

PENSIONERS' PATRIKA

पेंशनर्स
पत्रिका

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Bimonthly Journal of AIBSNLPWA

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OBSERVE 20th AUGUST AS FORMATION DAY OF AIBSNLPWA

We created history.

- ❑ Many learned people predicted that Pension Revision in BSNL as 'impossible'. **AIBSNLPWA** made it '**possible**'.
- ❑ **AIBSNLPWA** got the fitment formula improved from 68.8 to 78.2
- ❑ **AIBSNLPWA** made Pension Revision in BSNL an issue that the Government cannot ignore. **AIBSNLPWA** will continue its efforts to get a permanent solution for the problem.
- ❑ **AIBSNLPWA** made pension payment 100% liability of Government.
- ❑ **AIBSNLPWA** settled Pension Anomaly through sustained legal battle.
- ❑ **AIBSNLPWA** removed tears from eyes of thousands of family members of deceased pensioners.

Move forward with AIBSNLPWA



The founders
at Tambaram
on 20-8-2009

PENSIONERS PATRIKA

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OF AIBSNLPWA (CHO)

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Editorial

WE SHARE THE GRIEF

We are totally distressed by the train tragedy at Balasore and convey our condolences to the bereaved families. It is the third worst railway accident in India considering human casualty. On 6th June 1981 a train accident in Bihar killed about 800 people. Another accident in UP on 20th August 1995 killed 400 people. Now at Balasore, about 300 people lost life and more than 1100 people injured after an accident involving three trains. The horrific accident happened when Coromandel express heading towards Chennai, derailed. Technical fault or human error, whatsoever, has caused such a great tragedy. Proper treatment of injured is the urgent need. The local people of Balasore immersed themselves in assisting rescue operations and several people lined up to donate blood. We appreciate the prompt action taken towards rescue operations by NDRF, Railways and the Governments at State and Centre.

We have witnessed lot of improvement in the operational systems of Indian Railways in the recent past. Still, we are far behind some other countries. For example; China's Manglev Train runs 460 Kilometers in an hour, their another trains Faxey runs 350 KMs, Germany's ICE3 covers 330 KMs, France's TGV train covers 320 KMs and Japan's JREastE5 also covers 320 KMs per hour. Our Vande Bharat and Gatimaan express trains run 160 KMs and Rajdhani runs with a speed of 130 KMs per hour.

Indian Railways is a system constructed in 19th century which has become the most important transit system of our country. It is a marvel, in that it connects a massive country together, is an affordable mode of transportation that serves 23 million people each day. 'Kavach', the Automatic Train Protection system developed by Railways is available only in few areas. Railways have confirmed that the trains that met with the tragedy were not 'Kavach' enabled. We hope that Indian Railways will take immediate action to improve the protection devices to save the human lives. Politics should not prevent from procuring protective measures and technologies to safeguard our ordinary citizens travelling in trains.

The Government has to take appropriate action to avoid recurrence of such accidents. Financial compensation for the dead and the injured is not enough. Majority of the passengers died in the accident travelled in unreserved coaches. The Government should identify the victims and extend relief to all and provide employment to the kith and kin in Railways as a permanent relief. More than 3 lakhs posts are vacant in Railways now.



GS WRITES

PENSION REVISION

Our Efforts:

Right from 2013, when Manmohan Singh government announced setting up of the seventh central pay commission, AIBSNLPWA started its efforts for a permanent solution to the problem of pension revision of four lakhs DOT employees migrated to BSNL, both retired and to be retired. Our CWC meeting held at Ernakulam in November 2013 discussed the matter, constituted a committee to frame our demand and discussed its proposals repeatedly in all subsequent CWC meetings and All India Conferences. We wrote several letters, we met ministers and officers several times, submitted all documents for their consideration. But, the top officers in DOT acted with a vicious vengeance not to revise our pension. They hold a false view that BSNL pensioners are getting better pension, even without pension revision, than the central service pensioners who got the pension revision with effect from 1-1-2016. It may be true in the case of few senior ITS officers and very few of the staff at lower level who opted for BSNL, not all. During 2001-2002 the senior officers of Department of Telecom under the banner of ITSA took a firm position not to opt for the new PSU, the BSNL then. More than 1500 ITS officers, without joining the company, became managers of it. They enjoyed the benefits of central government service and at same time enjoyed the benefits provided by the PSU also. After some time few ITS officers opted for BSNL. Some of such officers may be getting better pension than their counterparts who did not opt for BSNL and retired as central government staff. At the same time, four lakhs employees and middle level managers moved to BSNL *enmasse* trusting upon the sovereign assurances given by the Department on behalf of the President of India that those who opted for BSNL

would be guaranteed government scheme of pension. It is true that all those who opted for BSNL and then retired from the PSU are getting their pension from Central Civil Estimates; but their pension is not revised along with pension revision of central service pensioners, which is nothing but denial of 'government scheme of pension' at least from 2016 onwards. Even if some officers or staff members retired from BSNL are getting little more than their counter parts in central government, is it a reason to deny pension revision to them? Some DDGs retired from Telecom may be getting better pension than those retired from Postal Department. Can it be taken as a reason to deny pension revision of retired ITS officers of DOT? Pension is being revised in central services from 1986 onwards based on recommendations of central pay commissions, honouring the directives from the Supreme Court of India in its historic judgement in Nakara case. Quantum of pension being received by beneficiaries has never been a criterion for revision or its denial. Even retired Cabinet Secretaries, who are getting the highest pension in the country, got pension revision from 1986, 1996, 2006 and 2016.

In Cold Store

Unfortunately the officers in DoT kept all the files containing letters and representations from Pensioners' organizations in the 'cold store' in Sanchar Bhavan. We fail to understand the reason for their negative approach. We do not wish to narrate all the details here. Rather, it is enough to note recent developments only.

First meeting with the Minister

On 25-3-2022 our leaders - Gangadhara Rao, DG, Vittoban and Anupam Kaul along with Com. M K Bagchi - met the new Minister of Communications Shri Aswini Vaishnavji and discussed the issue of Pension Revision. On that day, standing before the portrait of Mahatma Gandhiji, the Minister told our leaders very clearly that ***"Both Pay Revision in BSNL and Pension Revision cannot go together."***

Shri Vaishnavji appeared to be a different personality. No doubt, he is. He is extra ordinarily efficient. As a result of the above meeting with MoC, the file was taken out of 'cold store'. But Shri Vaishnavji is overloaded with the heavy responsibilities of Indian Railways and hence has little time for telecom. Some officers in Sanchar Bhavan conveniently used the situation. They recorded in the files that pension revision cannot be considered without pay revision. It is the traditional mindset. From 1986 onwards pension revision and pay revision were done simultaneously in central services. Both had to be decided by the government. But, in our case, pay revision is the domain of the BSNL and pension revision is of the Government. Pay revision depends upon financial affordability of BSNL. Government need not depend upon it or should not link pension revision with pay revision in BSNL. The 'Administrators' forget or ignore this fact.

