80th year of age and granting the same only on completion of 80 years of age.***

***3. The respondents have filed the written statement wherein they submit that the additional quantum of pension is available on attaining the age of 80 years (from 80 years) and not on entering the 80 years. They relied upon the law settled by the Honble Karnataka High Court, Dharwad Bench on 16.12.2015 in WA No. 100481/2015, whereby the Honble High Court held that “a pensioner shall be eligible to claim increased pension only upon attaining the age of 80 years.”***

***4. Learned counsel for the applicant submits that the issue regarding entitlement of additional quantum of pension @ 20% of basic pension, has already been adjudicated upon by the Hon ble Gauhati High Court in WP(C) 4224/2016, decided on 15.03.2018 in the case of Virendra Dutt Gyani vs. The Union of India and others and the same has attained finality as the Special Leave Petition (Civil) Diary No.18133/2019 dated 08.07.2019, filed before the Hon ble Supreme Court. Learned***

***counsel for the applicant has also cited the judgment passed by the Hon ble HC of Madhya Pradesh, in WP No.13291/2020 & WP No.15461/2020, decided on 03.12.2020.***

***7. The meaning of expression “from 80 years” as defined in column 1 of the table below Para 15 of the OM dated 12.05.2017, has been considered by the Hon’ble Gauhati HC, wherein it has been held that the benefit of additional quantum of pension would be available from the first day of 80th year***

***8. Thus, this Tribunal is of the view that the law noticed in the case of Virendra Dutt Gyani (supra) is squarely applicable to the facts and circumstances of the present case and the benefit of 20% additional quantum of pension has to be extended to the applicant from the first day of 80th year, i.e. w.e.f. 01.04.2017 and not from the first day of 81st year, i.e. 01.04.2018, as has been extended by the respondents.***

***9. Accordingly, this Original Application is allowed and the impugned order dated 08.12.2021 is quashed and set aside. The respondents are directed to pay 20% additional quantum of pension to the applicants in terms of OM dated 12.05.2017 from the first day of 80th year within a period of eight weeks from the date of receipt of a copy of this order, along with arrears and interest payable on GPF rates.***

# PENSION REVISION

Efforts continue

## Meeting the Minister

On 20-7-2024, representatives of the AIBSNLPWA, led by V Vara Prasad (GS), RSN Murty (Vice President) and VRK Sarma (Advisor, Vizag dist Unit) met the new Minister of State for Communications, Dr. Chandra sekhar Pemmasani, in Guntur. During the meeting, we submitted a formal letter requesting Dr. Chandrasekhar to advise the Department of Telecom to discuss our long-overdue pension revision, effective from January 1, 2017. Dr. Chandra sekhar listened to our concerns and told us that he is well aware of the issue. He said he will look into the matter further. We also requested him to extend his good offices for the establishment of offices of AD CGHS in AP and posting of Joint Director (Polyclinic) CGHS at Visakhapatnam.

## Ms. Varsha Gaikwad MP



On 27-6-2024, leaders of AIBSNLPWA led by Com. M Narender (CS Maharashtra), J B Singh, V B Pawar, A K

Omanakuttan, and A B Bhopi of Mumbai District met Ms. Varsha Eknath Gaikwad MP of Mumbai North Central and submitted a memorandum on our pension revision and explained the matter. Hon'ble MP promised to pursue the matter with MoC.

## Smt. Purandeswari MP



On 7-7-2024, Com. R S N Murthy, CHQ Vice President met Ms. Purandeswari MP of Rajahmundry and handed over a letter addressed to Minister Sri Jyodir adithya Scindiaji. During the meeting, Com. RSN Murthy explained the issue of our pension revision due since January 2017. Hon'ble MP assured him that she would take up the matter with the Minister.

## Sh. Malwinder Singh MP

On 17-7-2024 a team of our



comrades led by Com. Parlad Singh, District Secretary of Chandigarh met Shri Malwinder Singh MP of Anandpur Saheb and presented a memorandum on the issue of pension revision. Hon'ble MP asked details of the matter and the Court cases. After ascertaininbg the details he assured that he would take up the matter with Minister for Communications.

## Meeting Secretary, DoP&PW

On 9-8-24, Coms. Anupam Kaul RSN Murthy and V R K Sarma



met Shri Srinivas, Secretary, DOP&PW and sought his intervention in the case of our pension revision. Our leaders had a cordial discussion with him on the issue. He was quite positive and sympathetic.



**CENTRAL ADMINISTRATIVE  
TRIBUNAL PRINCIPAL BENCH  
NEW DELHI-110001**

**Order Dated: 03/07/2024 on Contempt  
Petition filed by AIBSNLPWA  
Vs. M/O COMMUNICATIONS**

**For Applicant(s) Advocate :**

Mr. Sanjoy Ghosh, Sr. Advocate assisted by Ms. Asmita Singh, Mr. Rohan Mandan and Mr. Anirudom Anand

**For Respondent(s) Advocate :**

Mr. N.D. Kaushik , Mr. R.K. Sharma

**Order of The Tribunal**

Present CP has been filed alleging wilful defiance of the directions of this Tribunal vide judgment dated 20.09.2023 passed in the captioned OA. The operative portion of the same reads as under:-

*"28. In view of the elaborate discussion above, the OA stands allowed. The competent authority amongst the respondents is directed to forthwith revise the pension and family pension wherever applicable, strictly in accordance with the relevant rules and the entitlement governing pension to various sets of employees of the Central Government, maintaining strict parity. It is clarified that the benefits of revision of pension and family pension as notified by the Central Government on recommendations of the Pay Commission, shall stand extended in favour of the applicants, analogous to the revision of such*

*pension in case of Central Government pensioners.*

*29. The directions contained herein shall be complied with within a period of ten weeks from the date of receipt of a certified copy of this order.  
30. The OA stand allowed against the background of the aforesaid directions. Pending MA(s), if any, stands disposed of accordingly."*

2. The order dated 20.09.2023 of this Tribunal was assailed by the respondents before the Hon'ble Delhi High Court by way of filing a Writ Petition No. 4946/2024 and Batch. This writ petition came up for consideration on 05.04.2024 and following order was passed:-

*"4. At the outset, learned counsel for the petitioners requests for an adjournment.*

*5. While adjourning the matters at the request of learned counsel for the petitioners, it is made clear that this Court has neither issued notice in the petitions nor granted any stay and, therefore, the Tribunal will be free to proceed with the contempt petition, if any, preferred by the respondents, as per law.*

*6. List on 12.07.2024"*

3. Thereafter the respondents preferred certain MAs in the WP(C) which came up for consideration on 31.05.2024 and the same were dismissed by the Hon'ble Delhi High Court. The order reads as under:-

*"These are applications filed by the petitioners seeking early hearing of the writ petitions as also stay of the contempt petition initiated by the respondents.*

*2. We may note that the matter was last listed on 05.04.2024 when it was adjourned at the request of learned counsel for the petitioners to 12.07.2024.*

*3. While adjourning the matter, this Court had clarified that neither any notice had been issued in the writ petitions nor was the impugned order stayed.*

4. In these circumstances, we see absolutely no reason to entertain the present applications on the last working day on 31.05.2024, when the petitioners had sufficient time to move such application/s if there was any such grave urgency for preponement of the next date of hearing.

5. We therefore, dismiss the applications with costs of Rs. 10,000/- in each of the matters, making it clear that the dismissal of these applications will not affect the merits of the application for stay already pending before this Court.

6. Costs in terms of this order will be paid to Delhi High Court Staff Welfare Fund [A/c: 15530110074442; IFSC: UCBA0001553] within a period of four weeks.

