

PENSIONERS' PATRIKA

पेंशनर्स
पत्रिका

VOL. IX No 2 MARCH-APRIL, 2025
Bimonthly Journal of AIBSNLPWA (CHO)

Life Subscription: Rs. 1000
Single Copy Price: Rs. 20

MARCH 8,
INTERNATIONAL
WOMEN'S DAY



SHE WORKS
16 HOURS
A DAY
IN OWN
KITCHEN

SHE COOKS
THE SAFEST FOOD

BUT,

NO LEAVE
NO REST
NO PAY
NO PENSION

NO APPRECIATION

SHE IS NOT A
"WORKING WOMAN"

© 2012 Patti B.

PENSIONERS DAY 2024



PENSIONERS PATRIKA

BIMONTHLY JOURNAL
OF AIBSNLPWA (CHQ)

D No 54-19-31
Lakshmi Gokul Enclave,
Jayaprakash Nagar, LIC Colony,
VIJAYAWADA 520008
Phone 9440000482

Website:
www.bsnlpensioner.in
Email:
chqaibsnlpwa@gmail.com

GENERAL SECRETARY

V VARA PRASAD
Phone 9440000482
Email:vvprasad399@gmail.com

TREASURER:

T S Vittoban
Block-A, Flat No D-4,
Air View Apartments, M G Road,
Manappakkam, Mugalivakkam PO,
Chennai 600125.
Phone: 09444923732
vittoban@rediffmail.com

EDITOR:

P S Ramankutty,
9447551555
psramankutty@gmail.com

EDITORIAL BOARD:

P S. Ramankutty
D. Gopalakrishnan
V Vara Prasad
T S Vittoban

LIFE SUBSCRIPTION
Rs. 1000 per copy

Editorial

THE BUDGET; THE PAY COMMISSION

We welcome the Budget proposals on Income tax regime pronounced by Finance Minister Ms. Nirmala Sitaraman on First February 2025. The Government has seized importance of providing tax breaks to the middle class and lower middle class sections, which get some benefits in the form of tax savings that will spur consumption and drive growth. These sections form 31 per cent of tax payers in India. 48% of deposits in Indian Banks belong to them, that too for longer periods. They support and sustain the banking system. Naturally they should be rewarded. Whereas the industrialists and businessmen port their money in banks for short period and they use the bank funds rather than strengthen it. We are happy that sentiments of the middle class, salaried section being a major part of it, are taken care of by the Government this time which were totally neglected for decades. At the same time, we regret to note that allocation for Telecom industry has been reduced from Rs. 124409 crore to Rs. 81005 crore. Expenditure on pension in Telecom gets an increase of 50% allocation while compensation to private Telecoms is hiked by 300%. Ceiling on foreign investment in insurance sector has been hiked from 74% to 100%.

Till writing this editorial, the 8th Central Pay Commission has not been officially constituted, despite government announcing its approval. Budget is silent over it. According to official data released on 30-1-2025, average per capita expenditure on household sphere has increased, maximum being in Odisha and Punjab. It stated that in 2023-24, in rural India, food items accounted for about 47 per cent of the value of the average rural Indian households' consumption. Same time, expenditure on food items was systematically reduced for preparing cost of living index. Salaried employees and pensioners are being paid DA based on such farcical index and deceitful data. Price rise is not compensated. Real value of wage/pension got eroded. But the propaganda is otherwise. Against this scenario, pay/pension revision through the proposed Pay Commission is an urgent need.

It was alleged that *the Budget is driven by political needs rather than by economic principles*. Every budget presented by any government reflects its political ideology and economic theory. Hailing or assailing budgets is an annual event in the parliamentary politics. The new Budget proposals are clear response to resentment among government's own sympathizers and can be read as a way to mitigate any loss of political support from them. With the promises in the Budget and declaration of CPC, the BJP reaped rich dividends in Delhi election. We hope that the Government will honour the commitments without diluting them.



PENSIONERS DAY 2024

Large number of branches, all over India, observed very enthusiastically the Pensioners Day in December 2024. As usual, branches in AP circle organized charity work visiting Poor Homes and Orphanages, distributing food, clothes and other utensils. CHQ received more than 300 photographs of such events. Only few could be given in this Patrika.

COURT CASES

The Appeal petition filed by Department of Telecom before High Court of Delhi challenging the judgement of Principal Bench of CAT on our Pension Revision was listed 30th January 2025. Our lawyers including senior Lawyer Mr. Sanjoy Ghose were present to argue. But, the Additional Solicitor General was not present. High Court then adjourned the case to 18-2-2025. On 18-2-2025 the High Court took up the case but adjourned it again to 28th February 2025.

In 2018 we decided to file two test cases before Ernakulam bench of CAT. We were aware of the limitation of its jurisdiction.

But at that point of time, Ernakulam bench used to dispose cases quickly. Decisions from both CAT and High Court at Ernakulam used to be pro labour also. But the scenario was totally altered later on. Another reason for filing cases before Ernakulam CAT was the cost factor.

LPD CASE

The BSNL staff retired on or after 1-1-2006 got pension at 50% of their Last Pay Drawn (LPD), on completion of ten years qualifying service, at par with central government staff based on 6th CPC report. Telecom staff retired before 1-10-2000 also got benefit of LPD in the form of 3rd option introduced after 7th CPC. Only those BSNL staff retired between 1-10-2000 and 31-12-20 05 did not get the benefit of LPD. They got pension on last ten months' average pay on completion of 33 years' service. As the government did not concede our demand to remove this anomaly, we filed a case before the CAT Ernakulam bench. On 30-10-2019, CAT judge gave a decision rejecting our prayer, on wrong assumptions, that "we did not opt for benefits of the service rendered under government" and also "we tendered technical resignation from government service".

Facts are

■ There was no option for us but to opt for BSNL. Else we

had to move to the surplus pool and ultimately go home. We were compelled to opt BSNL.

■ Our service under the Government was counted for fixing Pension, GPF, Leave Encashment etc. etc.

■ Nobody asked our technical resignation from DoT.

The judge ignored all these points while writing the judgement, immediately before he retired from CAT. We had to file an Appeal in High Court of Kerala. Hearing was delayed due to Covid for some time. Case was adjourned again and again and finally it was disposed on 7th February 2025. A new judge, Mr. Amit Rawal who is former additional Advocate General of Punjab, joined Kerala High Court and decided to clear the backlog of cases pending. This changed the situation very drastically. More than 1000 cases were disposed within one month. Thus our case was also taken up and disposed on 7th February 2025. Hon'ble High Court allowed our Appeal, set aside the CAT order and declared that BSNL pensioner retired during the period is entitled to the benefit of LPD. At the same time, the High Court told that Associations have no locus standi to file such cases.

Kerala High Court took same stand in some other cases earlier also. If the registered

organizations are not allowed to approach the Court on behalf of their members, then, the Courts will be flooded with petitions from thousands of pensioners. We have to open a new battle front on this issue. Neither any CAT bench or High Court nor Supreme Court has taken such a stand so far. The judgement pronounced orally on 7-2-2025 is not yet uploaded in the website of High Court till this day. It may take another two or three weeks, according to our Lawyer Mr. R Sreeraj.

ARREARS CASE

After prolonged struggles by AIBSNLPWA, in 2011, the pension of BSNL retirees was revised from 1-1-2007 with 68.8% IDA. Later on, in 2012 Staff Unions and BSNL Management struck a deal to change the formula from 68.8 to 78.2% for pay revision. 'Pension' was included initially in the deal but deleted afterwards when orders issued in 2013. Staff Unions did not object to the deletion. On the plea of financial problem of BSNL they agreed to defer the arrears from 1-1-07 upto 9-6-13 also. Pensioners were not party to the deal. We struggled a lot to get the arrears. As usual, the authorities in DoT adopted a negative approach. Then we filed a case before CAT Ernakulam. Two other cases filed by 21 retired Executives of BSNL Kerala

with same prayer were tagged and heard together. Lawyers pointed out that we are covered by CCS Pension Rule 1972 (now 2021). It was clearly mentioned in the three Affidavits. The Tribunal gave judgement on 31-1-2025 partly allowing the prayers stating that

18. Those being matters related to the policy of the Government and the organisation, the Court or Tribunal is not expected to weigh the legality and correctness of such policy decisions. Thus it was decided that the presidential directives shall come into force on 10.06.2013 and the employees/retirees are not entitled to get the arrears of pay/pension, based on such a policy decision. It is not within the domain of this Tribunal to go into the legality and correctness of a policy decision.

Para 19. gratuity is a statutory benefit granted to employees like the applicants who retired from service on superannuation. Such a right cannot be curtailed or interfered with by an executive order like Annexures-A7, A7 (a) or A10 in O.A.338/2018. Such orders cannot be passed with respect to commuted value of pension or leave encashment as well. But the applicants were not covered by CCS (Pension) Rules at the time of their retirement. If there is any statutory backing for such claim that also cannot be curtailed. Anyhow, attempt to curtail entitlement of the applicants to get

gratuity from the date of retirement is illegal and unsustainable.

To sum up, the Original Applications are disposed of rejecting the claim of the applicants for arrears of pay/pension from 01.01.2007 to 10.06.2013. However, portions in clause 4(b) of Annexure-A10 curtailing amount of DCRG is quashed and it is declared that they are entitled to get gratuity commensurate with their length of service, from the date of their retirement on superannuation. No costs

In Para 3 of the same judgement it is acknowledged that we are covered by CCS Pension Rule. But in Para 19 it is said we are not covered!! Immediately our Lawyer filed a Review Petition too. We await the outcome of Review Petition.