Second meeting with the Minister

Our leaders met the Minister Shri Vaishnavji again on 28-7-2022. He reiterated his stand. So the officers had to send a proposal to Department of Pension on 25-8-2022. When contacted, a responsible officer in Sanchar Bhavan told that **"your proposal is sent..."** He told the same to everybody who contacted him. Later on, it was revealed that they proposed revision with zero percent benefit. On 17-10-2022 the Member (Services) had a meeting with 14 associations of BSNL/MTNL pensioners in a refreshing atmosphere. The Member was enthusiastic to tell that with Zero percent we may get 8 percent or even 13 percent benefit. Since the leaders were not convinced of this new arithmetic they wanted details. The DDG while presenting the details admitted that pensioners may get 0.02 percent benefit only. Anyway, the Member explicitly stated that pension revision would be delinked from pay revision. He also readily agreed to look in to the proposal again and told that the proposal would be for a fitment benefit of more than zero percent but less than 15 percent. Unfortunately he did not get time to do it; he retired soon.

Agitational Programmes

All India Conference of AIBSNLPWA held in first week of December 2022 at Visakhapatnam, after threadbare debate, unanimously decided to resort to some agitational programmes all over the country. We contacted other organizations affiliated with CBMPA. They also agreed to join the programmes. Accordingly Call Attention Day was observed on 19th December 2022. Thousands of BSNL/MTNL pensioners participated in the demonstrations everywhere. Again on 17th and 18th January 2023 massive Dharna was organized in front of CCA offices and SSA Offices. More than 20000 BSNL/MTNL pensioners marched to the offices of CCAs in all Circles on 8th February 2023 under the banner of CBMPA demonstrating their anger and determination to fight jointly for justice.

Anantakumar- Pralhad Joshi factor

BSNL pensioners received gracious patronage from late Shri Anantakumar, MP from Bangalore South and a prominent Minister in the first Modi Govt.. Only because of his intervention we could settle 78.2% issue and we got a historic decision by cabinet in 2016 to annul the ratio of 60:40 on pension payment liability that existed from 2000. That decision made us 100% central government pensioners. In 2019, Shri Pralhad Joshi, MP of Dharwad became Cabinet Minister. Our leaders at Hubli, like Com. Gandigwad had close contact with Joshi, which we availed in favour of BSNL/MTNL pensioners all over the country.

Third meeting with the Minister

With the help of Shri Pralhad Joshi, the Honourable new Minister for Parliamentary Affairs, we met the Minister Shri Vaishnavji once again on 13-12-2022. Vaishnavji was again kind enough to look into the matter. We waited with hope because we understood that Sh. Vaishnavji is different from others.

No Fitment

The 'Administrators' moved the file from one table to another, one room to another, from one floor to

another in the Sanchar Bhavan. Calculations were made by some, someone else raised doubt on it; recalculations were made again and again. Finally, the File was sent to Secretary without any fitment formula. The 'Administrators' know that Secretary has no time to do the exercise of calculations and fix a fitment formula and that the file will come back to them only. The 'Administrators' know well that it is the best way of killing a proposal. The file affecting the life of four lakh people was lying there at that stage for long time. Life of many affected pensioners ended in pyres at different ghats during the period with their unanswered prayers. Central pensioners got pension revision after 10 years. In some states the pensioners get pension revision after 5 years. BSNL retirees got their pension revised last, 16 years ago.

Wrong Notion

Some of the learned friends amongst us also vehemently propagate that '*pension revision follows pay revision*'. They want us to wait for pay revision in BSNL; and if it happens, then, demand pension revision thereafter. They forget the fact that pension revision did not follow pay revision in BSNL in 2007. Nobody thought of pension revision of BSNL retirees till AIBSLPWA appeared in the arena in 2009. It was officially announced time and again that pay revision would be considered only after the PSU earns profit consecutively for three years. CMD BSNL had indicated that BSNL may start earning profit in 2027. It means, in other words, that pay revision in BSNL is possible only in 2030. Our learned friends want us to wait till 2031 or 2032. BSNL Retirees should wait for 25 years to get pension revision!!

Luckily, the Minister does not hold such a view. But there is undue delay.

We do not find fault with the honourable Minister Shri Vaishnavji who is very energetic, efficient and effective. He is too busy with the Indian Railways with its prestigious projects of 'Vande Bharat' and Information Technology. However, our hopes started scintillating after we met him in March 2022.

Fourth meeting with the Minister

AIBSNLPWA, despite all odds, continued its efforts vigorously. Our leaders at Hubli again approached Minister Shri Pralhad Joshi. On 26-5-2023 our Vice President Com. Gangadhara Rao received a message from the office of Shri Joshiji to reach Delhi immediately. Com. Vara Prasad and Com. DG were not in a position to go immediately. Though engaged in some domestic affairs, Com. P Gangadhara Rao rushed to New Delhi. He met Shri Joshiji on 27-5-2023, apprised him of the developments. Shri Joshiji arranged a meeting with MoC Shri Aswini Vaishnav on the same day. Our Deputy General Secretary Com. Anupam Kaul was away in Shimla. Com. Gangadhara Rao, along with Organising Secretary Com. J S Dahya, met the Communication Minister for the fourth time and handed over a letter (published in Page 9 of this Issue) and requested his intervention.

Minister Shri Aswini Vaishnavji assured that he would discuss the issue with Secretary, Telecom and resolve it shortly. We wait with fervent hopes.

Follow up Action

On 29th May 2023, our CHQ Organising Secretary, Com. J S Dahya met Shri U S Pandey, the Member (Service) and handed over a letter (published in Page 10 of this journal). CBMPA leaders Coms. Prahlad Rai, K R Yadav, A K Kaushik, A K Kapoor, Kishan Singh, Zile Singh and N N Sharma were with him while Shri A K Sahu, the Officer on Special Duty who will be taking over charge of Member(S) after 2-3 months was with the present Member(S). We do hope that Shri Aswini Vaishnavji will honour his assurances given to us repeatedly. We attribute all importance to a permanent solution to the problem, for a sustainable system for periodic revision of our pension along with the central service pensioners of India. Quantum of monetary benefit is secondary. The senior citizens should not be forced to run from pillar to pillar every time in future.

CELEBRATE FOUNDATION DAY

AIBSNLPWA was launched by the united will of BSNL retirees on 20th August 2009 in a national convention held at Tambaram, Chennai. The entire situation changed drastically thereafter. Pension revision of BSNL retirees became a national issue. The government and the bureaucracy admitted that BSNL pensioners, retired from central PSU but getting pension from the Government, are placed in a unique situation. After consistent and continuous efforts of AIBSNLPWA, in 2011, the Government accepted the demand and ordered pension revision. We could take up many other issues and settle. We continue our efforts to get a decision by the Government for future pension revisions. Large number of family pensioners get only Rs 3500 still as minimum pension whereas minimum Family Pension in central service was raised to Rs. 9000 from 1-1-2016. We march forward. Some details are given in Page 2 of this journal. All the BSNL retirees are aware of the benefits brought by this organization. CHQ calls upon our branches all over the country to celebrate the 14th anniversary of our Foundation Day on 20th August 2023 in a befitting manner. Some branches used to organize charity services by visiting Old Age Homes, Poor Homes, Orphanages and offering clothes and other useful materials to the inmates. Some others organize general body meetings and create awareness amongst the pensioners and family pensioners. It is left to the branches.