4. Accordingly, the learned counsel for the applicant presses that the order dated 28.09.2023 of this Tribunal be complied with. He reiterates that once the Hon'ble High Court has specifically mentioned in the order dated 05.04.2024 that the Tribunal is free to proceed with the contempt petition, there could not be any reason as to why the order should not be complied with.

5. Mr. N.D. Kaushik, learned counsel for respondents submits that the aforesaid writ petition is coming up for consideration on 12.07.2024 before the Hon'ble Delhi High Court and requests that the present CP may be listed after that date.

6. Be that as it may, we have no hesitation in concluding that in terms of the order dated 05.04.2024 this CP needs to be proceeded with. However, in view of the fact that the WP(C) is coming up for consideration on 12.07.2024, let the present CP may be listed after the said date. In the event, the order of this Tribunal is will not complied with, by the next date of hearing, respondent No. 1- Secretary, Department of Telecom or any other responsible officer, not

below the rank of Director, shall appear in person to explain continued non-compliance of the order of this Tribunal.

Re-list on 13.08.2024

Principal bench of CAT took up the contempt petition on **13-8-2024**. As directed by High Court on the previous day, lawyers mentioned about the appeal pending before the High Court. Then CAT adjourned the contempt petition to 12th September 2024.



## APPEAL IN HIGH COURT

The Appeal petition filed by Department of Telecom against the CAT judgement on pension revision was listed before the Hon'ble High Court of Delhi on **12th July 2024**. Our senior lawyer Shri Sajoy Ghose could not be present on the day. On the request of our lawyers the case was adjourned to 01-08-2024.

On **1-8-2024** the Appeal was taken up by Hon'ble High Court. Our senior lawyer Shri Sanjoy Ghose argued the case very effectively. The Court did not issue any stay on CAT order as demanded by Government lawyer. The case was adjourned to 8th August 2024 for further argument.

On **8th August 2024**, after arguments by both the sides the case was adjourned to 12-8-2024 for further arguments.

On **12-8-2024** High Court gave enough time to the Lawyer of DoT to place his arguments. He was mostly talking on the pay revision in BSNL. After some arguments the Court adjourned the case to 23-8-2024. When pointed out about Contempt petition before the CAT, the Judge asked our Lawyer to request CAT to adjourn the Contempt petition to a date after 23rd.

# SUPREME COURT CRITICIZES FRIVOLOUS APPEALS BY GOVT

From **Economic Times**, 16<sup>th</sup> July 2024.

“The Supreme Court on Tuesday slammed the government for filing frivolous appeals, suggesting that it should “appoint an outsider to point out the flaws” in its decisions-making process. “...it’s some flaws which is why decision making leads to this... I was warning you from the beginning. We knew from day one. Tell me, do you think you had a good chance,” Justice Sanjiv Khanna asked Additional Solicitor General Vikramjit Banerjee.”

## **Rs 7 Lakh wasted to save Rs 700**

The Supreme Court’s criticism of the tendency of governments to engage in litigation on the most unnecessary grounds and contribute to the backlog of cases in courts must be paid heed to. It observed recently that at least 40 per cent of the cases filed by central and state governments are frivolous. That number would go up if cases filed by civic bodies and by State-owned companies and institutions are taken into account. The court reprimanded the Securities and Exchange Board of India (SEBI) for filing frivolous cases, saying it should be regulating rather than litigating in courts. What caused the observation was a case wherein a state government had filed an appeal against grant of Rs 700 per month to a government employee. The court said that “in filing an appeal to deny Rs 700 per month to someone, the government must have spent over Rs 7 lakh from the exchequer.”

## **What the Chief Justice said:**

The Chief Justice of India D Y Chandrachud had also recently told the central government to adopt mediation to resolve intra-governmental legal disputes. The CJI had observed that the endeavour of the government and its agencies should be to “mediate not to litigate”. The central and state governments are the biggest litigants, accounting for about 46 per cent of the pending cases in courts. Cases are sometimes filed on the same issue again and again. Many of the issues in dispute could be resolved departmentally or even ignored. Decisions of dispute settlement forums are appealed. Very often, this is because officials want to avoid responsibility for taking decisions. Cases are also filed to harass, too. The cost of litigation may be more than the amount involved in the case. But the cost does not bother the government because it has a legal machinery to fight cases.

A National Litigation Policy was drawn up in 2010 which was intended to make the government “an efficient and responsible litigant”. It was revised in 2015, but there is no change in the conduct of governments. There is a shortage of judges at every level and the rise in the number of cases exacerbates the situation. When unnecessary, vexatious and frivolous cases are filed, they not only overburden the courts but delay decisions in genuine cases and thus deny justice to deserving persons. The proliferation of cases and absence of decisions in cases pending before courts affects governance, too. Governments should review all cases pending before the courts and withdraw all vexatious and unnecessary cases. Such a spring cleaning will be in the interest of justice and governance.

## ORDERS

### CGHS – ABHA LINKAGE

**CGHS OM No. F No 44/88/MCTC/  
CGHS/2024 dated 25-6-2024**

Reference is invited to the Office Memorandum No Z 15025/23/ 2023/ DIR/ CGHS dated the 28.03.2024 vide which Linkage of CGHS Beneficiary ID with Ayushman Bharat Health Account ID (ABHA ID) has been made mandatory and to state that the matter has been reviewed in the Ministry and the undersigned is directed to convey the approval of Competent Authority that the implementation of the above referred OM dated 28.03.2024 **is kept in abeyance till further orders.**

Linkage of CGHS Ben ID with Ayushman Bharat Health Account ID (ABHA ID) is made **voluntary/ Optional** till further orders.

### CGHS CARDS: NEW GUIDELINES

**CGHS OM F.No.S.11012/1/2024-  
EHS/3687003/2024 dt 27-6-2024**

In continuation of this Ministry's OM No . S.11012/3/2011-CGHS(P) dated 29.12.2011, the undersigned is directed to issue the following guidelines, in view of technological changes and change in payment methods of CGHS Contribution, for issuing of CGHS cards to serving

employees and pensioners, as follows:

#### A. Serving Employees

a. Serving employees shall mandatory apply for a new CGHS card online (www.cghs.nic.in) to generate a temporary reference number. After online submission of the application form, they should take a printout of the same and submit the hard copy duly signed and photographs affixed thereon, to the department currently employed, for processing and onward submission to the concerned Office of Additional Director, CGHS for issuing the cards. One copy is to be forwarded to the Additional Director of the concerned City and the other copy is to be retained by the Employer Department of the Central Government (hereinafter referred to as 'sponsoring authority) for CGHS benefits.

b. The requisition shall be sponsored by the Head of Department/Head of Office of the employee.

c. A Specimen copy of the application form for the New CGHS Card is enclosed at Annexure-1.

d. CGHS shall scrutinize the application based on the documents provided: i. Pay Slip indicating the pay scale and CGHS deduction. ii. Aadhaar Card/PAN card or any other valid document as per RBI guidelines, as ID Proof for Self and Dependent Family Members. iii. Disability Certificate of Dependant (If applicable) as per OM No.4-24/96-C&P/CGHS(P)/EHS dated 07th May 2018. (Enclosed at Annexure-2) iv.

Photographs of self and Dependant Family Members. The Standard Operating Procedure is enclosed at Annexure-3.