PAY COMMISSION

Suddenly, Minister for Railways Shri. Ashvini Vaishnav, declared in a Press Briefing that Cabinet approved the proposal to set up 8th Central Pay Commission to ensure that the central government employees and pensioners get pay/pension revision in 2026. Till date no official notification is issued. During 2013-2014 also there was a time gap of five months between announcement and notification of 7th Central Pay Commission.

However, Secretary, Staff Side of JCM was requested to submit suggestions about Terms of Reference (ToR) of the proposed CPC. The process is started. It may continue for some time. Soon we requested Secretary, Staff Side to suggest that pension revision of BSNL/MTNL retirees be included in the ToR. We understand that Staff Side Secretary took up the issue with the Secretary, Department of Personnel on 10-2-2025. We requested other organizations representing central service pensioners also to move in the direction. We are happy to see that Bharat Pension Samaj, Chennai based All India Federation of Pensioners Associations, Karnataka State Coordinating Committee of Central Govt. Pensioners Associations etc. wrote letters to the DoPT to include pension revision of BSNL/MTNL in the ToR. BDPA, Gujarat which was all along ridiculing our demand for pension revision with CPC fitment formula also wrote a letter with the demand. We welcome the change in their views. We hope that better sense will prevail on other organizations representing the BSNL/MTNL pensioners also and they will follow suit.

FURTHER EFFORTS

In third week of February, along with Com. R S N Murthy (VP) and Com. J S Dahya (AGS) I met the Secretary and

Additional Secretary of the Department of Personnel and Training and requested them to include pension revision of BSNL/MTNL pensioners in the Terms of Reference of 8th CPC. They gave patient hearing and asked few questions about the issue. Both assured favourable action at their level.

We met the DDG (Accounts) and DDG (Establishment) of DoT and requested them to support us in our efforts to include our pension revision in the Terms of Reference. As usual, they assured favourable action. We took up some other issues also during the meetings. We could not meet Secretary, Telecom as he was out of India. Secretary, DoP&PW was out of Delhi.

We tried to meet Smt. Nirmala Sitaraman, Hon'ble Finance Minister. She was out of New Delhi those days.

Some members have a doubt why we should give this much importance to CPC. They forget that we have been fighting to get pension revision with the benefits of CPC formula. We have large number of DoT pensioners (who retired prior to 1-10-2000) as members. We cannot remain oblivious to the changes taking place in pension sector. We are making all efforts to get pension revision with CPC formula.

BUDGET AND INCOME TAX

This matter was widely discussed in media. The Government has recognised significant contribution of salaried sections to the national economy.

In the proposed new regime,

◆ **If your total income from pension, Interest on FD etc. is below Rs 4,75,000 you need not pay income tax, you need not file the IT Return (ITR) also.**

◆ **If your total income for the assessment year is more than Rs 4,75,000 and less than Rs 12,75,000 you must file ITR calculating and showing the tax payable. For such calculations and to prepare the ITR, the Tax slab prescribed is applicable. But, you need not pay any tax as equal amount is allowed as rebate.**

◆ **If your total income is more than Rs. 12,75,000 you have to pay the tax and file ITR both.**

Other details are not discussed here as they are widely debated in the media and all are aware of them. These changes will be effective from next year only.

**V Vara Prasad,
General Secretary.**

20-2-2025

VIII CPC

Our Email Dt 17-1-2025 to Hon'ble Prime Minister

Respected Sir,

On behalf of the All India BSNL Pensioners' Welfare Association (AIBSNLPWA), we express our heartfelt gratitude for approving the constitution of the 8th Central Pay Commission (CPC) for central government employees and pensioners. This decision demonstrates your commitment to ensuring financial equity and security for millions of government employees and retirees. We believe this step will bring much-needed relief and parity for pensioners.

Sir, as you may kindly note, DoT employees absorbed in BSNL/MTNL are also covered under CCS (Pension) Rules, 2021 (earlier 1972), similar to other central government pensioners. On retirement, they receive retirement benefits including pension from Central Civil Estimates, and their benefits are at par with other central government retirees. The cabinet under your stewardship decided in 2016 to bear 100 per cent liability of paying pension and family pension by the government. This is unique only for DoT employees absorbed in BSNL/MTNL among the CPSE retirees. We earnestly request that the absorbed BSNL/MTNL pensioners be included in the 'eligibility list' of terms of reference for the revision of pension under the 8th CPC. This inclusion will ensure justice for lakhs of pensioners who have dedicated their careers to serving the nation's telecommunications sector. Once again, we sincerely thank you for this landmark decision and remain hopeful for your kind consideration of our request.

8th CPC TERMS OF REFERENCE OUR SUGGESTION

CHQ letter dated 27-1-2025 To
Shri Parveen Jagar,
Deputy Secretary (JCA),
Dept. of Personnel & Training, New Delhi

Sub: Suggestion for 8th CPC ToR
Ref: Your letter No.6/1/2025-JCA dt 23.1.25

We are thankful for the Government of India under Shri Narendra Modiji for announcing the appointment of 8th Central Pay Commission. We are the biggest pensioners'

organization in Telecom, registered, identified pensioners' association by DoP&PW. In response to the above-referred letter we request to include the following in Terms of Reference of 8th CPC

“To examine the principles which should govern the structure of pension and other retirement benefits, including revision of pension in the case of employees who are getting pension on IDA from Central Civil Estimate and covered under CCS (Pension) Rules, 2021”.

8th CPC TERMS OF REFERENCE
OUR SUGGESTION

we have addressed the following letter to Secretary, staff sided, National JCM as well as to Secretary General, Bharat Pension Samaj, SG of All India Federation of Pensioners Associations Chennai, GS of Karnataka Central Govt. Pensioners Association, Bengaluru, SG of CGPA Bhubaneshwar etc.

CHQ Letter dated 27-1-2025 To
Shri Shiva Gopal Mishra
Secretary, Staff Side
National Council (JCM), New Delhi

Dear Sir,

We seek your kind help in ensuring that the pension revision of BSNL/MTNL retirees, who were absorbed from the Department of Telecommunications and opted for a government pension based on combined service (which was the only option for these pensioners as 01-10-2000), is included in the Terms of Reference of the 8th CPC.

“To examine the principles which should govern the structure of pension and other retirement benefits, including revision of pension in the case of employees who are getting pension on IDA from Central Civil Estimate and covered under CCS (Pension) Rules, 2021”.

The justification for our request is as follows:

1. These pensioners are governed by **CCS (Pension) Rules, 1972 (now 2021)**.
2. The quantum of pension, gratuity (as per Rule 51(5) and commutation is as per CCS (Pension) Rules
3. Explanation under sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972 states “*The amount of pension or family pension in respect of the absorbed employees on retirement from the Public Sector Undertaking or on death shall*

be calculated in the same way as calculated in the case of a Central Government servant retiring or dying, on the same day”

4. Sub-rule 9 of Rule 37-A of CCS (Pension) Rules, 1972 states “*pension shall be calculated on the basis of IDA pay drawn in PSU”*

5. 100% Liability of paying pension and family pension lies with GoI as per sub-rule 22 of Rule 37-A of CCS (Pension) Rules, 1972

6. As per sub-rule 23 of Rule 37-A of CCS (Pension) Rules, 1972 BSNL/MTNL paid pension contribution to Government, at the maximum of the scale and not even on actual pay

7. Pension and family pension are paid from the **Central Civil Estimate**.

8. Pension and family pension is paid in accordance with Rule 37-A of CCS (Pension) Rules, 1972 (now 2021)

9. Pensioners are entitled to **CGHS benefits**, similar to Central Government retirees.

10. Most of the recommendations of 6th & 7th CPC were implemented to them viz. a) Enhanced family pension b) age-related additional pension etc.

In effect, they are BSNL/MTNL retirees but Central Government pensioners.

It may be noted that All absorbed employees will retire by 2026 or early 2027.

May we request you, sir, to convince the authorities concerned to include our pension/ pension revision in 8th CPC Terms of reference.

**8th CPC:
BSNL/MTNL PENSION
REVISION**

CHQ Ltr. Dt. 6-2-2025 to Secretary, Telecom.

Our retirement benefits including pension are paid by the Government of India under Rule 37-A of CCS (Pension) Rules, 1972, effectively making us Central Government pensioners in terms of funding and administrative control. Financial viability of BSNL/MTNL has nothing to do with payment of pension and these two CPSEs have paid pension contribution at the maximum of the pay-scale to DoT. 100% liability of paying pension and family pension lies with the GoI, as per Cabinet decision conveyed in DoT OM dated 20/7/2016. This is unique only for us among those who retired from CPSEs. Most of the recommendations of 6th CPC (after getting clarification from DoP&PW, the nodal agency) were implemented to us.

However, our pension was not revised as per the recommendations of the 6th CPC because there was no specific recommendation. It was because our pension revision was not included in ToR of 6th CPC. BSNL revised the pay of its employees from 1/1/2007 on the basis of recommendations of 2nd PRC. This created an anomaly in pension between pre-2007 and post-2007 retirees. To undo this anomaly DoT moved a Cabinet Note, after its approval, DoT issued order on 15/3/2011. Accordingly pension was revised from 1/1/2007 for pre-2007 retirees.