Initiatives by DoP&PW

We are happy to note that the Department of Pension under the able leadership of the Minister Dr. Jitendra Singh, who was a popular physician at Jammu and personally aware of the problems of seniors, is taking some good initiatives to redress the grievances of pensioners. CPENGRAMS is an effective platform for the pensioners and family pensioners to air their grievances. Normally prompt action is being taken by the authorities to redress the grievances. Recently, Directorate of CGHS has decided that a CGHS card registered with any Wellness Centre is valid

throughout the country. Many pensioners are staying with their children in some other city these days. They can go to a Wellness Centre in that city and avail the facilities of CGHS. They can submit the bills in that city also. They need not go to their original station for the purpose. Or, if it is convenient they can submit the bills at the station where the card was registered also. We welcome such measures.

Encashment of Leave of BSNL period.

An employee at the time of his/her retirement can encash Earned Leave upto 300 days. The amount so earned is entirely exempt from Income Tax in the case of government employees. But, in the case of non-government employees (like BSNL employees) the rule was different. Rs Three lakhs (Rs 3 lakhs) is exempt from incometax and any amount in excess was taxable. DoT employees while migrating to BSNL in October 2000 had some Earned Leave in their credit. It was duly carried over. They earned some more Leave while serving in BSNL. When encashed the said leave while retiring from service the EL earned during DoT period should have been shown separately and exempt totally from Tax. But, the Software in the Corporate Office of BSNL showed the entire leave as one single entry and levied tax for the amount in excess of Rs. Three lakhs. As a result, in 2021 and 2022 number of BSNL retirees received notice from Income Tax Department to pay huge amount as income tax on the amount they received as leave encashment salary. Our Association took up the matter and settled some cases. Now, a clarification is issued by Central Board of Direct Taxes giving a permanent relief. It is endorsed by BSNL on 29-5-2023. Of course, it is applicable only 1-4-2023. Normally, any tax, good or bad, announced in the budget speech of Finance Minister is made applicable from April of the particular year. As such, BSNL employees or other non-government employees retired on or after 1st April 2023 need not pay income tax for the Leave Encashment amount.

3-6-2023 V Vara Prasad, General Secretary.

WE WANT A PERMANENT SYSTEM FOR THE FUTURE

Committee of BSNL/MTNL Pensioners' Associations
ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION
All India Retired BSNL Executive Welfare Association
DoT-BSNL Pensioners' Association Kerala
Retired Telecom Officers Welfare Association Delhi
Retired Telecom Officers Welfare Association Mumbai
Mahanagar Pensioners' Welfare Association Mumbai

JOINT LETTER dated Date: 17-04-2023 To Secretary Telecom

Respected sir,

We represent more than 1.25 lakh pensioners. We submitted a letter to Shri S N Mathur, JS, DoP&PW on 14/02/2019 requesting for pension revision on the basis of 7th CPC fitment factor which was forwarded to DoT for its comments on 08/03/2019.

2) AIBSNLPWA, biggest pensioners' organization of telecom which is a constituent of CBMPA submitted a memorandum to 7th CPC and tendered oral evidence. It was supported by various C.G pensioners' organizations like Bharat Pensioners' Samaj, C.G. Pensioners' Association of Karnataka, All India Federation of Pensioners' Associations etc. before the 7th CPC. 7th CPC chairman Justice A K Mathur felt that there is a 'prima-facie' in the demand and hence sought DoT's comments on 31/12/2014. But unfortunately DoT, took 8 months and the reply was sent only on 17/08/2015 by which time 7th CPC almost finalized its recommendations.

3) On the other hand, DoT and some pensioners' organizations tried and approached

the concerned authorities to include pension revision in the 'terms of reference' of 3rd PRC but could not succeed.

4) DoP&PW, the nodal department, has categorically stated in their ID note that DoT, the administrative ministry is competent to decide the formula and percentage of fitment.

5) During the meeting with Pensioners' Associations on 17/10/2022, then Member (S) Dr Mahesh Shukla has clearly stated that 15% fitment is ruled out. Now it is understood that DoT has calculated the financial implications with 0%, 5% & 10%. Various percentages were recommended by 3rd PRC based on profit of any CPSE for affordability to take on the additional financial burden for serving executives. These percentages have nothing to do with pension revision. So, it is not a logical/rational proposition.

6) Sustainable/ logical/rational proposition would only be 7th CPC fitment factor because combined service optees of BSNL/MTNL are having the proximity with Cen-

applicable rules are the same. IDA Pay is more than the CDA pay cannot be the reason to deny this demand. Even Gol have filed affidavits before the courts that DA on CDA pattern is more than DA on IDA pattern.

7) So, we request you, sir, to send this proposal also to Department of

Expenditure for its consideration. If the Cabinet approves this proposal, then it would become a precedent that whenever next CPC gives its recommendation then it can be made applicable to absorbed BSNL/MTNL pensioners in future also. The number of absorbed BSNL/MTNL pensioners would be in the declining trend and all absorbed employees would retire by 2027.

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PENSION REVISION

AIBSNLPWA Letter dated 27/05/2023
to Shri Ashwini Vaishnawji, MoC

We may recall to your kind memory that we met you, sir, in March 2022 with **the help of Hon. Parliamentary Affairs Minister Shri Pralhad joshiji**.

2) During that meeting, we were clearly told that **“pay revision and pension revision cannot go together”** because pension is paid from the Central budget whereas pay is paid by BSNL/MTNL. We were also informed that our demand is genuine and justified. We are very much thankful to you, sir.

3) Again we met you, sir, in July 2022 and file started moving afterwards in DoT. A proposal with zero percent fitment was sent to Pension Department and that nodal agency said that **“fitment of percentage is within the domain of DoT”**.

4) Dr Mahesh Shuklaji, then Member (services) convened a meeting of pensioners' associations on **17/10/2022** and all the

pensioners' associations in one voice rejected it since it is nothing but merger of pension plus DA. At the end of the meeting Dr Mahesh Shuklaji informed all of us that the fitment benefit would not be zero percent but it may be between zero and fifteen percent which shall be decided in consultation with Telecom Secretary and Hon. MoC. He also told that it is decided to delink pension revision from pay revision.

5) DoT has made some exercises afterwards and the file is pending with Telecom Secretary for nearly four weeks now.

6) May we request you, sir, to decide the issue of pension revision of nearly four lakh pensioners without any further delay by ensuring the following:-

- 1) *Pension Revision every ten years as and when Central Govt. pensioners' pension is revised*
- 2) *No anomaly between pre-2017 and post-2017 retirees*

CHQ LETTERS

Date: 30/05/2023

To
Shri Uma Shankar Pandeyji,
Member (S), Department of Telecom,
Sanchar Bhawan, New Delhi-110001

Sub: **Pension Revision of BSNL/MTNL pensioners on the basis of 7th CPC fitment factor – reg**

This is in continuation of personal discussion we had with you, sir, on 29/05/2023. We have written several letters justifying the above demand. Here we don't want to repeat the same.