#### B. Pensioners

a. CGHS card(s) will be issued to eligible pensioners and family pensioners, drawing pension from Central Civil Estimate and his/her dependent family members, when the pensioner is not availing the Fixed Medical Allowance.

b. The pensioners also has the option for availing Fixed Medical Allowance with a CGHS card (IPD Card) by paying the full subscription, however, the CGHS 'IPD only' card shall be valid only for 'cashless' indoor treatment at CGHS Empanelled Private Hospitals/ designated Government Hospitals. The beneficiary of 'IPD only' CGHS card shall also be eligible for reimbursement of expenses incurred for indoor treatment at any Government/Private Hospital only in case of a Medical Emergency.

c. The pensioners can submit his/ her duly filled application form for the new Pensioner CGHS card, in the new Card Application Form (Annexure 3) to the Additional Director of CGHS city concerned.

d. The applications shall be accompanied with payment of CGHS Contribution S.11012/1/2024-EHS I/3687003/2024 on Bharat Kosh, along with the Challan generated from Bharatkosh as proof of payment.

e. The contribution (equivalent to 120 times i.e 10 years of existing CGHS contribution rate, at the time

of retirement). The existing rates for whole life CGHS cards shall be as per the details provided below:

**S. No., Pay Level, Contribution**

1 Level 1 to 5	Rs. 30,000/-
2 Level 6	Rs. 54,000/-
3 Level 7 to 11	Rs. 78,000/-
4 Level 12 and above	Rs. 1,20,000/-

f. CGHS shall scrutinize the application based on the documents provided:

- i. Self-attested PPO/ Provisional PPO or Last pay certificate
- ii. Aadhaar card ID/PAN card or any other valid document as per RBI guidelines as ID proof for Self and dependent family members
- iii. Disability Certificate of Dependant (If applicable)
- iv. Photographs of self and dependent Family Members.
- v. Copy of Bharat Kosh Challan for CGHS subscription paid
- vi. Proof of availing/non-availing FMA (if applicable).

**The Standard Operating Procedure is enclosed in Annexure-3.**

g. Retiring employees have the option to apply for a pensioner card along with pension papers 6 months before the date of Retirement (Online as a pensioner new card). The office shall observe the same procedure as for a serving employee for getting his/her CGHS card(s) prepared.

C. Consequent to verification of CGHS Card, the electronic form of CGHS card shall be accessible to the beneficiary using the option of

'Beneficiary Login' on CGHS Website, myCGHS app & Digilocker app for Android/iOS-based mobile devices. The electronic CGHS card shall be at par with CGHS plastic Card for availing benefits. The authenticity of CGHS card can be verified using the option of 'Verify beneficiary' available on CGHS Website ([www.cghs.nic.in](http://www.cghs.nic.in)).

D. For the issue of a new CGHS plastic card upon mutilation, renewal or loss of the CGHS Card, application Form AA or BB (Annexure 4 & 5) along with the Bharatkosh Payment challan for Rs. 100/- shall be submitted for issuing a new card to the concerned Additional Director. To encourage the CGHS beneficiaries to use digital CGHS cards, it has also been decided that No fee shall be levied, in case the beneficiary opts for renewal/reissue of card without a fresh printed plastic card.

E. The Instructions issued for the CGHS beneficiaries from Member of Parliament, Ex-Member of Parliament; eligible Autonomous Institutions, Air India and PIB accredited Journalists shall remain as per extant rules.

F. The CGHS Beneficiary shall inform CGHS immediately, if there is any change in dependency criteria of his family members included in the CGHS Card. If he fails to intimate and if CGHS comes to know of the change, then the CGHS facility is liable to be withdrawn and the CGHS shall be free to write to S.11012/1/2024-EHS 1/3687003/2024 the appropriate authority for recommending action under Service Rules or Pension Rules.

These guidelines issued with the approval of the competent authority and these guidelines shall be effective from one month from the date of issue.

**CGHS REFERRAL PROCEDURE**

**CGHS OM No. Z15025/19/24  
dated 28-6-2024**

In partial modification of MoHFW Om No Z15025/117/DIR.CGHS.EHSS dated 15-01-2018 and 10-12-2018, the undersigned is directed to convey approval of the Competent Authority or issue of revised guidelines for referral procedures for consultation/ investigation and treatment in Government and Private hospitals (empanelled with CGHS), as per details given below:

**A. In continuation of OM No Z15025/18/2020 dated the 09-10-2020 the term "government Hospital" shall also include all AIIMs, Institutions of National Importance (INIs), North East Institutions, Tata Memorial Hospital and all other medical institutions under central government. No referral /permission /endorsement shall be required for undergoing consultation /investigation /treatment procedure including unlisted investigations/procedures.**

**B. Treatment at Private empanelled hospital(s):**  
**i. Single referral Specialist Consultation:** A referral issued by any Medical officer of a CGHS Wellness Centre will be valid for three months. During the period the beneficiary may consult two more

specialists up to total of three specialists, if recommended by the primary specialist. A maximum of 6 consultations shall be allowed during this validity period of 3 months.

**ii. Investigation and Treatment Procedures advised by specialist of empanelled private hospital after referral by GHS:** No further endorsement from CGHS shall be required for undergoing routine listed investigations and minor procedures, not requiring admission in the hospital, as advised by the specialist, within the validity period of 3 months from the date of issue of the initial referral. However, Referral/endorsement from CGHS shall be required for special investigations like CT Scan, MRI Scan and any other investigation costing over Rs 3000 and the referral will be valid for 3 months.

iii. Correspondingly, referral/endorsement would be required from Medical officer of CGHS for any procedure requiring admission in the hospital which would be valid for 3 months.

iv. **Unlisted investigation(s) and treatment procedures advised by the Specialist of CGHS empanelled hospital:** Permission for undergoing such investigations and treatment procedures shall be considered as per the delegated powers vide OM Z15025//DIR.CGHS dated 27-12-2023 in case of pensioners and OM No S12020/4/97-CGHS(P) dated 07-04-1999 in case of serving employees. i.e.

a. CGHS (Additional Director/ Director) in case of Pensioner beneficiaries.

b. Head of the Department Office (HOD/HOO) in case of serving employee(s).

v. In partial modification of OM NO Z 1 5 0 2 5 / 3 5 / 2 0 1 9 / DIR.CGHS/CGHS(P) dated 29-05-2019, the special provision for CFGHS beneficiaries to avail consultation/ investigations/treatment procedures shall hereinafter apply to CGHS beneficiaries aged 70 years and above, as against 75 years prescribed in OM as mentioned above dated 29-05-2019. The other conditions shall remain unchanged. The beneficiaries can also avail of the services through teleconsultation facility available through e-Sanjeevani 2.0 (<https://esanjeevani.mohfw.gov.in>).

vi. In case of **treatment under emergency and post-operative follow-up treatment:** the instructions shall remain as per extant rules. Reference instructions:

a. OM No S11011/29/2019-EHS dt 13-09-19

b. OM No. Z15025/35/2019/ DIR.CGHS/CGHS(P) dated 29.05-2019 (regarding post-operative follow-up treatment).

**NO PENALTY IN FAMILY PENSION**  
**CBDT Email dated 20-12-2023**

Kindly refer to Rule 50(2) of CCS (Pension) Rules 2021 governing the amount of family pension payable to the family of deceased government servants. In this regard doubts have been expressed on whether the

penalty of pension cut would affect the quantum of family pension in case of death of, retired government servant during the currency of the penalty.