After the appointment of 7th CPC, our association took efforts for inclusion of our pension revision in its ToR; we submitted a memorandum and tendered oral evidence also. 7th CPC Chairman J. A.K. Mathur, during the course of oral evidence, made a comment that "there is a prima-facie" in our demand. 7th CPC referred the matter to DoT in January 2015 but DoT took nearly 8 months and sent the reply only in August 2015. It was too late because by the time 7th CPC almost finalized their recommendations.

DoT wrote a letter to DPE in December 2015 vide F.No.47-63/2015-Pen(T) for inclusion of pension revision of BSNL/MTNL absorbees in 3rd PRC but DPE did not agree. DoP&PW also requested DPE for issuing guidelines for pension revision of BSNL/MTNL retirees but it also did not succeed. As such there is no benchmark/guidelines for pension revision for BSNL/MTNL absorbees. But, in a landmark judgment dated 20-09-2023, the Principal Bench, Central Administrative Tribunal (PB CAT), Delhi, ruled that pension revision for BSNL/MTNL absorbed pensioners must be at par with Central Govt. pensioners and directed to implement it strictly in accordance with rules.

Excerpts from the judgment:

◆ Para 22: *"It is undisputed that at the time of absorption in BSNL and MTNL, the erstwhile DoT employees were assured that their service conditions, including pension, would remain as per Central Government rules. The Central Pay Commission recommendations, as accepted by the government, have been consistently applied to them."*

◆ Para 28: *"The benefits of revision of pension and family pension as notified by the Central Government on the recommendations of the Pay Commission shall be extended to the applicants, analogous to Central Government pensioners."*

DoT has challenged the above judgement of PB, CAT before Hon Delhi High Court through a writ petition which is pending.

The Government has announced the appointment of 8th CPC and its Terms of Reference is under consideration. At this juncture, it is imperative that pension revision for BSNL/MTNL absorbed pensioners be explicitly included in its Terms of Reference (ToR) to guarantee equitable and uniform revision in line with other Central Government pensioners. We request the Department of Telecommunications to take necessary initiative for ensuring that the structure of pension and retirement benefits for employees receiving pension on IDA from Central Civil Estimates—covered under the CCS

[Contd in P 10]



INCLUDE BSNL/MTNL PENSIONERS

BHARAT PENSIONERS SAMAJ DEMANDS

BPS/SG/BSNL-8CPC/I dated 17-1-2025 to Finance Minister

Respected Madam/Sir,
On behalf of Bharat Pensioners Samaj (BPS), the largest federation of pensioners' organizations in India, we extend our sincere gratitude for constitution of the 8th Central Pay Commission (CPC) for central government employees and pensioners. This significant decision reinforces the government's commitment to ensuring financial justice and security for millions of pensioners who have dedicated their lives to serving the nation.

We would like to bring to your kind attention the plight of Department of Telecom (DoT) employees who were absorbed in BSNL/MTNL. These pensioners are covered under CCS (Pension) Rules 2021 (earlier 1972) and receive their pension from the Central Civil Estimate, similar to other central government pensioners. The Union cabinet under your esteemed leadership has already decided in 2016 to bear 100% liability for their pension and family pension from government funds making them distinct from other PSU retirees.

Despite these provisions BSNL/MTNL pensioners have not been included in the automatic revision of pension along with

central government pensioners under successive Pay commissions. Their pension revision remained uncertain, often requiring separate cabinet decisions, leading to unnecessary delays and hardships.

In the light of the above, we earnestly request that BSNL/MTNL absorbed pensioners be explicitly included in the Terms of Reference (ToR) of the 8th CPC to ensure a seamless and fair revision of their pension in parity with other central government retirees. Such an inclusion would uphold the principle of equity and justice for lakhs of pensioners who have significantly contributed to Indian Telecommunication sector. We sincerely hope that under your visionary leadership this long-standing issue will be addressed with compassion and fairness. BPS, as the voice of pensioners across the country, remains committed to working constructively with the government in securing welfare of all pensioners.

With profound regards and anticipation of your kind intervention,

S C Maheswari, SG

[CHQ Letter to Secretary, Telecom. Contd from P 9]

(Pension) Rules, 2021—is duly included in the 8th CPC ToR. This will ensure a permanent solution. A favorable recommendation from the DoT will significantly help for inclusion. We earnestly request you, sir, to take immediate steps to ensure that pension revision for BSNL/MTNL absorbed pensioners is incorporated into the ToR of 8th CPC.

HONOUR SUPREME COURT ORDER

CHQ Letter dated 20-1-2025 to Secretary, Telecom

May we draw your kind attention to Hon CAT, Chandigarh Division Bench (Circuit Bench at Shimla) order dated 23/01/2019 in O.A No.063/01192/2017 filed by Shri Bhawani Dutt Sharma and 28 others. The first respondent is Uol represented by Secretary, Telecom and the other respondent is BSNL.

2. Para 10 of the above-quoted order states "In that view of the matter, we do not find any grounds made out by the respondents for denial of benefit of other retiral dues on the basis of revised pay of the applicants only because the same was granted only on notional basis. In this regard, Hon CAT quoted Hon'ble Himachal Pradesh High Court judgement in the case of Het Ram (supra)". Para 3 of that HC judgement in the said case stated "Once the pay of an incumbent while in service, has been refixed, it is irrelevant and immaterial as to whether actual benefit flowing from the fixation has been received or not. In other words, pension is to be calculated not on the basis of the amount actually received by an incumbent in the last month of the service.

3. Para 11 of the above-quoted order states "In this case, the respondents do admit and have allowed claim of applicants for revision of pension, but denied other dues like DCRG, Leave Encashment, on the basis of revised pay, only on the ground that only word 'pension' has been used in the decisions taken for grant of benefit formula to the category of the applicants. The classification drawn by the respondents, apparently, does not appeal to reasons at all..... Article 16 of the Constitution of India permits a valid classification but a valid classification must be based on a just objective. The result to be achieved by the just objective presupposes the

choice of some for differential consideration over others. A classification to be valid must necessarily satisfy two tests. Firstly, that the distinguishing rationale has to be based on a just objective and secondly, that the choice of differentiating one set of persons from another, must have a reasonable nexus to the objective sought to be achieved. Legalistically, the test for a valid classification may be summarized as, a distinction based on a classification founded on an intelligible differentia, which has a rational relationship with the object sought to be achieved, as held in STATE OF KERALA VS N.M. THOMAS (1976) 2 SCC 310). If this principle is applied in the present case, we have no hesitation in holding that the respondents have not made classification on some intelligible differential. It is only an artificial classification which is bereft of any logic or reason and cannot be accepted at all. In the peculiar facts of this case, the term "Pension" used in the decisions would cover the element of DCRG, Leave Encashment, Commuted Value of pension as well and the applicants are held entitled to these revised dues on the basis of revised pay carried out by the respondents".

4. Para 13 of the above-quoted order states "In the wake of above discussion, this O.A is allowed and disposed of in above terms. The needful be done within a period of 3 months from the date of receipt of a certified copy of this order. The parties are, however, left to bear their own costs".

5. The respondents instead of implementing this order, filed an appeal (CWP No.243/2023) in the Hon'ble High Court of Himachal Pradesh after 4 years. Division Bench of Himachal Pradesh High Court has not simply dismissed the writ petition on account of delay. The writ petition was dismissed vide their order on 6/7/2023.

6. The respondents filed SLP (CIVIL) (Diary No.33054/2023) along with Diary No. 28153/2023. The Additional Solicitor General of India

appearing on behalf of Uol submitted "that the order of the CAT, against which they had unsuccessfully applied before the High Court, has been complied with". It is nothing but a lie. The Uol did not comply with the CAT order. This SLP was dismissed on 27/09/2023 by the Division Bench of Hon Supreme Court.

7. Against this judgement, Uol and BSNL filed a Review Petition (Civil) Diary No 46979/2023 & I.A No.235924/2023 before the Apex Court which was also dismissed on 18/12/2024 by the Division Bench. Para 4 of that order states "The Review Petition is, accordingly, dismissed on merits".

8. So, it becomes a "LAW" and the verdict should be implemented as "in rem" and not "in persona".

9. Despite nearly five years having passed since the initial CAT judgment and subsequent judicial endorsements, the affected retirees continue to be denied their rightful dues. This undue delay has caused significant hardship, and tragically, three of the original applicants have passed away during this prolonged period.

10. Careful reading of Chandigarh Bench of CAT order dated 23/1/2019 draws the following conclusion:-

(i). The CAT order, while addressing specific applicants, establishes a principle that is applicable "in rem," extending to all similarly placed individuals. We strongly request that its implementation cover all eligible retirees who served between 01/01/2007 and 09/06/2013 under the same criteria, ensuring consistent and equitable application of justice.

(ii) Revised calculations comprehensively cover all retiral benefits, including DCRG, Leave Encashment, Commuted Value of Pension may please be ensured in accordance with CAT order.

We request you to issue the necessary general orders as early as possible without delay.

FTTH CONNECTIONS CHQ Letter dated 28-12-2024 to CMD, BSNL, New Delhi.

Ref: Lr No.BSNLCO-Admn/80/1/2020-admn
Dated: 19.01.2024.