There is a misconception among the officers in Sanchar Bhawan that BSNL pensioners are getting more than the C.G. pensioners even without pension revision. This point was repeatedly told by most of the officers including Member (S). Let us clarify that point and try to clear the misconception.

1) Conversion to CDA pay to IDA pay for any CPSE started after 01/01/1989 is mandatory on the basis of Hon Apex Court judgement dated 03/05/1990 followed by DPE OM dated 12/06/1990.

2) At the time of absorption in BSNL, the optees were assured of a minimum increase of Rs.2500/- for the executive cadre and Rs.1500/- for non-executive cadre in basic pay. This point cannot be lost sight of.

3) The minimum pension for BSNL pensioners remain at Rs.3500/- (as per DoT OM dated 15/03/2011) whereas the minimum pension for C.G. pensioners is Rs.9000/- from 01/01/2016.

4) As per the statistics collected in 2022, there are 403 family pensioners under PCCA, TN, 192 family pensioners in Kerala and 18 family pensioners in Odisha are getting the minimum pension of Rs.3500/-. It may be the status in other circles also. So, thousands of family pensioners are getting nearly Rs.1600/- less p.m. in total pension compared to C.G. pensioners as on 01/01/2017.

5) Some pensioners are also getting less than their counter-part in Central Government. For example, Our advisor, Shri P S Ramankutty who retired in 2004 is getting Rs.1677/- less p.m. in total pension as on 01/01/2017 compared to his counter-part in C.G.

6) One Shri Palani of Vellore SSA (TN) who retired as JTO (Ex-serviceman) is getting the minimum pension of Rs.3500/- basic pension.

In view of the above facts, may we request you, sir, to remove the misconception that all BSNL pensioners are getting more than C.G. pensioners even without revision.

Thanking you

Yours faithfully,

(V Vara Prasad)
General Secretary.

Copy to

1) Shri Manish Sinha, Member (F)
Member-dot@nic.in

2) Shri A K Shahu,
OSD to Member (S)

DE-RECOGNITION OF NFPE and P III UNION

Statement issued by GS, AIBSNLPWA on 28-4-2023

It's shocking to see the news of 'derecognizing' the National federation of postal employees and postal class 3 employees union by postal department on 26/4/2023. If there is any violation of CCS RSA rules, the unions may be advised properly but resorting to DE recognition is condemnable. We appeal to the concerned postal authorities to withdraw the order and restore recognition

AIBEA PROTEST

We are bewildered by the sudden derecognition of National Federation of Postal Employees and All India Postal Employees Union Group C by the Department of Posts, Government of India. This action is totally unwarranted, undemocratic, draconian and destructive. Extending physical and financial support by one Union to another, to the workers and toiling masses and organisations is quite natural not only in India but everywhere in planet Vasudha. Derecognising a Union for this reason is unheard of and hence unwarranted. Such solidarity actions are part of organisational constitution and collective democratic decisions of any Union. Derecognising a Union for this reason is un-democratic. Alleging donation of an amount of Rs 4935/- to a Political Party-CPI-M, donating Rs.30,000/- to Confederation of Central Govt. Employees and Workers and Rs.50,000/- for CITU, a recognised Central Trade Union; all these donations for the purpose of Farmers Movement, Kisan Morcha, DoP-Gol derecognising a Union is utterly draconian. This action of derecognition, quoting certain rules framed by the Dept/Govt, *not any laws*, is aimed at destroying a trade union having the support of vast majority of Employees and fighting for safeguarding Postal Services against privatisation. DoP-Gol must therefore immediately reverse its unjust and unfair decision of derecognition and restore normalcy.

AIBEA extends solidarity to NFPE and APEU Group C and joins with the demand for withdrawal of the de-recognition of Postal Unions.

Chennai
28-4-2023

C H Venkatachalam
General Secretary, AIBEA

SUPREME COURT DECISION ON ANNUAL INCREMENT

The Supreme Court on 11-4-2023 held government employees are entitled to annual increment even if they retire a day after earning the financial benefit. The significant verdict came on an appeal of the state government-owned Karnataka Power Transmission Corporation Ltd (KPTCL) challenging the judgement of a division bench of the Karnataka High Court that employees were entitled to annual increment even if they are to superannuate the very next day of earning the benefit.

A bench comprising Justices M R Shah and C T Ravikumar dismissed the appeal of KPTCL and said, *“Now so far as the submission on behalf of the appellants (KPTCL) that the annual increment is in the form of incentive and to encourage an employee to perform well and therefore, once he is not in service, there is no question of grant of annual increment is concerned, the aforesaid has no substance.”* The court took note of the divergent views of various high courts and laid down the law on the legal question whether an employee who has earned the annual increment is entitled to the same despite the fact that he has retired on the very next day of earning the increment.

The bench dealt in detail with the Regulation 40(1) of the Karnataka Electricity Board Employees Service Regulations, 1997 and analysed the object and purpose of grant of annual increment.

“A government servant is granted the annual increment on the basis of his good conduct while rendering one year service.

Increments are given annually to officers with good conduct unless such increments are withheld as a measure of punishment or linked with efficiency. Therefore, the increment is earned for rendering service with good conduct in a year/specified period,” it said. The entitlement to the benefit of annual increment is due to the service already rendered, it said.

Merely because a government servant has retired on the very next day, he cannot be denied the annual increment which he has earned after rendering the service with good conduct and efficiency in the preceding year, it said. “In view of the ..., the Division Bench of the (Karnataka) High Court has rightly directed the appellants (KPTCL) to grant one annual increment which the original writ petitioners earned on the last day of their service for rendering their services preceding one year from the date of retirement with good behaviour and efficiency,” it said.

Earlier, a single judge bench of the high court had ruled in favour of the state-owned firm. The decision was set aside by the division bench of the high court. The firm had preferred an appeal in the top court, saying that as the increment is in a form of incentive and therefore, when the employees are not in service there is no question of granting them any annual increment.

[Media news on 12-4-2023]

We hope that DoP&PW will issue general order honouring Supreme Court decision.

ORDERS

Guidelines for Pensioners

[Extracts from Pensioners' Portal of DoP&PW]

Submission of Claims:

Ensure to submit your claims in the prescribed proforma for grant of pension/gratuity/commutation/revision to your Head of Office atleast six months before the date of your retirement so that the Pension Payment Order (PPO) reaches you through your Head of Office before your retirement. Remember that the processing, verification and authorization of these claims may involve several levels and one or more offices which require sufficient time and effort to be accurate.

As soon as you receive your PPO, please verify the pensionary awards notified in the PPO for their correctness as per extant rules. In case of any correction(s) required in the PPO, please contact your Head of Office/Pension Disbursing Agency for necessary action in this regard.

Physically Disabled/Retarded Children:

If you have any physically disabled or mentally retarded child/children, please ensure that his/their details are furnished to your Head of Office for making an endorsement in your service and pension record and obtain an acknowledgement of this intimation.