2. In this connection, the nodal department, i.e., the Department of Pensions and Pensioners' Welfare has clarified that the penalty of pension cut imposed on a government servant under Rule 8 of CCS (Pension) Rules, 2021 is not applicable for payment of family pension. The family pension has to be paid at a uniform rate of 30% of the last basic pay, subject to a minimum of Rs 9000/- per month. However, in case the family pensioner is entitled to enhanced family pension, the amount of enhanced family pension will not exceed the pension authorized on retirement from government service.

3. All the offices under CBIC are hence directed to bring this to the notice of all the officers dealing with pension matters for strict compliance.

**CGHS: MEDICAL REIMBURSEMENT PROCEDURES**

**CGHS OM No. Z15025/19/2024/ DIR/CGHS**

The procedure to be followed by CGHS for submission of MRC by pensioner CGHS beneficiaries shall be as follows:

**a. Submission of MRC:**

The beneficiary will submit the MRC in the prescribed format (Form MRC (P), Annexure A) with all relevant supporting vouchers/documents in



original, to the CMO-I/C of the relevant CGHS Wellness Centre. The CGHS Wellness Centre shall verify and ensure, before accepting the claim papers, that all relevant documents are enclosed as per the prescribed checklist (Annexure B) and issue a dated acknowledgement to the claimant in token of receipt of the MRC by CGHS. MRC Claim ID shall be generated by the Wellness Centre which shall be made available through SMS.

**b. Forwarding MRC Papers.**

Forwarding MRC Papers: The CGHS Wellness Centre shall forward the MRC papers online after scrutiny to the concerned Office of Additional Director (AD) CGHS for further processing for reimbursement of claims. The physical papers shall be sent to the office of the AD within one/two days of receipt of the claim papers.

**c. Handling Deficiencies:**

If there are any deficiencies/gaps found in MRC documents/papers, the CMO I/c shall retain the papers and communicate the list of deficiencies/observations to the beneficiary through SMS. If the deficiency is found at the level of O/o AD, they shall retain the papers and communicate the list of deficiencies/observations to the CMO-I/C to remove the shortcomings through email.

**d. Informing the Beneficiary of deficiency in the claim:** The CMO-I/C shall contact the beneficiary concerned and inform them about the shortcomings in the MRC papers and

request them to submit the requisite information/documents. The CMO I/ C shall not return the MRC in original unless it is rejected in total.

**Processing the MRCS.**

Processing the MRCS: The MRCS shall be scrutinized and processed by the Office of AD as per the extant policy and instructions for issued from time to time about the CGHS rates and admissibility of claims of under CGHS.

**f. Informing the Beneficiary of approved claim amount:**

When a bill is sent to the PAO, the details pertaining to the claimant will be entered through computer and the claimant shall be informed of the same along with the amount admissible and details of disallowances indicating the specific reasons/grounds for deductions

**g. Payment Processing:**

The amount found admissible as per the CGHS guidelines shall be passed for payment and forwarded online to the PAO for making payment. The original documents should also be forwarded simultaneously to the PAO for making payment of the admissible amount to the claimant.

**2. Tracking of Status of MRC**

The Status of MRC can be viewed online based on the Claim ID generated at the time of submission via the CGHS Web portal ([www.cghs.nic.in](http://www.cghs.nic.in)) or through my CGHS Mobile app (available on Android and iOS devices). The

Standard Operating Procedure is enclosed (Annexure 3).

**SETTLEMENT OF PENSION DUES**

**DOE CPAO OM No. 96/2-24-254/10370/42 dated 12-7-2024**

This office has been receiving grievances regarding return of pension cases at various levels (Banks, PAOs and CPAO) where pensioner died after retirement without filling pension papers or in some cases after the submission of documents by the pensioner but before getting pension. In this regard, attention is invited to Government of India's Decision (2) (2) (iii) of Rule 57 of CCS (Pension) Rules, 2021 and Para 7.5.6 and 7.18 (b) of Civil Accounts Manual (CAM) of O/o CGA.

In terms of above mentioned Rules for processing of pension cases on death of pensioner after retirement before getting pension following cases may arise-

Case-1: Pensioner expires prior to filling pension papers-

In order to avoid hardship to family of a retired Government Servant, who dies without submitting pension papers, the PAO shall authorise the pension (in respect of deceased Government Servant) and family pension to the spouse/eligible family member. Only one PPO shall be issued by PAO authorising pension and family pension in Part-II of the PPO. Part-III of the PPO, which is

applicable on death of Government Servant while in service, would not be relevant in such cases.

The payment of arrears of pension for the period from the date following the date of retirement up to the date of death shall be made by PAO to family pensioner, thereafter, PPO will be sent to Pension Disbursing Authority (PDA) through CPAO for payment of family pension.

Case-2: Pensioner files papers but expires before getting pension -

Case 2.1:- PPO generated but pending at PAO level: Where pensioner has died before PPO forwarded to CPAO and family pension is sanctioned simultaneously. In that case, PAO, after paying arrears of pension to co-authorized family pensioner will forward the pension case to CPAO. In that scenario, CPAO will not return the pension case to PAO and forward it to bank for payment of pension to family pensioner. The bank post KYC of family pensioner and after obtaining required relevant documents can start disbursement of family pension.

Case 2.2:- Pension case processed at PAO level and forwarded it to CPAO: Where pensioner has died after submission of PPO to CPAO and family pensioner is co-authorized for pension. If such a case is under process in CPAO (not yet forwarded to bank), CPAO will not return the pension case to PAO but will forward the pension case to CPPC for payment of pension. The bank post KYC of the family pensioner and after

obtaining required relevant documents can disburse arrears of pension to the authorized Family pensioner and can start family pension from the date of death of retired Government Servant.

Note- The pension cases will be processed in the category of pension of retired Government Servant.

All the Pr.CCAs/CCAs/CAs/AGs are requested to direct PAOs under their control to follow above instructions strictly. All the CPPCs and pension processing sections of CPAO are also directed to comply above stated instructions invariably.

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

**LIFE CERTIFICATE BY  
SAMPANN PENSIONERS**

**CGCA DoT OM No. No. 13-23/  
2020-21/BA&IT/ 23- 2C7 Dated  
2.06.2021  
To, All Pr. CCAs/CCAs**

It has been observed that SAMPANN/FMS pensioners may face difficulties in submitting their Physical Life Certificates when they reside in a circle other than the circle which issued the PPO which could lead to delays and thereby stoppage of pension. Additionally, in case of Digital Life Certificate (DLC) via Jeevan Pramaan, it has been observed that sometimes the DLC is submitted to a CCA office other than concerned CCA office

unknowingly by pensioners and therefore the details are not updated in the system(s).

Therefore, for convenience of pensioners, I am directed to convey the following:

1. DoT pensioners receiving pension via SAMPANN/Financial Management System can submit their Physical Life Certificate in any nearby CCA office. To ensure successful updation of Life Certificate, the following immediate steps may be taken:

a. Recipient CCA should scan the Physical Life Certificate and send the soft copy to the concerned CCA Office via an official email ID.

b. Subsequently, recipient CCA should send the hard copy in original by Post as well.

c. Concerned CCA Office may update the Life Certificate details based on the soft copy received.

2. For Digital Life Certificate via Jeevan Pramaan submitted incorrectly by the pensioner, the following step may be taken:

a. The recipient CCA, on identification of the concerned CCA, may share the data immediately with that concerned CCA via an official email ID Pr. CCA/CCA Offices are requested to inform pensioners and Pensioners Associations via means of letters/SMS/call regarding the above.