This is to bring to your notice the concerns regarding the changes in guidelines related to concessional telephone facilities for retired employees of BSNL vide the letter referred above. These changes have imposed an undue burden on retirees who have long relied on these benefits. Retirees of the Department of Telecommunications and BSNL have been entitled to rent-free Residential Service Telephone Connections (RSTCs) along with free calls for several years as per established orders. However, the order dated 19-01-2024 has significantly altered this arrangement, leading to hardships for retirees. The order dated 19/01/2024 restricts retirees to plans above 7595, with only 40% concession. This effectively eliminates the previously available free facility for retirees. The current postpaid GSM plan of 199 offered in TNF areas lacks essential data and messaging facilities, making it inadequate for retirees who depend on such services for vital communications (e.g., pensions, government notifications). The existing landline facility has become obsolete as copper lines are faulty and beyond repair. Migration to FTTH is now essential for reliable communication. Additionally, the growing reliance on digital applications for daily activities highlights the necessity of data services.

In the light of above, the following aspects of revision in the guidelines are requested.

- To provide retirees with Rs 499 FTTH Combo plan at their residences free of cost, ensuring continuity with facilities previously available.
- To offer a 40%concession on plans exceeding Rs 499 maintaining fairness and affordability for retirees.

- To ensure retirees already using FTTH on payment basis receive the same benefits as new users to prevent any discrimination.
- To replace the existing postpaid GSM plan with a prepaid plan that includes data and messaging facilities, at a cost of Rs 199 p.m.
- Essentially ensuring extension of FTTH on mobile services with data facilities to retirees at no additional cost, recognising the critical importance of connectivity in today's digital landscape.

We earnestly request your kind attention to these issues and urge a revision of the guidelines to address the genuine grievances of retired employees.

NOTIONAL INCREMENT FOR VRS

CHQ Letter dated 23-1-25 to DDG (Est)

The recently issued OM dated 22-01-2025 on the grant of notional increment to absorbed employees of BSNL/MTNL has brought much-needed relief to retirees and we are thankful.

The above OM covers only superannuation retirees. But it should cover all those who retired on 31/1/2020 (under VRS-2019 scheme) whose increment is due on 01/02/2020 because of the following reasons:-

- 1) Shri Gulshan Sood and 8 others filed O.A.No.443/2020 before Hon. CAT, Chandigarh Division Bench which allowed the O.A vide their order dated 02/02/2024 (copy attached for ready reference). All the 9 officials retired on 31/1/2020 under VRS-2019 scheme and due for annual increment on 1/2/2020.
- 2) Para 7 of Chandigarh Bench order states *"All the applicants have rendered 365 days regular service preceding to the cut off date 31/01/2020. Therefore, they are legally entitled for the increment. Further, in order to maintain judicial parity, similar order may be passed as given in O.A.No.60/359/2019 and Ors decided on 02/02/2024. In the wake of*

aforsaid the O.A is allowed. The impugned orders Annexure A-10 and A-11 are set aside. The respondents are directed to grant the benefit of one notional increment to the applicants due on 1st February 2020 with all consequential benefits within a period of two months".

3) Since the respondents did not implement the direction of CAT, Chandigarh Division Bench, the third applicant (in the O.A referred above) viz Shri Rajendra Kumar Sharma filed a contempt petition (Civil) No.170/2024 against Shri P.K.Purwar, CMD, BSNL before the Hon. Supreme Court for not complying its order of 19/05/2023 in CA No.3933/2023

4) In view of the above, DoT vide its order F.No.38-45/2024-dPen(T) dated 20/06/2024. Para 4 of the said order states *"It has been decided with the approval of Competent Authority i.e. Secretary (T) to implement the order dated 19/05/2023 in IA No.66111/2023 filed by the applicant in CA No.3933/2023 titled UoI Vs M. Siddaraj by granting one notional increment to Shri Rajendra Kumar Sharma in personam for the period from 01/02/2019 to 31/01/2020 for the purpose of pensionary benefits and not for any other purpose.*

A decision has already been taken with due process of consultation and decided by a competent authority in the case of Shri Rajendra Kumar Sharma and implemented.

Hence we request you, madam, to issue necessary clarification to cover all those who are due for annual increment on 01/02/2020 and opted for VRS-2019 scheme and retired on 31/01/2020. This clarification will ensure fairness and provide justified benefits to all eligible pensioners and avoid unnecessary litigation. Your timely intervention in this matter will provide great relief and clarity to a significant number of retirees.

History in brief

NOTIONAL INCREMENT

The OM dated 14-10-2024 released by Ministry of Personnel, Public Grievances & Pensions, DoPT details grant of notional increments on 1st July or 1st January for Central Government employees who retired on 30th June or 31st December, respectively, for pensionary benefits. This decision follows various court rulings on pension calculations.

Background

In olden days, annual increment was granted exactly on completion of one year. For example; a person joined service on 14th November 1963 got his first increment from 14th November 1964. After some time the rule was amended to sanction increment from the first day of the month in which it becomes due. As such, the above person got his increment from 1st November.

In 2006, the uniform date of 1st July for annual increments was introduced under Rule 10 of the Central Civil Services (Revised Pay) Rules, 2006. In 2016, this rule was further amended to allow two possible dates for annual increments: 1st January and 1st July. All those who were getting increment during January-June will get it from January of the year; others who get increment during July-December will get it from July. Thereafter they will get annual increments from January/July every year.

□ **But, these uniform dates were not implemented in BSNL/MTNL.**

In 2017, the High Court of Madras ruled in favour of Shri P. Ayyamperumal, granting him a notional increment to calculate pension benefits. He retired one day prior to his Date of Increment. Although this ruling applied only to Shri Perumal, it led to many similar petitions from other retirees, resulting in multiple cases in various courts.

The DoPT reviewed the issue with nodal authorities, considering Fundamental Rules that govern increments. Key points include:

- FR 9(21)(a) defines “pay” as the sanctioned amount for a post.
- FR 17 states that employees receive pay and increments from the date of assuming duties.
- FR 24 allows withholding an increment if work or conduct is unsatisfactory.
- The Hon'ble Supreme Court, in its order dated 11-4-2023, upheld granting of notional increments for pension calculations to employees who retired with good conduct. Later, the SC Order dated 19th May 2023 dismissed an appeal by the Ministry of Railways, reinforcing the earlier decision.

- On 6th September 2024, the Supreme Court issued following interim orders prescribing:

Effective Date:

The 11th April 2023 judgement applies to third-party employees from 1st May 2023 onwards. No enhanced pension will be paid for the period before 30th April 2023.

- ◆ Employees who filed successful petitions will receive an enhanced pension.
- ◆ The directive does not apply if the judgement is still under appeal.
- ◆ Retired employees with pending applications will receive enhanced pensions from the month of application.
- ◆ These interim orders remain in effect until further directions. Employees who have already received enhanced pensions will not be affected.

[In Nakare case, Supreme Court asked not to divide pensioners. In the above case SC gives different dates of effect.]

ORDERS

8th CPC **DoPT Letter to Secretary Staff Side** **dated 23-1-2025**

As you are aware, it has been decided to set up the 8th Central Pay Commission (CPC). The Terms of Reference (ToR) of the 8th CPC are now to be finalized. It is therefore requested that suggestions of the Staff Side in this regard may please be sent to the undersigned at the earliest.

FROZEN DA DOE Letter No. 1/4/2024-E.II(B) dated 7-1-2025 to SG, AICGPA, Chennai

Please refer your letter No. AICGPA/23-24/29 dated 16-12-2024 addressed to Finance Minister which has been received in EII(B) section of Department of Expenditure (DOE) on 20-12-2024 on above mentioned subject.

2. In this regard it is conveyed that the decision to freeze three (03) instalments of DA/DR to Central Government employees/pensioners due from 01-01-2020, 01-07-2020 and 01-01-2021 was taken on the context of COVID 19 which caused economic disruption, so as to ease pressure on Government finances. As the adverse financial impact of pandemic in 2020 and the financing of welfare measures taken by the Government had a fiscal spill over beyond FY 2020-21, arrears on DA/DR were not considered feasible. Government has already cleared its stand in this matter vide OM dated 23-4-2020 and 20-7-2021. The same was reiterated to the Chairman, NCJCM vide letter dated 27-9-2022 and in reply to Rajya Sabha unstarred question Number 1685 answered on 6th August 20204.

DLC: SMS ESSENTIAL DoPW OM F NO 1(2)/2023-P&PW(H) dated 13-1-2025

Every Central Government pensioner has to submit Annual Life Certificate in the month of November for further continuation of pension. For the convenience of pensioners, Digital Life Certificates were introduced where the pensioner can submit annual Life Certificate through digital modes using biometric devices and through Face Authentication.

2. An important requirement for ensuring success of the DLC mode is that DLCs submitted by pensioners are updated in the Pension Disbursing Authorities (PDA) records, thus ensuring continuation of pension. Further, as per extant guidelines Pension Disbursing Authorities, including banks, are required to send SMS messages to the pensioners, confirming acceptance/rejection of their DLC by the PDA. This is essential to ensure corrective action by pensioners and to ensure continuity of pension. It has been observed on account of several representations received from pensioners that these SMS messages are not being sent by some PDAs on a regular basis and pension is being discontinued despite DLC submission by the pensioner.