Transfer of Pension Account:

If you desire to draw your pension from another paying agency, make a request to your current Pension Disbursing Agency (PDA) for transfer of your pension account to the PDA from where you now wish to draw your pension.

Restoration of Commuted Pension.

Commuted portion of your pension can be restored on completion of 15 years from the date of receipt of the commuted value of your pension. In case the same has not been restored, contact your P.D.A./pension paying bank.

Commutation of Pension:

Commuted portion of pension is required to be reduced from pension from the date of payment of the commuted value of the pension or after three months from the date of issue of PPO or from the date, capitalized sum is credited to the pensioner's account. If the commuted portion of pension is not reduced as above, bring this to the notice of your PDA immediately to avoid a heavy recovery later.

Nomination for Life Time Arrears:

Please ensure to nominate the person to whom you want to authorize Life Time Arrears (LTA) on your demise. The nomination form should be submitted to your PDA. You can also change the nomination by submitting a change nomination form to your PDA to avoid any hardship to your nominee in receiving the amount of LTA.

Loss of PPO:

Notify your PDA immediately if your PPO is lost. You should also request him to furnish a loss certificate to the concerned authority to obtain a duplicate copy of PPO.

Annual Life Certificate:

For annual life certificate, you should appear before your PDA in the month of November every year. In case, you are unable to appear due to bodily illness or infirmity, you can submit your life certificate duly authenticated by any of the specified authorities. You also have option to submit your digital life certificate using your Aadhar card based authentication through Jeewan Pramaan. In case of NRI pensioners/family pensioners who are unable to come to India for personal identification may be allowed pension/family pension on the basis of a certificate to be issued by an authorised official of the India Embassy/High Commission of India or Consul of India consulate in the country where the pensioner is residing. This certificate is to be issued on verification of Pensioner/Family Pensioner on the basis of photograph pasted on Passport or any other such document. Otherwise, the pension may be stopped.

Commercial Employment after Retirement:

Ensure to obtain prior permission from the competent authority for accepting any commercial employment within one year of your retirement.

Post-retirement Conviction:

If a pensioner is convicted or sentenced to imprisonment by a Court, his pension will be suspended. In the event of conviction/imprisonment by a court of law, full facts of the case should be reported to your PDA/Head of Office.

Changes in the family after discharge from service:

Post discharge changes in the details of your family arising out of your marriage or children born to you after your retirement should be intimated to your Head of Office with full details and relevant certificates. Also ensure that a joint notification of your family pension is done by pursuing the matter with your Head of Office.

Re-employment of pensioners:

In case of re-employment in any Central or State Government / autonomous bodies/Public Sector Undertakings, please submit the full facts of the same to your PDA immediately after its occurrence. In case of non-reemployment, a declaration to this effect should be given to your PDA periodically (once in a year in the month of May positively).

Payment through Banks:

Pension cannot be paid in cash. Hence open an individual savings/current account in your name preferably joint account with your spouse, if the spouse's name is notified for family pension in the PPO, in any of the branches of the Authorized Banks and furnish the

details of the same to your Head of Office so that pension can be credited to your bank account.

Court Attachment:

Pension, whether due or to become due, is free from attachment from any court until it has actually been paid as per the Pension Act. No pensioner can assign or sell any interest in respect of the pension not then due.

Receipt of Two Pensions:

If you are in receipt of more than one pension, you should furnish full details to your PDA for revision of both the pensions and regulating dearness relief thereon.

Submission of Certificates:

Submit periodic certificates regarding re-employment/employment, remarriage/marriage to your PDA on due dates in order to regulate your pension correctly.

CGHS NEW RATES

DG of CGHS OM No. F No Z15025/28/2022/Dir/CGHS dated 12-4-2023

I am directed to convey the revision of the charges for consultation fee, Intensive Care Unit and Room rent reimbursable in respect of treatment rendered to CGHS beneficiaries in all HCOs empaneled under CGHS. The revised rates in respect for the aforementioned items are as under.

a) Consultation fee -

OPD: Rs. 350/- IPD: Rs. 350/-

(For both NABH and Non-NABH accredited HCOs)

b) ICU Charges —

Rs 5400/- for all categories of ward entitlement (General /Semi-private /Private Wards)

(For non-NABH accredited hospitals the charges shall be 15% less). ICU charges are inclusive of Room Rent.

c) Room Rent-

General ward: Rs.1500/-

Semi-private ward: Rs.3000/-

Private ward: Rs. 4500/-

(For both NABH and Non-NABH accredited HCOs)

The other terms and conditions of empanelment shall remain unchanged.

These revised rates shall be applicable from the date of issue and shall be valid till further orders.

Ministry of H&FW vide CD No.3419 dated 27.03.2023.

CGHS REFERRAL TO EMPANELED HOSPITALS

DG of CGHS No. 01/2023/DIR/CGHS dated 31-3-2023

With reference to the above-mentioned subject the undersigned is directed to state that this Ministry is in receipt of representations regarding difficulties being faced by CGHS beneficiaries in obtaining referral to empanelled hospitals by CGHS, when they are not in a position to visit CGHS Wellness

Centers physically. In view of the representations as referred to, this matter has been reviewed by this Ministry and it is now decided to issue the following guidelines in this regard:

· Whenever there is a request for a referral for consultations/ endorsement submitted through a representative by a CGHS beneficiary, where the beneficiary is not in a position to attend CGHS Wellness Centre physically, CGHS Medical officer, based on the documents submitted, considers that the request is justified, may issue referral to CGHS empanelled hospital for consultation/ endorsement, as the case may be, without insisting on the physical presence of the concerned CGHS beneficiary.

· If CGHS Medical Officer is not satisfied with the papers submitted through the representative, he/she may avail the option of contacting the CGHS beneficiary by video call or making a domiciliary visit to satisfy the requirement of referral/ endorsement and shall not insist on the physical presence of such CGHS beneficiary.

2. Addl. Directors, CGHS of Cities/ Zones shall circulate a copy of this Office Order to CMOs In Charge and other CGHS Staff to take necessary action and to monitor the implementation of the guidelines.

CGHS CARDS VALID PAN INDIA

DG CGHS OM
No. 15025/1/2023/DIR/CGHS
dated 1-5-2023

The undersigned is directed to draw attention to the Order No Misc/ 6024/2007/CGHS(HQ)CGHS(P) dated the 17th December 2012 and to reiterate that CGHS Card is valid at any CGHS Wellness Centre in the Country for availing CGHS benefits as per the details given under:

- i) CGHS Card is valid in any Wellness Centre in India and no additional document / attachment is required.
- ii) Medicines shall be issued for upto to "3' months, in case of beneficiaries undergoing treatment for chronic illnesses.
- iii) Referral / endorsement for treatment from private HCOs empanelled under CGHS shall be issued from any CGHS Wellness centre.

Additional Directors. CGHS are advised to ensure that these guidelines are complied with by CMOs in Charge and other staff of CGHS Wellness Centres.

The contents of this order are to be brought to the notice of Members of the Local Advisory Committees/ Zonal Advisory Committee.