# AMENDMENTS TO CCS (PENSION) RULES 2021

## (Summary of Amendments made vide Gazette Notification on 16-7-2024)

**Rule 50 (Family Details):** Government servants must submit up-to-date family details in Form 6-A at retirement.

**Rule 53 (Processing Pension Case):** Pension cases to be processed online via Bhavishya/ e-HRMS. It is already being done in BSNL/DOT in Sampann. Form 6-A to be submitted through e-HRMS for superannuation cases; otherwise, through Bhavishya. Same as above. Presumable to avoid any omission or missing or adding at a later date.

**Rule 57 (Submission of Forms):** Government servants must submit Form 6-A to the Head of Office six months before retirement. Provisions regarding commutation of pension if the form is submitted by someone other than the government servant.

**Rule 58 (Non-superannuation Retirements):** Retiring officials, other than for superannuation, must submit Form 6-A immediately after retirement approval.

**Rule 59 (Processing of Forms):** Updates for the forms and process associated with pension claims.

**Rule 60 (Documentation Required):** Updated requirements for documents and forms to be submitted with the pension claim.

**Rule 62 (Enclosures):** Specifies documents to be enclosed with Form 6-A.

**Rule 63 (Family Pension Co-authorization):** Changes in the details required for family members co-authorized for family pension.

**Rule 80 (Family Pension Nomination):** Allows family members to submit Form 6-A in place of Form 10 if there are no eligible family members.

### Form Updates:

**Form 4, Form 6, Form 10:** All references to these forms are replaced with Form 6-A.

### Additional Provisions:

**Undertaking by Government servants** who have worked in intelligence or security-related organizations regarding publication of sensitive information.

**Options for Medical Facilities** post-retirement.

**Enclosures with Form 6-A:** Detailed list of documents, including photographs, proof of identity, and PAN card.

**Form 6-A:** Central to the updated rules, this form replaces multiple forms previously used. It consolidates various details required for pension processing.

**Retirement Case Processing:** Clear instructions on submitting forms before retirement and handling cases where retirement is not due to superannuation.

**Documentation and Verification:** Enhanced requirements for submitting supporting documents and proof of identity, including photographs and PAN cards.

**Family Pension and Medical Facilities:** Updates on how family pensions are processed, including who can submit forms on behalf of retirees and options for medical facilities after retirement. Implementation of above is mandatory for pension processing in all cases of retirement, for those retiring after 4 months from now.

[Above shall take effect from 15-11-2024]



## CONGRATULATIONS TO ALOK UTSAV

We are delighted to share the remarkable achievement of Mr. Alok Utsav, son of our esteemed Com. Savita, CHQ Organizing Secretary.

Alok Utsav has been working with the ICC during the World Cup cricket, as well as with the BCCI for IPL and other international cricket matches. His expertise spans across women's world cup cricket, men's world cup cricket, and under-19 cricket for men. His role involves creating videos for the ICC's social media platforms, ensuring cricket content reaches the fans worldwide. Alok Utsav, Director of Photography, Cinematographer, Editor, and Producer has associated with ICC T20 World Cup in Australia in 2022, T20 Womens World Cup in South Africa in 2023, IPL matches In Bangalore & Chennai in 2023, to mention few. His clients include Kolkata Knight Riders, Sunrisers Hyderabad, IPL, Star Sports, WeWorkIndia, Wipro, Cure.Fit, BankBazaar, Decathlon etc. A special mention goes to his recent work during a match where India won the World Cup, making it an even more memorable occasion. Congratulations once again, and we wish him continued success and a bright future ahead.

V Vara Prasad, General Secretary

In the photo, Alok is seen with his mother, Com. Savita (All India Org. Secretary of AIBSNLPWA) and his father Sri . Shashidhar Adapa. Sri Shshidhar is a renowned Theatre Personality and Art Director as well as Production Designer for number of Kannada, Tamil, Hindi and French Films. He has been designer for Karnataka State Government Tableaux participated in Republic Day Parade for many years. Karnataka Tableaux won the first prize for 12 years consecutively. We congratulate the family of versatile members.

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## JUSTICE IS A MIRAGE

One T S Perumal, a Village Assistant in Saidapet of Chennai expired in 1987. His wife applied for family pension. It was delayed. She approached the Court in 2004. In 2017 Court passed orders to pay the pension and retirement benefits. Government appealed against the order in 2019. The widow died during the period without getting the benefits. Then her son approached the Court. In October 2023, fuming over the delay of 36 years in disbursing terminal benefits to the widow of a Class IV employee, a bench of Madras High Court consisting of Justice R Suresh Kumar and Justice C Kumarappan said, *"This kind of attitude, instead of being termed as unlawful, arbitrary, this court, in one word, can explain it as inhuman."*

# A SPECIAL APPEAL

Dear Friends,

You are all aware of the dreadful disaster occurred in Wayanad district, Kerala on 30-7-2024. The landslides and flash floods that swept through have devastated a part of the district, causing unprecedented deaths and destruction. Over 300 people are dead and many more are missing. Entire villages, houses, schools buildings, roads and bridges have been obliterated. But the tragedy at Wayanad is bigger than the sum total of the dead and missing people and the devastation. It was a tsunami in the hills which, in a few hours, turned a tourist paradise into a graveyard.

Army, Air force, Navy, NDRF and thousands of volunteers are working day and night to rescue people in distress. Clothes and materials are flowing from nearby Calicut and Malappuram districts to the disaster land. Religion or Politics is not a barrier for relief work. People stood together to face the calamity. More than 8000 people are in Relief Camps. More than 450 injured are being treated in hospitals.

Rehabilitation of the survivors is the urgent need. It is very costly. We members of AIBSNLPWA all over India must rise to the occasion, keeping our tradition. CHQ of AIBSNLPWA has sent a sum of Rs. One lakh to the Kerala Chief Minister's Disaster Relief Fund as token of our commitment. CHQ calls upon our members to donate liberally to the Kerala CMDRF through your respective District Association. Please hand over or transfer your donation to your District Unit. The District Unit should remit entire amount so received to Kerala CMDRF with due intimation to CHQ Treasurer and respective Circle Secretary. It is urgent. Hence, please complete the task by 15<sup>th</sup> August 2024.

1st August 2024

V Varaprasad, General Secretary.

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## It is triumph of Humanity

Rescue operations in disaster hit Wayanad demonstrated that people unite above faith and politics during hours of crisis. Apart from the Army, Navy, NDRF, Coast Guard, Police, Fire and Rescue Services and civil service volunteers, many organisations affiliated to various political parties have been at the forefront of search and rescue efforts. They brought more than 1,000 volunteers from neighbouring districts, who were wading through mounds of slush in search of life. Wayanad tragedy was not only a testament to nature's fury but also it highlighted tales of unparalleled valour, compassion and selfless service of thousands of fellowmen towards humanity.



We are proud to announce that our members have responded very positively to the Appeal from CHQ and donated more than Rs 50 lakh to the Kerala CMDRF, according to the reports our CHQ Treasurer received till the night of 20th August 2024. Many individual pensioners sent their donations directly and did not intimate CHQ. Hence total contribution shall be much more than the amount shown in the list given below. Individual contributions intimated to CHQ are included in the respective District Units.