3. In view of the above all PDAs are requested to ensure updation of DLCs in the PDAs records and sending SMS messages of acceptance/rejection of DLCs to the concerned pensioner on T+1 basis. In this regard, OM dated 20th February 2024 (copy enclosed) may be referred for detailed guidelines

4. All Pension Disbursing Authorities are requested to take note of this OM for meticulous compliance.

OPENING OF CGHS CENTRE CGHS Letter No. Z.16025/31/2024/CGHS-III Dated 2-1-2025

To Secretary General, AIACGHSCBIC, Ghaziabad
Sub: Opening of new CGHS Wellness Centres/
polyclinics

I am directed to your letter No. 22/CGHS/24 dated 11.11.2024 on the above-mentioned subject and to state that the opening of new CGHS Wellness Centre involves creation of new posts of staff like Medical Officers, Pharmacists, Nursing Officers, Junior Health Administrative Assistants, etc. and has financial implications. For creation of these posts, the approval of Department of Personnel & Training and Department of Expenditure, Ministry of Finance is required.

2. Even with creation of minimum posts of staff the financial implications would involve a recurring expenditure of Rs. 4.8 crore per year and a one-time non-recurring expenditure of Rs. 0.75 crore to Rs. 1 crore. For this, the approval of Department of Expenditure, Ministry of Finance is required. Your request has been noted.

3. Further, Central Government pensioners residing in non-CGHS areas have the option to avail CGHS facilities from nearby CGHS covered cities. Also, the Central Government serving employees residing in areas not covered by CGHS are covered under another Health Scheme Viz. Central Services (Medical Attendance) Rules.

CGHS GUIDELINES
F No 5-36/CGHS(HQ)/GE C/2024 2612-37
dated 20-12-2024

It has come to the Directorate's attention that certain Healthcare Organizations (HCOS) are engaging in fraudulent activities when submitting bills on the NHA portal. Complaints have also been received from beneficiaries regarding overcharging, denial of treatment, and other grievances. To address these

issues, the following guidelines are issued for strict compliance by all HCOS empanelled under CGHS:

1.Provision of Services

HCOS must not deny services to any eligible CGHS beneficiaries. Beneficiaries/ In cases of patient death or when the patient is in a coma, the signatures of the beneficiaries' attendants, along with their mobile numbers, must be obtained on the final bills for all Indoor and OPD services, including daycare, laboratory services, dialysis, etc.

2.Reporting Requirements

HCOS must report the following cases to the respective Additional Director's office within 24 hours via email to the dedicated email IDS (to be shared by the respective Additional Directors):

Details of non-referral cases.

Emergency admissions and consultations.
Direct visits and admissions of beneficiaries aged 70 years and above, including inpatient card details.
Cases that are not reported to the Additional Directors (ADS) will not be processed for approval.

3.Bed Availability Display

HCOS must prominently display the availability of beds in various wards and ICUS for the benefit of visiting patients.

4.Ward Entitlement

Beneficiaries must be provided their entitled ward category. Allocating a lower category is unacceptable.

5.Prescription Standards

Prescriptions must be written in generic names and in capital letters. HCOS must not insist on specific brands.

6.Acceptance of Medicines

HCOS must accept medicines supplied by CGHS, which are procured through standardized

maintenance. If an HCO declines to accept CGHS-restricted medicines, they must provide the purchase invoice for the medicines. In such cases, reimbursement will be made based on the purchase invoice cost.

7. Implant/Device Choices

If a beneficiary selects an implant priced above the CGHS ceiling rate, informed consent must be obtained, clearly stating that the additional cost cannot be claimed from CGHS. This consent must be attached to the bill.

8. Information Display

All HCOS must display the following details on their notice boards and in other prominent places:

- a. Empanelled under CGHS City
- b. Charges As per CGHS approved rates
- c. Beneficiaries eligible for Credit Pensioners, Ex-Members of Parliament, Sitting Members of Parliament, Freedom Fighters, Serving CGHS/ DGHS/Ministry of H&FW Employees, Serving employees in emergency & Other Categories of CGHS Cardholders (as notified by the Government)
- d. Name and contact of the Nodal Officer
- e. Escalation Matrix

9. Nodal Officer Updates

Any changes in the Nodal Officer's details must be immediately communicated to the respective AD.

10. Portal Data Entry

Only the beneficiary's phone number must be entered in the BIS/TMS portal.

11. Daily Photo Uploads

Geo-tagged photos of all admitted (IPD) cases must be uploaded to the TMS portal daily. For OPD cases, photos taken on the same day must also be uploaded.

12. CGHS Help Desk/Kiosk

All HCOS must establish a CGHS Help Desk/Kiosk on their premises to facilitate beneficiaries.

13. CGHS Card Handling

HCOS are strictly prohibited from collecting or retaining the hard copy of the CGHS card of any beneficiary.

14. Adherence to Package Rates

HCOS must not collect any amount from beneficiaries beyond the package rates prescribed by CGHS.

15. Fraudulent Billing

Submission of fake bills or forged documents by any HCO will be considered financial fraud.

Appropriate legal action will be initiated, including the filing of an FIR against the institution, in accordance with the law of the land.

Failure to adhere to these instructions will result in serious consequences, including de-empanelment or blacklisting, as per the provisions of the Memorandum of Agreement (MOA).

All empanelled HCOS are directed to ensure strict compliance with the above guidelines.

NOTIONAL INCREMENT ALLOWED

C&AG OM dated 14-1-2025

Sub: Grant of notional increment on 1st July/1st January to the employees who retired from Central Government on 30th June/31st December - reg.

A reference is invited to DOPT OM dated 14.10.2024 on the above mentioned subject wherein, DoPT has advised in consultation with Department of Expenditure and Department of Legal Affairs in

pursuance of the Order dated 06.09.2024 of the Hon'ble Supreme Court that "action may be taken to allow the increment on 1st July/1st January to the Central Government employees who retired/are retiring a day before it became due i.e. on 30th June/ 31 December and have rendered the requisite qualifying service as on the date of their superannuation with satisfactory work and good conduct for calculating the pension admissible to them.

As specifically mentioned in the Orders of the Hon'ble Supreme Court, grant of notional increment on 1st January/1st July shall be reckoned only for the purpose of calculating the pension admissible and not for the purpose of calculation of other pensionary benefits" (copy enclosed).

2. In view of above, it is requested that all the cases/ representations/grievances may be dealt accordingly.

NOTIONAL INCREMENT FOR BSNL RETIREES

DoT OM No. 38-45/2024-Pen(T)(Part1)
dated 22-1-2025.

The undersigned is directed to refer to the subject cited above and to say that the matter of grant of notional increment to the absorbed employees of BSNL/MTNL has been examined in consultation with DoP&T and DoP&PW.

2. It has been decided that notional increment will be extended to the absorbed employees of BSNL/MTNL also who retired/are retiring a day before it became due in any month of the year. Notional increment shall be reckoned only for the purpose of calculating the pension admissible and not for the purpose of calculation of other pensionary benefits. Notional increment will be given to only those employees who completed one year of qualifying service as on the date of their superannuation with satisfactory work and good conduct for calculating the pension admissible to them, subject to the conditions as per

Interim Order dated 06.09.2024 of the Hon'ble Supreme Court in MA No.2400/2024 filed by M/o Railways along with several intervention application tagged therewith. Hon'ble Supreme Court of India took note of the pending petition (Dy. No. 36148/2024) filed by Union of India seeking review of its order dated 11.04.2023 in CA No 2471/2023 in the matter. While observing that the issue raised in the applications requires consideration insofar as the date of applicability of the judgement dated 11.04.2023 in CA 2471/2023 to third parties is concerned. Hon'ble Court issued the following directions, by way of an interim order, to prevent any further litigation and confusion:

(a) The judgment dated 11.04.2023 will be given effect to in case of third parties from the date of the judgment, that is, the pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced pension for the period prior to 30.04.2023 (erroneously mentioned as 31.4.2023 in the Order) will not be paid.

(b) For persons who have filed writ petitions and succeeded, the directions given in the said judgment will operate as res judicata, and accordingly, an enhanced pension by taking one increment would have to be paid.

(c) The direction in (b) will not apply, where the judgment has not attained finality, and cases where an appeal has been preferred, or if filed, is entertained by the appellate court.

(d) In case any retired employee has filed any application for intervention/ impleadment in Civil Appeal No. 3933/2023 or any other writ petition and a beneficial order has been passed, the enhanced pension by including one increment will be payable from the month in which the application for intervention/impleadment was filed.

This interim order will continue till further orders of this Court. However, no person who has already

received an enhanced pension including arrears, will be affected by the directions in (a), (c) and (d).

3. The action taken on notional increment shall be subject to the final outcome of the Review Petition (Dy. No.36418/2024) pending before the Hon'ble Supreme Court of India.

4. This issues with the approval of Secretary (T).

NOTIONAL INCREMENT
BSNLCO-A/2(17)/3/2021-ESTAB
Dated 28-1-2025

I am directed to refer to the subject mentioned above and to forward DoT OM No. 38-45/2024-Pen(T)(Part-1) dated 22.01.2025 conveying its decision to extend the benefit of notional increment for pension to the absorbed employees of BSNL, who retired/are retiring on superannuation a day before it become due in any month of the year, for necessary action. The conditions stipulated in the said OM dated 22.01.2025 shall be followed scrupulously while allowing notional increment in cases covered under the ambit of DoT OM dated 22.01.2025.

2. In this regard, it is intimated that the benefits flowing out of the DoT's decision for grant of notional increment for pension is to be allowed by the concerned CCAs. Hence, the Circles/Units are requested to forward the notional increment cases to concerned CCAs.