CGHS MEDICAL CLAIMS

DG CGHS OM F No Z 15025/2/
2023/DIR/CGHS Dt. 8-5-2023

The undersigned is directed to convey the approval of Competent Authority to state that CGHS pensioner beneficiaries(principal card holders) are now permitted to submit Medical Reimbursement Claims (MRCs) to CGHS of city , where the treatment was taken. The MRCs may be submitted to CGHS Wellness Centre / Additional Director, CGHS of city / Additional Director of concerned Zone in Delhi, as the case may be.

2. However, the option to submit the MRC at the CGHS Wellness Centre , where the card is registered shall remain unchanged.

3. The concerned Additional Director shall generate MRC ID number, process MRCs as per CGHS rates and guidelines to make reimbursement from the CGHS city , where the MRCs have been submitted, within specified 30 days, when no special approvals are involved. Additional Directors, CGHS shall bring the contents of this order to the notice of the CMOs in charge in the meetings and ensure strict compliance with the instructions.

4. The Additional Directors shall also bring the contents of the order to the notice of Members of Local Advisory Committees and Zonal Advisory Committees.

INSULIN PUMP

DG CGHS OM No. S.11030/120/
2022-EHS dated 16-5-2023

The undersigned is directed to refer to representations seeking permission/ex-post facto approval for use / reimbursement of Insulin Pump under CGHS/CS(MA) Rules. This matter has been examined by a Committee of Experts, of the Directorate General of Health Services, in the field. Based on the recommendations of the Expert Committee; this Ministry has framed following guidelines for use/ reimbursement of Cost of Insulin Pump:

A. ELIGIBLE PATIENTS

The following criteria must be met:

- i. Patients with Type –I Diabetes
- ii. Duration of diabetes greater than 2 years
- iii. The child and family have received adequate diabetes education at a centre experienced in taking care children with Type-I, Diabetes Mellitus.
- iv. Despite multiple daily doses of Insulin and proper adherence to diet in last 6 months, HbA1C level is not below 8.5 %.
- v. Recurrent and unexplained hypoglycemia on multiple doses of insulin despite proper adherence to diet in last 6 months.

B. PREREQUISITES

Should be on multiple daily doses of Insulin (basal bonus) therapy for a minimum of 6 months. During the period there should be

- i. At least 2 HbA1c readings over these 6 months

ii. Strict Self- monitoring Blood Glucose (**SMBG**) with minimum 4 readings or be on Continuous Glucose Monitoring System (**CGMS**)

iii. Should have a concept of carbohydrate counting (Counting number of grams of Carbohydrate in a meal) and its application in diabetes management, as certified by the treating pediatric endocrinologist / endocrinologist/ diabetes clinic specialist

iv. The family can understand pump usage, to calculate bolus and basal insulin doses as required, and has demonstrated motivation to follow guidelines related to SMBG monitoring and diet.

v. Regular follow-up with a pediatric endocrinologist/ endocrinologist/ diabetes clinic specialist

vi. No history of psychiatric illness in patient.

C. APPROVAL

A committee under the chairpersonship of Addl. Director General with 2-3 pediatric endocrinologists / endocrinologists/ diabetes clinic specialists as members will examine each request, on case to case basis, as per the guidelines. The cases, which may not be covered under these guidelines, to be taken up, on case to case basis.

In case of CGHS beneficiaries, Additional Director (R&H) / Addl DDG(HQ), CGHS shall be Member Secretary.

In case of CS(MA) beneficiaries, Chief Medical Officer of MG

Section shall be the Member Secretary.

The concerned Ministry / Department of the serving central Government employees in CGHS covered cities shall forward the requests for permission to the Additional Director, CGHS of city concerned.

Pensioner shall submit their request to their parent CGHS Wellness Centre to which they are registered and that request will be further sent to Additional Director, CGHS of the city concerned, for consideration.

In case of CS(MA) beneficiaries the concerned Ministry / Department of the serving central Govt. employees shall forward the requests for permission to the Under Secretary, EHS Section, Min. of Health & Family Welfare.

D VALIDITY

a. Initial approval shall be for one year. Both basic as well as sensor augmented Insulin Pumps may be considered as prescribed by treating endocrinologist.

b. Re-approval will be done only if the following criteria are met:

- i. Regular follow-up (at 3-month intervals at least) during the past one year.
- ii. Regular self-monitoring of blood glucose (SMBG).
- iii. HbA1c test every 3 months over past one year with at least two HbA1c values below 8.5%.

c. If re-approval is not granted as above, the patients can re-apply after 6 months, if he/she meets these criteria - HbA1c less than 8.5% at least one in last 6 months.

E. CEILING RATE FOR CONTINUOUS SUBCUTANEOUS INSULIN INFUSION (CSII) PUMP THERAPY UNDER CGHS/CS(MA) RULES

Ceiling rate for basic version of Insulin Pump are fixed at 2 Lakhs. Ceiling rate for a sensor-augmented Insulin Pump are fixed at Rs. 3.0 Lakhs.

In addition, the monthly cost for the consumables is fixed at Rs 5,000/- (reservoir, infusion set and Insulin).

2. These guidelines issues with the approval of competent authority and concurrence of IFD vide CD No. 385 dated 15.05.2023.

CGHS FEES REIMBURSEMENT

No: BSNLCO-ADMN/12(12)/4/2021-ADMN Dated: 26-03-2021

Sub: Clarification regarding eligibility of the family pensioners who are beneficiaries of BSNLMRS to migrate to CGHS and reimbursement of one time CGHS subscription fee paid by the BSNL employee to the CGHS authority.

In reference to the above captioned subject representations are being

received from various employees' Unions/Associations, BSNL circles, retired employees regarding clarification on migration to CGHS by BSNL family pensioners (Dependents of the deceased retired BSNL employee) who are availing BSNLMRS facility and reimbursement of the life time subscription to CGHS as one-time payment.

2. Vide BSNLCO letter NO: BSNL/ Admn.1/14-15/09 (Pt) dated 02.04.2014 (Copy enclosed), the decision of extension of CGHS facilities to retired BSNL employees who are in receipts of Central Civil Pension/Pro-rata Pension was conveyed.

3. Vide BSNLCO letter No: BSNL/ Admn.1/14-15/09 (Pt) dated 29.07.2016 (Copy enclosed) , Approval of the Management Committee of BSNL was conveyed for reimbursement of one time CGHS subscription fee, paid by the BSNL employee to the CGHS authority. This was applicable to only those BSNL employees who surrender BSNLMRS facility and opt for CGHS facility.

Further, it was also decided by the MC that the retired BSNL employees and their dependents are not eligible to opt BSNLMRS facility in future, once they migrate to CGHS facility.

4. Vide BSNL CO letter No: BSNL/ Admn.1/14-15/09 (Pt) dated: 22.11.2018 (Copy enclosed) it has

been clarified that the order dated 29.07.2016 regarding reimbursement of one time CGHS subscription fees are effective only from the prospective date.

5. Vide BSNL CO letter No: dated: 24.09.2004 & 15.01.2021 (Copy enclosed), Clarification on eligibility of Spouse and dependents of deceased BSNL employees were issued.