Tamilnadu comrades have contributed more than Rs. 20 lakh while Kerala comrades raised Rs. 13.5 lakh. The list is:

CHQ/AIBSNLPWA	100000.00	Guntakkal	2000.00	Saidapet	30700.00
RSN Murthy VP	10000.00	Guntur	100000.00	Salem West	205600.00
Agra	5000.00	Gurgaon	4100.00	Sangareddy	19000.00
Alapuzha	6000.00	Kannur	19700.00	Sikakulam	13201.00
Anantapur	15000.00	Karaikudi	100000.00	Thanjavur	100000.00
Ara(Bihar)	11000.00	Katihar	5000.00	Pattukottai	61000.00
Balaghat(MP)	25000.00	Kollam	72000.00	Thiruninravur	25000.00
Bangalore TD	450936.00	Kottayam	167501.00	Tiruvallur	10000.00
Brahmapur	12501.00	Kumbakonam	13000.00	Trichur	203700.00
Calicut	95500.00	Kurnool	30000.00	Trichy	206000.00
Chengalpattu	31000.00	Madurai Dist	170256.00	Trivandrum	146000.00
Chennai STR	248006.00	Malappuram	107000.00	Tumkuru	40000.00
Chennai TFC Dn	133851.00	Motihari	1500.00	Tuticorin	10000.00
Chromepet	77001.00	Nellore	20000.00	Velachery	111560.00
Coimbatore	290500.00	Ongole	60701.00	Vellore	225000.00
Coonoor	42000.00	Palakkad	96002.00	Vijayawada	25000.00
Cuddalore	187001.00	Patna	15000.00	Virudunagar	81200.00
Darmapuri	50000.00	Pattanamthitta	4000.00	Vizianagaram	43766.00
Ernakulam	434911.00	Pondy chery	35000.00	West Godavari	190488.00
Erode	25800.00	Rajamundry	40000.00	Y Anantham	11000.00
Gujarat	7700.00	Rangadurai	5000.00	<b>TOTAL</b>	<b>5084682.00</b>

Article Contributed

# DO OR DIE FOR BSNL

With recent price hikes from major telecom players, Mukesh Ambani's Jio and Bharti Mittal's Airtel, the telecom landscape in India is set for a shake-up. This upheaval is fueled by a significant partnership between Tata Consultancy Services and BSNL. Together, they plan to bring 4G internet services to 1,000 villages across India, potentially providing a robust alternative to Jio and Airtel. This article explores how this collaboration could disrupt the current market dynamics and benefit consumers.

In a move that has stirred consumer unrest, Jio and Airtel recently increased their recharge plan prices. Jio's prices saw a hike of 12 to 25 percent, Airtel's rose by 11 to 21 percent, and Vodafone Idea (VI) followed suit with a 10 to 21 percent increase. These changes, effective from early July, have not been well received by users, leading to a surge in interest in BSNL's more affordable options.

## Social Media Outrage

The backlash has been palpable on social media platforms, where customers have voiced their dissatisfaction with the increased costs. Many have threatened to switch to BSNL, viewing it as a more economical choice in the face of rising expenses from the dominant players.

## BSNL and TCS: A Strategic Partnership

In response to this market discontent, TCS and BSNL have signed a 15,000 crore rupee deal. This partnership aims to launch 4G services across 1,000 villages in India. By doing so, they hope to provide high-speed internet access to

rural areas, thus bridging the digital divide and offering a competitive alternative to Jio and Airtel. Tata's involvement extends beyond just providing internet services. The company is also constructing data centers in four regions of India, which will significantly enhance the country's 4G infrastructure. This development is poised to offer faster and more reliable internet services, challenging the current market leaders.

## Impact on BSNL's Market Positioning

Currently, Jio and Airtel dominate the 4G internet market. However, if BSNL can leverage this partnership effectively, it stands a chance to disrupt this duopoly. By offering competitive pricing and improved services, BSNL could attract a substantial user base dissatisfied with the recent price hikes from Jio and Airtel.

## Consumer Shift to BSNL

The consumer sentiment towards BSNL is already showing signs of improvement. Many users have expressed their intention to port their numbers to BSNL, seeking respite from the higher costs of Jio and Airtel plans. This shift could significantly alter the market share distribution among telecom operators in India.

## MTNL's Stock Surge

In related news, Mahanagar Telephone Nigam Ltd (MTNL), another state-owned telecom operator, saw its shares surge by 13.37 percent, reaching a 52-week high of Rs 52.48. This rise was driven by reports suggesting that the government is considering handing over MTNL's operations to BSNL.

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**Who benefits? Media hails the BSNL-TATA deal. In fact, BSNL has given an advance order worth of Rs 15000 crore to the consortium led by TCS of TATA. TATA knows the business.**

**4 G Next year only: Minister told Parliament on 24th July 2024 that BSNL can offer its 4G services in June 2025 only.**

## Story of BSNL services in remote hamlets.

### From our Member

I worked in Chooralmala Telephone exchange in Wayanad from 2001 to 2009. I know personally many of the families fell victims to the landslide. Some of them are dead, some others are still missing. I had visited several times Mundakai and Attamala, remote hamlets on the top of the hills beyond Chooralmala, to give new telephone connections or to attend faults thereafter. During summer they are the most beautiful places in entire Kerala. Number of resorts has come up recently in the area because of the scenic ambience. During rainy season it is just opposite, they are the most horrifying. If you climb further up of Mundakai you will hear a loud noise from the top, from the thick forest. Only local people can trek that area. It is very dangerous. River Chaliyar springs from there. There is a waterfall. You can only hear the sound. The landslide occurred there on 30-7-2024. Huge mass of earth slid down through the small river to Chooralmala. That small stream has become a wide river now. Huge rocks, 10-20 feet high, rolled down and then flown down six KMs through the river. Such was the forceful current of water. The only bridge from Chooralmala to Mundakai is not seen anywhere now. Rescue team could not cross the river till evening of 31-7-2024. People, children and old, remained under the mud for ten hours or more, unable to breathe. They died. Some bodies are recovered. Still more dead bodies may be there. Some are lying dead under the houses collapsed. The remote places once known as Mundakai and Attamala are not there now. Disappeared for ever. I am 50 KMs away at Tamracheri, the border town of Wayanad and Calicut districts. We are not permitted to go to the affected areas these days for safety reasons.

1-8-2024

V V Sivadasan,  
Retired TT at Tamracheri.



## ONLY BSNL

Once again it is established that when the Nation faces a disaster or any natural calamity or when the people are in distress, only BSNL comes to their rescue. The private telecom operators with all high technology and latest tools imported from abroad, do not fulfil their social obligation. It happened in Wayanad district of Kerala where massive destruction took place due to unprecedented heavy rainfall (570 millimetre within 48 hours). A reports says:

“Bharat Sanchar Nigam Limited (BSNL) has provided 4G services at landslide-hit Chooralmala and Mundakai areas of Wayanad district. A press release said on July 31 (Wednesday) that the services were made available by afternoon. Only 3G services were available in the areas earlier. Diesel engines have been provided to ensure that the towers are functional even when there is no power. Speedy Internet connections have been given to the district administration and toll-free numbers to the Health department, the release added.”

BSNL has further provided free calls without any limit for three days, free 1 GB data and 100 SMS per day and sanctioned new Sim cards taking aadhaar number.



# NOTIONAL INCREMENT

One more clear order from CAT Principal Bench

Case No. OA No.1304/2024 MA No.1178/2024

Date of Order: 30-5-2024

Ram Kumar Yadav, New Delhi-110043 and 27 others of CPWD

Vs. 1. UOI through Secretary M/o Housing & Urban Affairs  
2. CPWD through Director General  
3. M/o Personnel, Deptt. of Personnel & Training  
4. Govt. of NCT of Delhi

## ORDER (ORAL)

In the present OA the applicants seek the following reliefs:- "(A) Call for the records of the case. (B) Pass an order granting notional increment falling due on 1st/Jan/1st July of respective dates of superannuation and accordingly fix pension and all other retiral benefits of the applicants after taking into consideration the said notional increment of pay, with all consequential benefits including arrears and interest at GPF rates etc."