3. The Circles/units shall prioritize the cases of such retired employees, who have got favourable orders from the Hon'ble Central Administrative Tribunal for grant of notional increment. and such cases along with orders of Hon'ble Tribunal may be sent to CCA for further action as per DoT OM dated 22.01.2025. Further, the matter may be pursued with CCA for Early implementation of orders of Hon'ble Central Administrative Tribunals.

4. In some cases, the retired employees, who have been allowed notional increment by the Hon'ble Central Administrative Tribunals, have also filed Contempt cases. In contempt cases, a compliance report may be filed immediately after sending the cases of notional increment to concerned CCA. In cases where there is any order for personal appearance of CMD BSNL or GGMs concerned or any other authority, a prayer may also be made for dispensing from personal appearance citing the compliance of orders of Hon'ble Tribunal.

5. With regards to other pending court cases on Notional increment, suitable reply may be filed before the appropriate Tribunal/Courts to dispose of the cases after taking action as per above-mentioned DoT OM dated 22.01.2025.

6. This issues with the approval of the Competent Authority.

BSNLMRS:
Delay in submission of claims
BSNLCO-ADMN/12(12)/2/2025-ADMN dated 29-1-2025

Several queries/relaxations have been frequently sought from various BSNL Circles on condonation of delay in submission claim(s) beyond stipulated period of six months from completion of the treatment.

CGMs are hereby authorized to condone delay in submission of medical claims beyond 6 months in meritorious cases with justification.

However, condonation of delay must not be claimed as a matter of right for settlement of claim(s) under normal/ routine practice. The controlling authorities may reject the medical claims, in cases they are not convinced with the reasons for delay involved in submission of the claims, after giving reasonable opportunity to the employees

CENTRAL PAY COMMISSIONS: A BRIEF HISTORY

.. P S Ramankutty

First CPC

Central government employees in India were very much agitated over price rise after World War II. The British administration appointed an adjudicator, Justice Rajadhyaksha, to fix quantum of relief to be given to its employees. Recommendations of the Adjudicator were not satisfactory. In May 1946, the interim Government set up the first Central Pay Commission with Justice S Varadachariar as Chairman. TU leaders N M Joshi and Sardar Mangal Singh, public men like N V Gadgil, Dr. J C Chatterjee and Frank Antony were inducted as members. The workers generally accepted its recommendations. **Pension revision was not an item before the CPC.**

Second CPC

In 1957, the central government employees, under the leadership of newly formed Confederation, served notice for an indefinite strike demanding wage hike etc. On 21-8-1957, Nehru Government appointed second CPC with Justice Jagannatha Das as Chairman. No labour representative was taken as its member. **Pension revision was not an item before the CPC.** The Commission submitted report in 1959 recommending minimum pay of Rs 70 and DA of Rs 10. Employees rejected it. Their discontent resulted in a five days strike from 11th July 1960. Government suppressed the agitation with all draconian measures it commanded. Thousands were terminated, suspended, arrested and penalized. Service Unions were derecognized for two years. Left leaders like A K Gopalan, Bhupesh Gupta, TCN Menon, P K Vasudevan Nair, K T K Thangamani and the then Jan Sangh leader A B Vajpayee

fought for the workers inside the Parliament. But, the government implemented retrograde recommendations of II CPC without consulting the unions. Sensing the anger amongst its employees, the Government, however, appointed the Gajendragadkar Committee in 1964 and on its recommendations granted few instalments of DA soon.

JCM, 1968 Strike, III CPC

To avoid such strikes in future, the Government set up Joint Consultative Machinery for negotiated settlement and system of arbitration. Fact remains that even after 60 years JCM settled nothing important and the government ignored many Arbitration Awards favourable to workers. Continued suffering of central government employees found expression in the form of another one day strike on 19th September 1968. Prime Minister Indira Gandhi had no inhibitions her father had. 13 people were killed, about 8000 workers were dismissed from service, equal number was arrested and suspended, 40000 were served with termination notice and recognition of unions was withdrawn. The relation between the government and its employees became worst. Sensing gravity of the situation, Government announced setting up of III CPC on 21-11-1969 with Justice Raghubar Dayal as chairman and three 'economists' as members. There was no representation of Labour. **Pension revision was not an item before the CPC.**

It was heard then that the Chairman of III CPC could not attend office due to sickness. He was taken to the office of Finance Minister only to formally submit the report, prepared by others.

The III CPC submitted its report after three years. By the time, the gap between wages in government service and public sector was widened further. CPC expressed futility of pay commissions which cannot satisfactorily settle wage dispute. The best testimony of this observation was its own report for most unsatisfactory wage revision proposed after 14 long years. There was no emphatic protest from central government staff unions. Confederation was facing an organizational disruption. The railway workers movement was very weak after their historic strike in 1974 was brutally suppressed by Indira Gandhi Government.

Fourth CPC

On 20-2-1983, central government employees' organizations held a massive convention in New Delhi and demanded another wage revision through bilateral negotiations, not through another CPC with Justice P N Singhal as Chairman. First, the then finance minister Mr. Pranab Mukherjee rejected the demand. But, on 28th February the Government announced its decision to set up the IV CPC.

Initially, Revision of Pension did not find a place in the Terms of Reference of fourth CPC. However, the Government could not ignore verdict of Supreme Court of India in the famous Nakare Case. The Terms of Reference were modified and the item of Pension Revision was included later on. Hence, CPC recommended some benefits to pensioners. More importantly, parity between old pensioners and new pensioners was introduced for the first time. Thus, all those retired earlier got at least 50% of the minimum pay in the new pay scale of the respective cadre from which they retired. It became a permanent benefit to pensioners as fifth CPC and sixth CPC also subsequently recommended the same. In 1986, the recommendations of 4th CPC were also accepted and implemented without any consultation with Staff Side in JCM. "*Take it, or, leave it*" was the policy of Government.

Fifth CPC

In 1991, the Staff Side in JCM again demanded constitution of a Wage Review Body for wage revision, on 25th August 1993, staff unions organized countrywide mass demonstrations and then served notice for an indefinite strike. On 16th September 1993, the Narasimha Rao government decided to appoint another CPC. Formal notification was issued only on 9th April 1994, that too after receiving another notice for indefinite strike. '**Revision of pension structure**' was included in the terms of reference. Another significant development was that Staff Side could prepare and submit a single memorandum on common issues. (This writer too could make some contributions in preparation of the common memorandum to fifth CPC). Some efforts made by Com. S K Vyas to mobilize pensioners' organizations and submit a common memorandum on retirement benefits were not successful. As a result, the fifth CPC received large number of memoranda from pensioners, that too with some demands contradictory each other.

The Report and its implementation

The national political situation in India was undergoing a significant change. Era of single-party rule was over. United Front government headed by H D Deve Gowda came to power. The Left parties had crucial influence in the given situation. Government could not survive for a day without support from the LEFT. Attitude towards workers and their agitations changed. The new UF government headed by I K Gujral also continued the same policies. In this changed political situation, the report submitted on 30-1-1997 by fifth CPC headed by Justice Ratnavel Pandian was perhaps the 'Best'. It recommended new pay scales and pension structure with a 20% fitment formula, better HRA, 40% Commutation etc. Prime Minister Gujral took an unprecedented decision and appointed a Group of five Ministers with Com. Indrajit Gupta, the then Home Minister, as its Head to negotiate with staff Unions for

implementation of fifth CPC report. Minimum pay also was raised from proposed Rs. 2440 to Rs. 2550. For the first time, a negotiated settlement was reached on pay commission report and it was implemented in September 1997. It became possible only because of the political situation prevailing then. Mr. P Chidambaram, the then Finance Minister in UF Government tried his best to stall negotiation. Subsequent finance ministers, Mr. Yeswant Sinha and Mr. Jeswant Singh and Mr. Arun Shourie, the minister for 'Disinvestment' in NDA government ridiculed fifth CPC report.

Sixth CPC

The Government decided in July, 2006 to set up the sixth CPC with Justice B N Sreekrishna as chairman. A time frame of 18 months for submitting its report was also fixed. Chairman mostly remained in Mumbai. CPC submitted the report in March 2008. While all other CPCs studied the qualifications, duties and responsibilities of each cadre in different departments and suggested pay scales, sixth CPC did not do any such exercise. It appointed several study groups and reduced its burden. In fact, the CPC did not suggest any pay revision. It totalled the basic pay and DA as on 1-1-2006 and then granted a new element of Grade Pay for each Grade. Accepting the report of a Study Group, headed by Dr. Gayatri of Bangalore, CPC recommended continuation of existing pension scheme. It was really the only silver lining. The most welcome feature of the sixth CPC recommendation was about additional pension to elderly pensioners who crossed the age of 80 years. Sixth CPC recommended pension revision with a flat rate of 40% fitment benefit while it recommended 50% of Grade Pay of the respective Grade as fitment benefit for pension revision. Some employees got increase of 84% while all pensioners were given a uniform benefit of 40%. Even the leaders did not object to the new way of most unscientific, cosmetic wage revision. The Commission created more anomalies than it settled.

Pensioners' Movement and BCPC

A meeting of central service pensioner's organizations was held in Bangalore to prepare a single common memorandum to sixth CPC. [This writer could associate with the work also]. A draft presented by Karnataka P&T Pensioners Association was modified after discussion in three meetings held at Bangalore, Hyderabad and Kolkata. At the organizational front, the Bharat Central Pensioners Confederation was established. BCPC was active for some time. But, it became weaker as leaders got more involved in the activities of their own associations/unions.