6. In continuation and context of above subject, the matter is examined and following is clarified:- The family pensioners (Dependents of the deceased retired BSNL employees) who get the CGHS facility by surrendering BSNLMRS card/facility are also allowed for one time reimbursement of CGHS subscription fee paid to CGHS authority for migrating to the CGHS facility.

BSNLMRS CARD: NO NEED OF RENEWAL

BSNLCO-ADMN/45/1/2021- ADMN Dt 2-5-2023

Ref: This office letter of even number dated 19-6-2020.

Please refer to this office order under reference vide which certain clarifications were issued regarding reimbursement of Outdoor Medical Claims of BSNL retired employees.

Representations are received in this office from some pensioners & associations that in some BAs, the

medical reimbursement is being denied on the pretext that the retired BSNL employee did not give his option every year. Though, the orders dated 19-6-2020 are clear but in order to bring uniformity in interpretation of these orders, following points are hereby clarified:

1. The retired employees need not give the option every year. The option once given shall remain valid for subsequent years till it is changed by the retired employee.
2. If the retired employee has not given the option even once, the mode of reimbursement of his medical bills shall be "With Voucher".
3. Payment of Medical Claims to retired employees, if denied due to non-submission of option every year, may be made immediately.
4. Other points mentioned in the order under reference shall remain unchanged.

**PENSION By POST OFFICES
to SAMPANN**

Dept of Posts No. 38-05/2022/PA-PEA/01-137 dated 19-4-2023
to All PMGs etc.

I am directed to say that Department of Telecommunication (DoT) has decided to migrate the DoT pensioners/family pensioners drawing pension from Post Offices to SAMPANN. In this regard, approval of Competent Authority is hereby conveyed to migrate all telecom pensioners in all the circles currently drawing pension from

Post offices to "SAMPANN" starting from the month of **May 2023 onwards**. In order to smooth migration of these pensioners/family pensioners from DoP to DoT (CCAs); roles and responsibility of each office in DoP as well as timeline, are hereby assigned for strict compliance in a time bound manner

1. Role/Responsibility of CEPT.

i. The Circle wise list of telecom pensioners/family pensioners to be migrated will be provided by DoP on receipt from DoT/CGCA in the 1st week of the month.

ii. CEPT should verify and ensure that the list of pensioner's ID's as per list supplied, has been freezed in CSI. Any disbursement if found, should be stopped by CEPT while communicating it to the concerned DDO that this payment authorization has been withdrawn and no payment should be made to those pensioners from the month as agreed upon.

2. Role and Responsibility of DDOs/Head Post Offices-

i. Ensure that no pension is disbursed to DoT pensioners/family pensioners as shown in the list provided by the PAO and credited to their PO SB Account by Head Post Office's under Department of Posts.

ii. All DoT pensioner's/family pensioner's id's as shown in the list should be freezed /closed in CSI.

iii. All disbursers half of PPOs along with relevant documents are compiled viz, recovery schedule, life certificate detail/non marriage, Income Tax etc. are sent to Postal Accounts Offices (PAOs) along with a certificate that no further payment of pension will be made by his office by **20th of the Month**.

iv. Suitable note of transfer should be made in the Register of Pension Payment order maintained in his office and ensured that no further payment of pension in respect of the pensioners/PPOs migrated will be made after migration.

v. In case of any disbursement/credit wrongly happened, entry should be reversed and equal amount debited from their PO SB Account.

3. Role and Responsibility of Postal Accounts Offices.

i. To receive all disbursers half of PPOs and other documents from DDOs/HPOs concerned as per the list which will be provided by the DoP in the 1st week of the month.

ii. Suitable entries be made in the Pension Index/check registers and forward the list along with disbursers half of PPOs and documents to the respective CCAs (Controller of Communication Accounts) by **24th of the Month**.

iii. Ensure that there should be no booking on account of 'telecom pension under Head of Account except or otherwise as per point (i) above. In case, any booking is detected after migration, the same

should be got reversed from the DDOs concerned immediately.

iii. Ensure that the outstanding Commission on payment of DoT pension / family pension is calculated and raised to respective O/o Controller of Communication Accounts and realized.

iv. PAOs will ensure to submit pension stoppage confirmation to Directorate by 24th of the Month through e-mail peasection.pa@indiapost.gov.in followed by post.

4. Following the migration, the pension of migrated telecom pensioners/family pensioners would be paid directly by the Department of Telecom to these pensioners from the month of migration as per the list provided by DoT to DoP from time to time.

5. This issues with the approval of the Competent Authority

AMENDMENTS TO RULE 8 OF CCS (PENSION) RULE 2021

DoP&PW OM F No. 38/41/19-P&PW(A) [6018] dated 10-4-2023 endorsed by DoT vide No. 36-03/2019-Pen(T) dated 19-4-23.

The undersigned is directed to say that Rule 8 of the CCS (Pension) Rules, 2021 has been amended vide Notification No. GSR 770(E) dated 07.10.2022.

2. As per earlier Rule 8 of the CCS (Pension) Rules, 2021 as well as rule 9 of the CCS (Pension) Rules,

1972 (since repealed), the President had the power, in all cases, to withhold/withdraw a pension/gratuity, if in any departmental or judicial proceedings, the pensioner was found guilty of grave misconduct or negligence during the period of service, including service rendered upon re-employment after retirement.

2. As per the amended Rule 8 as amended vide Notification dated 07.10.2022, approval of President shall be required only for ordering withholding/withdrawing pension or gratuity in the case of a pensioner who retired from a post for which President is the appointing authority and, in other cases, Secretary of the Administrative Ministry or Department shall be competent to order withholding/withdrawing pension or gratuity, if the pensioner is found guilty of grave misconduct or negligence during the period of service in any departmental or judicial proceedings. Similarly, the Comptroller and Auditor-General of India shall be competent to order withholding/withdrawing pension or gratuity in the case of a pensioner who retired from the Indian Audit and Accounts Department, for which an authority subordinate to the President is the appointing authority. Consultation with UPSC will also not be necessary in cases where the President is not the appointing authority

3. There may be cases where President is not the appointing

authority but, in accordance with the then existing Rule 8 of CCS(Pension) Rules, 2021 or Rule 9 of CCS(Pension) Rules, 1972], orders of President were obtained in certain circumstances such as:

(a) for withholding/withdrawal of pension/gratuity after conclusion of the departmental proceedings, in cases where departmental proceedings were instituted before retirement and were deemed to be proceedings under Rule 8, or

(b) for issue of sanction for institution of departmental proceedings after retirement and for direction in regard to the authority by which the departmental proceedings are to be conducted, in cases where departmental proceedings were instituted after retirement, etc.

4. It may not be appropriate for any subordinate authority to take a final decision in the departmental proceedings, if the case has been submitted to the President at any stage for any orders during the proceedings. Therefore, in such cases, final decision on the question of withholding/withdrawal of pension/gratuity is required to be taken with the approval of President and consultation with the UPSC would also be necessary in such cases.