2. The matter pertains to grant of notional increment. The said subject matter had been adjudicated upto the level of Hon'ble Apex Court.

3. Learned counsel for the applicants relies upon a decision rendered by a coordinate Bench of the Tribunal in OA No.951/2024 dated 07.03.2024. For ready reference, relevant part of the same reads as under:-

"5. Since the issue has been conclusively decided upto the level of the Hon'ble Apex Court and subsequently implemented in a large number of cases, there could be no cause now to take any divergent view. Further, the respondents and the other Departments should ensure that retired employees are not pushed into unnecessary litigation and the benefit of notional increment is now extended to all the retired employees.

6. Against this background, the present OA is allowed with a direction to the Competent Authority amongst the respondents to re-fix the retiral dues, including pension, of the applicants by giving them the benefit of one notional increment on the date of their retirement. After such re-fixation, arrears as accrue to the applicant shall be released expeditiously. The directions contained herein shall be complied with within a period of eight weeks from the date of receipt of a certified copy of this order.

7. Let a copy of this order be sent to the Secretary, DoPT and the Secretary, Department of Expenditure, Ministry of Finance to issue comprehensive instructions to all the Government Departments that due consideration for grant of notional increment be given to all the retired employees instead of forcing them to expensive and avoidable litigation.

8. No order as to costs."

4. Accordingly, the OA stands disposed of with a direction to the Competent Authority amongst the respondents to re-fix the retiral dues, including pension of the applicants by giving them the benefit of one notional increment on the date of their retirement. After such re-fixation, arrears as accrued to the applicants shall be released expeditiously. The directions contained herein shall be complied with within a period of twelve weeks from the date of receipt of a certified copy of this order..

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**Note: Despite repeated orders from the Courts government takes a position that all these judgements are parsonam (applicable to the petitioner only), hence no need of general order.**

## OUR JUDICIAL SYSTEM

### THE FINAL YET TO COME

We filed a case (OA 338/2018) before the Hon'ble Central Administrative Tribunal, Ernakulum bench praying for arrears from 1-1-2007 up to 9-6-2013 on account of pension revision in BSNL. After initial objections raised by the Government pleader and postponement of hearing several times, formal notification was issued in 2022. Thereafter too the case was adjourned several times because there was only one Judge in the Ernakulum Bench. Then a second judge was posted. Still the case is adjourned repeatedly for Final Hearing as:

From	to
11-01-2023	21-02-2023
21-02-2023	13-03-2023
13-03-2023	17-05-2023
17-05-2023	05-07-2023
05-07-2023	21-07-2023
21-07-2023	05-09-2023
05-09-2023	03-10-2023
03-10-2023	11-12-2023
11-12-2023	30-01-2024
30-01-2024	11-03-2024
11-03-2024	16-05-2024
16-05-2024	02-07-2024
02-07-2024	27-09-2024

Two other cases (OA 756/2018 and 692/2019, filed by some pensioners belonging to other organizations) are tagged with our petition and taken up together. Every time three advocates are attending the court on behalf of pensioners. The situation is back to square one. There is only one judge in the Ernakulum bench of CAT now. Sometimes, according to convenience, one judge of Kolkata bench joins on-line to admit petitions. Matters for hearing are simply adjourned. The Final Hearing is postponed again and again for Final Hearing.

CAT was created to dispose cases quickly!

## CENTRAL ADMINISTRATIVE TRIBUNALS

### 19 Benches

### 28 Vacancies of Judges

The Circular F No.A-11013/3/2021-AT dated 20-12-2022 by Department of Personnel & Training, said:

1. Tribunal: - The Central Administrative Tribunal has been established under the Administrative Tribunal Act 1985, to adjudicate cases related to service matters of persons appointed under the Government of India. Principal Bench of CAT is situated at New Delhi and its other Benches are situated at 18 places in the country at Ahmedabad, Allahabad, Bangalore, Chandigarh, Madras, Cuttack, Ernakulam, Guwahati, Hyderabad, Jabalpur, Jaipur, Jodhpur, Calcutta, Lucknow, Mumbai, Patna, Jammu and Srinagar. A Member, upon selection, may be posted to any of these places.

The said Circular notified 14 vacancies of Judicial Members and 14 vacancies of Administrative members.

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"CAT had been established under Article 323 -A of the Constitution for adjudication of disputes and complaints with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or other authorities under the control of the Government.....also provide to the persons covered by the Administrative Tribunals speedy relief in respect of their grievances."

## FAMILY PENSION IS A RIGHT : HIGH COURT

The Kerala High Court has held that family pension is not a charity but a right, and not a bounty but justice for the disabled wards of employees who have no means to earn a livelihood and were dependent on their parents until they were alive.

The bench of Justices Amit Rawal and S Eswaran made this ruling while allowing a plea by Sathish Raj Pillai of Kollam, seeking a directive for Southern Railway to grant him a pension. The bench directed the Railway authorities to quantify the pension and release it, including the arrears with interest, within one month. The petitioner, a deaf and mute person with complete blindness in his left eye, is the son of a retired Southern Railway employee.

After his parents passed away, he applied to Southern Railway for a disability pension but was rejected. He then moved the Central Administrative Tribunal but the medical board certified he was capable of earning his livelihood. Consequently, he moved the HC. The HC stated that poverty and blindness are intimately linked, and blindness exacerbates poverty by limiting educational and employment opportunities.

The authorities need to consider cases of physically challenged individuals sympathetically. Railways, being a model employer, and India being a welfare state, have rules designed to make it easier for physically challenged persons to live with dignity, it added.

## ENHANCED FAMILY PENSION

As per the existing rules, in the case of death while in service, family pension at enhanced rate, 50% of Last Pay Drawn, is granted to the spouse for a period of 10 years after death of the employee or till the deceased employee would have attained the age of 67 years, whichever is earlier. In the cases of death after retirement the period of enhanced rate is limited to seven years. We feel that it is an injustice to the bereaved families of pensioners. The bereaved families of pensioners are thrown into distress when the death takes place.

Dr. Jitendra Singh, the present Minister for Pension is an experienced medical practitioner and hence sympathetic to senior citizens. He is actively involved in updating the rules

concerning grant of pension to central government employees. Number of improvements has been done by the Department of Pension and Pensioners' Welfare during the last decade under his able leadership, including introduction of revised CCS Pension Rules 2021 and further modification on the same.

We earnestly request Dr. Jitendra Singh to kindly review the rules and end the above unjustified discrimination against pensioners in the matter of grant of enhanced rate of family pension raising it to 10 years at par with the cases of death in harness. Such a change shall not cause any heavy burden on the exchequer.

## News from Lok Sabha

# NO PROPOSALS

### Two answers on 22-7-2024 in Lok Sabha.

**Question 1.** Whether there is any proposal to constitute 8th Central Pay Commission?

**Answer: No such proposal is under consideration of the Government.**

**Question 2.** Whether there is any proposal to restore Old Pension Scheme?

**Answer: No such proposal is under consideration of the Government.**

### **BSNL 4G may come next year.**

The long-awaited rollout of BSNL's 4G services may still take another year, the government informed Parliament on Wednesday (July 24). The state-owned telecom operator is now expected to complete the deployment of its 4G network by June 2025. So far, BSNL has activated only 1,000 sites, with an ambitious target to set up 100,000 sites across the country.