7TH CPC

In September 2013 PM Dr Manmohan Singh announced intention to constitute the seventh CPC but constituted only on 28th February 2014. The Commission was chaired by Justice A K Mathur.

The 7th CPC submitted its recommendations in an 899-page report on 19th November 2015 based on three studies conducted by IIM Ahmedabad, Institute of Defence Studies and IIM Bangalore. The main recommendation was a newly designed Pay Matrix. It recommended abandoning Pay Bands and Grade Pay, raising minimum pay of Rs. 18,000 p.m., uniform Fitment Factor of 2.57 for all employees and pensioners alike, raising gratuity limit from Rs. 10 Lakhs to Rs. 20 Lakhs, cashless benefit for pensioners living outside the CGHS and raising HRA by 27%, 18%, and 9% when DA crosses the 50% mark and by 30%, 20%, and 10% when DA crosses the 100% mark. More importantly, the seventh CPC recommended a new method, known as 3rd Option, for pension revision. Afterwards, as recommended by a Committee of Secretaries orders were issued and good number of senior pensioners got their pension revised based on Last Pay Drawn. Thus the CPC repaired some damages done to the pensioners by the previous sixth Commission.



AIBSNLPWA ON ITS SOCIAL COMMITMENT

When people of Vijayawada and Guntur of Andhra Pradesh faced fury of the Nature in the form of unprecedented floods, AIBSNLPWA once again came to the rescue of fellow citizens. As decided by Patiala CWC meeting, a sum of Rs One lakh was immediately sent by CHQ to the Chief Minister of AP. CHQ then issued a call for donations. The amount donated by comrades of AP was distributed as financial aid of BSNL staff and BSNL retirees affected by the floods. Again on 28-1-2025, representatives of AIBSNLPWA met Shri Chandrababu Naidu, CM of AP and handed over a Cheque for Rs.10,46,169 donated by members from circles other than AP. The delegation, led by Vijayawada MP Sri. Kesineni Shivnath, met Hon'ble CM at his residence to present the cheque. Representatives included: V. Varaprasad (General Secretary) J. Narayanachari (Treasurer, AP Circle) G. Siva Nageswara Rao (Treasurer, Krishna District) and Smt. V. Annapurna (Member, Vijayawada). The representatives expressed their solidarity with the victims, stating that the donation was a collective contribution to assist those who lost everything in last year's floods.

Additionally, a memorandum was submitted to the Hon'ble CM, requesting his intervention to ensure that the Central Government includes pension revision for BSNL/MTNL retirees in the Terms of Reference for the 8th Central Pay Commission (CPC). They highlighted that the pension revision due since 2017 remains unresolved, urging the CM's supporting addressing this long pending issue.

From January 2025: IDA 228.5%, CDA 55%

Earlier, we were getting orders from Department of Public Enterprises on DA rate in the very first week of the month it became due. Recently the power was shifted from DPE to Department of Expenditure under Ministry of Finance. Thereafter issuance of the order is delayed very often. The order on effective rate of IDA from 1-1-2025 was issued only on 28th January 2025. As a result we got the increase only along with pension in February.

NEW VRS IN BSNL?

On 28th December 2024 media reported same orchestrated news that BSNL and DoT are preparing a plan to introduce another VRS for BSNL staff. The report says:

The BSNL board has approved a proposal to cut the workforce by 18,000 to 19,000 employees through VRS, which will be submitted to the Ministry of Communications for approval, following clearance from the Ministry of Finance. Once approved, the proposal will be presented to the Cabinet for final approval.

BSNL has requested Rs 15,000 crore from the finance ministry to cover the costs of the VRS rollout. The state-owned carrier's board has proposed reducing its employee base by 18,000 to 19,000 through the scheme.

Currently, BSNL allocates nearly Rs 7,500 crore, or around 38 percent of its revenue, to employee salaries. The company plans to cut this expense to Rs 5,000 crore per year, as part of efforts to streamline operations. The communications ministry will seek Cabinet approval once it receives clearance from the finance ministry.

On Monday, BSNL's board approved the VRS programme to reduce the wage bill, particularly as the company has yet to roll out its 4G services nationwide.

.....
Some Companies may be waiting to take over BSNL if staff strength is reduced.

KNOW HER PLIGHT

On 26th December 2024 a woman came to me for help. She is a widow. Her husband was a Telecom Mechanic in BSNL. He expired in 2002 after rendering little more than 10 years' service. As per rule, she was granted family pension which is just around Rs 11000 per month now.

She was given a job also on compassionate ground. She joined the BSNL as a Group D on 31-12-2004. As she is a direct recruit she is eligible for EPF pension.

The SSA office in Trivandrum while sending her pension documents to EPFO committed multiple mistakes. It was shown that she joined service on 1-9-2014 while her initial appointment order says clearly that she joined on 31-12-2004 and she is a member of EPF from that date. [1.9.2014 is the date from which Supreme Court order was implemented by EPO. But her previous service cannot be ignored.] She retired on superannuation on 31-5-2024. Thus she had qualifying service of 20 years and 5 months. But in the documents sent to EPFO retirement date was shown as 22-9-2022. Thus qualifying service is less than 8 years. Again, qualifying service was shown as 17 years and 5 months. Nobody can understand this calculation prepared by an AO and countersigned by a higher officer.

By reducing the length of qualifying service by SSA office the poor widow is denied even the meagre pension she was entitled to. She was granted a pension of Rs 2547 per month. **Just Rs 2547. No DA.** Even if her actual service is calculated, she may get a monthly pension of Rs 4285, maximum. We took up the case. SSA office has agreed to correct the mistakes.

.....
Direct Recruits of BSNL should think 100 times before opting the VRS proposed.

A peep and pat at the preparations of AIC at Kochi

M R Patnaik, Vice President

Kerala circle represented by its CS comrade T P George, received thunderous applause in September 2024 CWC at Patiala, for decisively coming forward to host the next AIC in Kerala. Host circle kick starting the preliminaries exactly an year ahead, for the 5th AIC of AIBSNLPWA scheduled to be held in November 2025 at Kochi is a welcome step, primarily we being senior citizens. This demonstrates their collective enthusiasm and commitment for holding the mega meet successfully. Such an advanced takeoff gives us opportunity to plan and explore competitive and cost effective procurement of required paraphernalia, be it goods or services. This also, leaves scope for intending delegates to rejig their domestic itineraries. Though providing financial support for the mega event remains the responsibility of all, pooling up

human resource is confined to District and Circle. Manpower planning and deployment is a challenging task. Committed, comforting, enterprising, obliging and voluntary squad with devotion towards the cause and captain is needed. The event is now mentored by the architect and current All India Advisor of the association Shri P S Ramankutty, who is a leader not just leads, but who builds more leaders, and endeared by all. He is the leader with such humility and magnanimity to appraise the performance of his cadre, by reporting “Despite all our sincere efforts, I know, we shall be no match to Visakhapatnam”. We are therefore heading for one more memorable meet is a foregone conclusion. Though it can't be a template, synopsis of the 4th AIC held at Visakhapatnam in December 2022 published in our SEPTEMBER-OCTOBER 2023 Patrika, depicts the inherent discipline and strength of our mighty association. I take this opportunity to reiterate the appeal of our leader Shri. P S Ramankutty, and request all CSs and DSs to achieve 100% collection target of AIC Fund, which is essential, to hold the next AIC at a crucial juncture, in a befitting manner. Needless to say that, stricter Financial discipline at all levels, as often enunciated by our beloved president Shri Gopalakrishnan, and reiterated by our GS Shri Varaprasad in one of his latest communiqué, remains cornerstone for success.

Note from P S R

From the feedback provided by our Treasurer Com. Vittoban, I understand that number of delegates to next AIC shall be little more than 800. Then there will be 58 CWC members. As such, we have to accommodate 900 persons. That is the main problem for us in Kerala. We have small hotels and lodges only. There are very few big ones. But they charge room rent at very exorbitant rate, say Rs 6000 per day. If we spent Rs 12000 per

person (for four days), you can imagine the amount involved. We can not spend such huge amount, collected from pensioners. Hence, the need to strictly restrict the admission to Delegates.

If we count formation conference held on 20th August 2009 at Tambaram also as an All India Conference, next one will be 6th AIC. Or we can say it is the 5th triennial anniversary conference.

KNOW THE CONSTITUTIONAL PROVISIONS

8(a). Delegates:

To All India Conference:

Number of Delegates from District Units shall be One Delegate for every 100 members or part thereof. Fraction of 0.5 or above shall be rounded off to next higher one.

To Circle Conference:

One delegate for every 50 members or part thereof (for Circles having membership of over 10000) One delegate for every 30 members or part thereof (for Circles having membership of over 5000 and below 10000) One delegate for every 20 members or part thereof (for Circles having membership of less than 5000 membership).

To District Conference:

One Delegate for every 20 members or part thereof from Branches. If there is no branch in a District all members are entitled to participate in the district conference.

Number of delegates shall be decided on the basis of total Life Members as at the end of previous financial year.

(b). Voting Strength:

In the Conferences and meetings of Committees, Committee Members and Delegates shall have one vote each, except for the purpose of election of office-bearers.

For election of office-bearers the voting strength shall be as follows:

The voting strength of the CHQ Office-bearers in the All India Conference shall be restricted to 10% of the total voting strength of the Delegates subject to a maximum of one vote for each office-bearer. Circle Secretaries and Delegates shall have one vote each. In case of tie, the person presiding over the meeting shall have casting vote in addition to his normal vote.

(ii) The voting strength of the Circle Office-bearers in the Circle Conference shall be restricted to 10% of the total voting strength of the Delegates subject to a maximum of one vote for each office-bearer. District Secretaries and Delegates shall have one vote each. In case of tie, the person presiding over the meeting shall have casting vote in addition to his normal vote.

Note: 1. In the ensuing AIC, total voting strength of delegates may be around 800. Ten per cent of it comes to 80. We have 35 CHQ office-bearers. As such, each of them will have voting strength of One vote each. In other words, CHQ office-bearers, Circle Secretaries and Delegates all have one vote each.

Note 2. Vistor/Observer has no voting right.

We publish these provisions of Constitution of our Association so that District Units can determine number of delegates entitled and elect AIC delegates accordingly.

MARCH 8: INTERNATIONAL WOMEN'S DAY

History in brief

■ **1908: Women workers in New York City marched to protest child labour and sweatshop working conditions, and demand women's suffrage**

■ **1909: The Socialist Party of America designated February 28 as the first National Woman's Day to honour the women workers' strike the year prior**

■ **1910: The international conference of socialists, known as Socialist International, was held in Copenhagen, Denmark. One day before, a special conference of women delegates was also held. In the special conference Clara Zetkin and Rosa Luxemburg, delegates from Germany, proposed that a special day be observed all over the world to focus attention on women's problems. It was approved by both special conference and the Socialist International next day. Thus started observance of International Womens Day.**

■ **1911: The first IWD was celebrated in Austria, Denmark, Germany, and Switzerland**

■ **1913-1914: Russian women observed their first IWD on the last Sunday in February as part of peace movement before World War I**

■ **1917: Russian women again chose the last Sunday in February to strike for "bread and peace"**

■ **1921: The date of the IWD was officially changed to March 8**

■ **1975: The UN recognized IWD**

■ **1996: The UN adopted its first theme, "Celebrating the Past, Planning for the Future"**

■ **IWD is celebrated in many countries, and is an official holiday in some. It's a day to inspire women and celebrate their achievements.**

Till date, the Government of India has not recognised the Day and declared it as a holiday.

The social situation in our country is quite different from others. It is reported that there are 5.5 million widows in India. 55 lakhs !! No other country on this earth has this type of a gigantic human problem. In Vrindavan, the city of widows, alone around 20000 widows live in shelters. Majority of these Vrindavan widows belong to West Bengal. Some of these shelters are run by the Government now with better facilities for the inmates. Other private organizations, the charitable societies who run the ashrams for widows, are doing a great service. They face many a problems, financial being the most crucial. Hence the facilities provided to the hapless women are poor.

It is not mere shelter, food or clothes that the widows need. They need the compassion and empathy from their families, from the society, not sympathy alone.

If you venture to study the lives of these widows, you may find sometimes that some of them are eligible for family pension as their deceased husbands were government employees. These women are not aware of their rights. Their families may not be aware of the rules. In certain cases the families have thrown these widows to the streets of Vrindavan and claimed the family pension for some other family member. Anything can happen in our society. While we observe the International Women's Day it should not be left to the women alone. Everyone in the society has a responsibility to uplift the hapless widows thrown to the vagaries of customs and traditions being followed for centuries.



Clara Zetkin and Rosa Luxemburg:

Both were delegates from Socialist Party of Germany to the Copenhagen International. Both were hunted by the German rulers.

Clara Zetkin escaped to France first and finally reached Soviet Union and died there in 1933. She was close to V I Lenin, founder of USSR. When she died the USSR Supremo J. Stalin and other leaders participated in her funeral.

Rosa Luxemburg was first European woman to get a doctors' degree in Law. A great teacher and scholar, Rosa was a Jew by birth which invited all troubles for her in Germany. Her own student became German ruler. He ordered to arrest his teacher. She was arrested, tortured and finally shot point blank on the head. Her dead body was thrown to a canal in January 1917. It remained there for three months, unnoticed under thick snow. Rosa is the first international martyr of Womens Movement.

Both were honoured as national heroines by German Democratic Republic (1949 - 1990). History again changed.

FORM IV (see Rule 8) **PENSIONERS' PATRIKA**

- | | |
|--|---|
| 1. Place of publication | Chennai |
| 2. Periodicity | Bimonthly |
| 3. Printer's name | S Sundar Raman |
| Whether citizen of India? | Yes |
| Address: | Vasan Print Mfg Co, No 29, Dr Besant Road, Ice House, Chennai 600014 |
| 4. Publisher's Name: | T S Vittoban |
| Whether citizen of India? | Yes |
| Address: | Block-A, Flat No D-4, Air View Apartments, M G Road, Mugalivakkam PO, Chennai 600125. |
| 5. Editor's Name: | P S Ramankutty |
| Whether citizen of India? | Yes |
| Address: | C-6, CTO Colony, Trivandrum 695018 |
| 6. Name and address of individuals who own the newspaper and partners or shareholders, holding more than one percent of the total capital: | T S Vittoban
Block-A, Flat No D-4, Air View Apartments, M G Road, Mugalivakkam PO, Chennai 600125. |

I, T S Vittoban, hereby declare that the particulars given above are true to the best of my knowledge and belief.

02-03-2025

Sd/-
T S Vittoban

RAJASTHAN CIRCLE
OFFICE - BEARERS

Elected in Circle Conference on 24-11-2024

President : Sh. Ramavatar Sharma

Vice Presidents :

Sh. R L Gunwaria
Sh. G D Gupta
Sh. M K Verma
Sh. Bhagwanlal Meena
Sh. D P Meena
Sh. Bharthari

Circle Secretary : Sh. Gyan Singh

Asst Circle Secretaries :

Sh. V D Sharma
Sh. K K Sharma
Sh. R L Sathe
Sh. M C Sharma
Sh. Rajkumar Agarwal

Treasurer : Sh. S K Mishra

Asst. Treasurer : Sh. S N Agarwal

Org. Secretaries : Sh. S N Maid
Sh. B L Gupta
Sh. R K Shivhare
Sh. Gajanand Joshi
Sh. D K Balai
Sh. Haris Kumar

Auditor : Sh. P D Ojha

UP EAST CIRCLE
OFFICE - BEARERS

Patron:

Sh Dhaniram Verma

Asst. Patron:

Sh. S R Upadhya

President: Sh. Ravindra Kumar

Vice Presidents:

Sh. R K Sahani
Sh. N D Tiwari
Sh. R S Ram
Sh. G P Sahu
Sh. R B Trivedi
Sh. S S Parihar
Sh. Kamta Prasad

Circle Secretary: Sh. J N Dubey

Asst. Circle Secretaries:

Sh. K M Mishra
Sh. S K Kesarwani
Sh. G D Pandey
Sh. D C Batham
Sh. Surendra Yadav

Treasurer: Sh. K P Rastogi

Asst. Treasurer: Sh. S K Awasthi

Organizational Secretaries:

Sh. Om Prakash,
Sh. B P Awasthi,
Sh. V K Tiwari
Sh. Amarjeet Singh
Sh. Umakant Mishra
Sh. B P Pandey
Sh. R S Pandey
Sh. D P Singh
Sh. Neeraj Garg

Auditor nominated:

Sh. R S Dubey

UNIFIED PENSION SCHEME INTRODUCED BEFORE BUDGET

[Reproduced from GConnect]

The Ministry of Finance has issued the Unified Pension Scheme 2025 Notification on January 24, 2025. The notification outlines the pension calculation method, highlights the scheme's key features, and explains the eligibility criteria. This scheme aims to simplify and unify pension benefits across sectors, ensuring financial security for individuals post-retirement.

Some Features:

- This new UPS is not applicable to BSNL retirees. Central government retirees covered by NPS and retired before April 2025 can opt into the scheme, receiving arrears with interest based on PPF rates.
- It will come into effect from 1-4-2025
- Employees with at least 10 years of qualifying service are eligible.
- Assured payouts are provided in cases of superannuation, voluntary retirement (after 25 years), or forced retirement under specific rules (e.g., FR 56(j)).
- Employees dismissed, removed, or resigned are not eligible for assured payouts.
- 50% of the last 12 months' average basic pay for employees with 25+ years of service.
- Proportionate payout for shorter service, with a minimum guaranteed payout of Rs.10,000/month.
- Family pensions at 60% of the assured payout will be provided to the spouse after the pensioner's death.
- It is yet another Contributory Pension Scheme.
- Employees contribute 10% of basic pay + DA, matched equally by the government.
- An additional 8.5% contribution is made by the government to a pooled corpus.
- Employees can choose investment options for their individual corpus, regulated by the Pension Fund Regulatory and Development Authority (PFRDA). A default investment pattern applies if no choice is made.
- Employees opting for UPS cannot claim additional financial benefits or policy changes after retirement.
- Employees with 25 years of service and Rs. 45,000 average basic pay can expect assured payouts of Rs. 22,500/month plus dearness relief.

PENSIONERS DAY 2024



NO ONE HAS
BECOME POOR
BY GIVING



PENSIONERS PATRIKA

MARCH - APRIL, 2025

Published
Bimonthly.

RNI Regn No. TNBIL/2017/70652

Posted in first week
of alternate month

UP EAST CIRCLE CONFERENCE



CHENGELPET GB MEETING