### **Budget 2024 and Telecom**

In the Union Budget for the financial year 2024-25, Rs. 1,28,915.43 crore. was allocated for the telecom ministry. The telecom budget includes an allocation of Rs. 17,510 crore for pensionary benefits of the Department of Telecom employees, including employees absorbed in BSNL and employees of MTNL. Of the total allocation, the majority of funds have been earmarked for BSNL and MTNL-related expenses. Rs.3,668.97 crore has been allocated for payment of principal amount of MTNL bonds. The government has proposed to increase import duty on motherboards by 5 per cent. A provision of Rs.34.46 crore has been made for technology development and investment promotion, Rs. 70 crore for Champion Service Sector Scheme and Rs. 1,806.34 crore for production-linked incentive (PLI) scheme.

*[Budget allocation is a routine affair.]*

## News

# SENIORS WILL SURPASS YOUNG PEOPLE

**WORLD POPULATION: 816 CRORE  
INDIAN POPULATION: 145 CRORE**

According to the World Population Prospects Report released by United Nations on 12th July 2024, the world population on the day was 816 crore. It will rise to 1020 crore by 2083. Then it will start shrinking. Other interesting facts :

1. African countries will record rapid increase in population between 2024 and 2054, perhaps may double.
2. Generally poor nations increase population. Whereas countries like China, Italy, Spain, Germany, Japan, Russia and South Korea will record sharp decline in population.
3. In many countries, including India, the number of people aged above 65 years will increase rapidly and surpass those under 18 years, by 2080.
4. As of now, India is the most populous country in the world, with 145 crore. China has 142 crore and US has 35 crore. Indian population will rise, reach its peak of 170 crore by 2063 and then start declining. By 2100 China's population may reduce to 63 crore.

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**Diabetes around the world in 2021: 53.7 crore adults (20-79 years) are living with diabetes. This number is predicted to rise to 64.3 crore by 2030 and 78.3 crore by 2045. Over 3 in 4 adults with diabetes live in low- and middle-income countries.**

## THEY DECIDE, THEY DICTATE

### **Jio, Airtel Hike Charges**

Mobile phone bills are set to increase as Reliance Jio and Bharti Airtel have announced significant tariff hikes. Jio revealed a 12-25% increase on 27-6-2024, followed by Airtel's announcement of price hikes next day. Starting July 3, 2024 Jio's new rates will be implemented, affecting its over 47.2 crore users. The Rs 155 plan will now cost Rs 189, while the Rs 239 monthly plan, offering 1.5 GB data per day, will be revised to Rs 299, a 25% increase. The annual package will see the highest hike, from Rs 2,999 to Rs 3,599. Note that once the price hike goes into effect, the unlimited 5G data will only be available with plans offering 2GB/day data or above.

## **BSNL CMD chargesheeted, New CMD appointed**

The Cabinet Sub Committee refused to extend service of CMD BSNL Mr. P K Purwar. Mr. Ravi Robert Jerard (DDG) is given the additional charge of CMD BSNL and CMD MTNL for six months. Remember the nasty speech made by Mr. Purwar on the day of his assuming charge as the CMD, accusing and threatening the entire workforce in BSNL.

Now it is revealed that in May 2023 a serious data breach took place in BSNL. The cybersecurity tools purchased by Mr Purwar and his team were obsolete and hence BSNL failed to protect its data. It is also reported that charge sheets have been issued to Mr. Purwar and other 12 officers of BSNL.

## NO DA for EPF PENSIONERS

On 25-7-2024, a reply was given in Rajyasabha to the questions raised by Sh. M Shanmugam MP and Sh. Vaiko MP as :

The Employees' Pension Scheme (EPS), 1995 is a 'Defined Contribution-Defined Benefit' Social Security Scheme. The corpus of the Employees' Pension Fund is made up of (i) contribution by the employer @ 8.33 per cent of wages; and (ii) contribution from Central Government through budgetary support @ 1.16 per cent of wages, for wages up to an amount of Rs.15,000/- per month. All benefits under the scheme are paid out of such accumulations. The fund is valued annually as mandated under paragraph 32 of the EPS, 1995.

Amount of member's pension under the Scheme is determined taking into account the pensionable period of service and pensionable salary as per ag formula. It is evident that the amount of pension is based on a predefined formula. However, the Government, for the first time, in the year 2014, provided a minimum pension of Rs. 1000 per month to the pensioners under the EPS, 1995 by providing budgetary support, which was in addition to the budgetary support of 1.16% of wages provided annually towards EPS to EPFO.

Considering the demands of Employees' Pension Scheme, 1995 pensioners, the Government constituted a High Empowered Monitoring Committee for complete evaluation and review of EPS 1995. The Committee considered the issue of dearness allowance under EPS, 1995 and has recommended, inter alia, that linking the pension admissible under EPS 95 with cost of living index is not feasible in view of actuarial position of the Fund.



# LEGAL FUND

Rs. 1,14,58,097.00

## A GREAT CONTRIBUTION

DOTBSNL Pensioners' Association, Kerala remitted a sum of Rs 2.5 Lakh to our Legal Fund as their contribution for legal fight for pension revision. We appreciate this great gesture of camaraderie. We thank Com. G N Hariharan Nair, Circle Secretary and his team in the Association.

In addition to Rs 11168597, details of which were published in last issue of this Patrika, we have received following donations.

DOTBSNLPA	Rs 250000.00	Chennai Annanagar	Rs 3200.00
Aligarh	Rs 5400.00	Chennai Tiruninravur	Rs 5400.00
Pondicherry	Rs 6200.00	Chennai Velachery	Rs 4000.00
Nagpur	Rs 10300.00	Assam Kamrup	Rs 5000.00

## LEADERS OF THE MOVEMENT

### Office- bearers of SSA Units elected recently

<u>District</u>	<u>President</u>	<u>Dist Secretary</u>	<u>Dist Treasurer</u>
AP Krishna	KKRN Purnachandrarao	Ch Bhaskara Rao	G Sivanageswara Rao
AP Nellore	V Lakshminarayana	K Suryanarayana	P Jilanikhan
AP Vizianagaram	T S Prakasa Rao	G Bhaskara Rao	K Sugunakara Rao
GJ Bhavnagar	A J Maru	N M Vyas	H K Kantariya
GJ Valsad	P C Shah	V P Gohel	B S More
KL Kollam	M G Nair	S Basheer	N Suresh Babu
KL Trichur	P V Raman	C P Vasudevan	T O Paul
KL Trivandrum	S G Panicker	V Sivarajan	S Rajadev
MH Akola	Sanjay Sonawane	V M Bandi	Bharat Tikar
MP Bhopal	D R Kori	N K Garg	Arun Srivastava
TG Khammam	K C V Reddy	Ravindra Kumar	Y P S Ramaiah
TN Coimbatore	R Roberts	Dhanushkoti	Koteeswaran
TN Cuddalore	K Chandramohane	R Asokan	Nandakumar
TN TFC	S Sampath Kumar	S Anuradha	S Syed Ghouse

**77000**

The number of Life Members of AIBSNLPWA has crossed 77000 as per quota received by our CHQ.

# AIBSNLPWA CONFERENCES



**District Conference: Coimbatore**



**District Conference: Palakkad**

**Dist. Conference: Malappuram**



**Nellore Dist. Conference**



**Trivandrum Dist. Conference**



**Salem West District Conference**

# PENSIONERS PATRIKA

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## MARCHING AHEAD



HIMACHAL PRADESH  
CEC MEETING

ODISHA CIRCLE  
CEC MEETING



TN CEC MEETING



KRISHNA DIST CONFERENCE



TN CEC  
MEETING