5. However, in cases where the departmental proceedings were instituted before retirement of a Government servant by a subordinate authority and the

proceedings were deemed to be proceedings under Rule 8 [or Rule 9 of CCS(Pension) Rules, 1972], but the report recording its findings has not been submitted by the subordinate authority to the President so far for final decision on the question of withholding/ withdrawal of pension/gratuity, such cases shall not be required to be submitted to President and, accordingly, consultation with UPSC will also not be necessary. Final decision in such cases may be taken by the Secretary of the Administrative Ministry or Department or CAG, as the case may be, in accordance with the amended Rule 8 of the CCS (Pension) Rules, 2021.

**E-SANJEEVANI
CONSULTATION**

CGHS No.1-5/2022-CGHS/C&P/
537-5463075844/2023
Dated 5/04/23

With reference to the above subject, the undersigned is directed to state that with the objective of optimal utilization of the services provided by the doctors rendering Tele consultation services through e-Sanjeevani portal, it is now decided that the doctors shall work from their respective Wellness Centre w.e.f. 10th April, 2023. They shall attend to the CGHS beneficiaries visiting the Wellness Centre physically, while providing consultation to the beneficiaries registering on the e-Sanjeevani portal.

The timings of the e-Sanjeevani Tele consultation facility shall remain unchanged i.e. from 9.30 A.M to 6.00 P.M (2.00 P.M to 3.00 P.M break) from Monday to Friday and 7.30 A.M to 2.00 P.M on Saturdays. Therefore, the earmarked doctors while attending to normal duty at Wellness Centres from 7.30 A.M to 2.00 P.M shall also be providing – Tele consultation facility from their respective Wellness Centre from 9.30 A.M to 2.00 P.M, and shall, thereafter, resume Tele consultation facility from their residence from 3.00 P.M to 6.00 P.M on weekdays.

Duty Roster will be prepared centrally by AD(Admin.) and monitored for patient output.

This issues with the approval of competent authority.

**BSNLMRS
Empanel more hospitals**

BSNL CO -ADMN/12(12)/1/2021-
ADMN dated 26-04-2023

As you are aware, BSNL has been empaneling hospitals for providing indoor and outdoor medical facilities to the serving and retired employees and dependents under BSNLMRS. In order to provide better healthcare facility to the beneficiaries, it is imperative that maximum number of hospitals covering all nook and corner of the country are empaneled on Cashless/Credit facility basis under BSNLMRS. However, due to

financial situation of the company during last few years, the hospitals have apparently stopped providing credit facility to BSNL employees. It has been also reported that leading hospitals are not willing to provide services in view of outstanding dues of the past years.

2. With the commitment to provide better healthcare facilities to the employees, measures have been taken by BSNL CO to clear outstanding dues of the hospitals. Now, it is of paramount importance that BSNL terms in Circles/SSAs/ BAs take led and pursue with sales team/representatives of the hospitals in their locality to maximize number of empaneled hospitals under BSNL MRS. The aim should be to empanel at least one reputed hospital in every BA on Cashless/Credit Facility basis.

3. Further, the process of invoice processing and payment to hospitals providing credit facility should be streamlined to ensure timely payments, preferably in three months' time so that the hospitals continue to provide uninterrupted cashless healthcare facilities to BSNL employees.

4. It is requested that an early action may be taken and an action taken report on this regard may be sent within 30 days to bsnlcoempanel@gmail.com (Contact No. 9821677764) for perusal of Director (HR) BSNL Board.

RAILWAY CONCESSION:

The Supreme Court on 28th April 2023, turned down a petition seeking to reintroduce concession for senior citizens on railway tickets. Before the Covid lockdown, IRCTC used to grant concession in the fares of Male Senior Citizens of minimum of 60 years and Female Senior Citizen of minimum of 58 years. These concessions were valid for all trains including, Rajdhani Express, Shatabdi Express, Duronto Express, and others. A bench of Justices SK Kaul and Ahsanuddin Amanullah turned down the plea filed by MK Balakrishnan for restoration of the concessions that were discontinued during Covid in order to stem the spread of the disease. "It would not be appropriate for this court to issue a writ of mandamus in a petition under Article 32 of the Constitution. It is for the government to take a call on the issue keeping in mind the needs of the senior citizens and the fiscal repercussions. Dismissed," the bench said on Friday. Earlier this year, the Railways Ministry said that Indian Railways may soon restore senior citizen concession, which was discontinued due to Covid.

BSNL & MTNL LOSS:

The Department of Telecommunications has informed Parliamentary Standing committee for Ministry of Communications that BSNL will gradually improve and is expected to be profitable in the financial year 2026-27. BSNL has set a target to generate Rs. 17161 crore revenue from operations in the current fiscal and Rs. 21908 crore in 2023-24. The loss of BSNL is expected to widen to Rs 7766 crore in 2023-24, as per the submission. The projected revenue and expenditure of MTNL for the year 2023-24 is Rs. 1750 crore and Rs. 4970.78 crore respectively, according to the submission made before the panel.

ANTI- LABOUR LAWS STALLED

The Centre has decided to delay nationwide roll-out of the labour law reforms till after the 2024 general elections. The ministry of labour and employment held a series of discussions with stakeholders including industry representatives and trade union leaders to build consensus on the implementation date, but these efforts did not fructify. "The talks have now come to a halt," a source said.

While the delay in notifying the rules by the state governments are holding back the implementation of the codes, labour market rigidities have already come down to an extent, with many states going ahead with steps to ease the norms. Also, firms in labour-intensive industries like textiles and clothing are now resorting to fixed-term employment, as a legitimate option. There has not been any major movement or discussion towards the implementation of the four codes. A number of states were yet to notify these codes while some continued to have some reservations. Trade unions are completely opposed to them and a consensus with them had not been reached.

Trade unions have been opposed to the implementation of the codes calling them "anti-worker" and have threatened to go on strike if they are brought into effect. Previously, sources had indicated that the government had been concerned that the labour codes if implemented in a haste may see the same fate as that of the farm laws which had to be eventually repealed. A decision on implementing the Codes may now be taken only next year after the General Elections, sources indicated. Since labour is a subject on the concurrent list of the Constitution, both the Centre and the states can frame laws and rules. The government has been keen on an all-India implementation of the codes and has been hoping that all states will come on board.

CASHLESS TREATMENT IN ALL AIIMS FOR CGHS BENEFICIARIES

Cashless treatment facilities will be available to all CGHS beneficiaries (serving and pensioners) in six All India Institute of Medical Sciences (AIIMS) located at Bhopal, Bhubaneswar, Patna, Jodhpur, Raipur and Rishikesh. This decision was taken on 20-5-2023, as Memorandum of Agreement were signed between these six AIIMS and CGHS, Union Health Ministry.

The CGHS beneficiaries will have the advantage of accessing state of art treatment facilities available in these AIIMS, without the hassle of first making payments and then seeking reimbursements from CGHS. Till now, CGHS pensioner beneficiaries, availing treatment at AIIMS, are required to first make payment and claim reimbursement later from CGHS. AIIMS shall create a separate help desk and a separate accounting system for CGHS beneficiaries and medicines prescribed by the doctors at AIIMS, for OPD treatment or at the time of discharge from AIIMS, will be collected by the beneficiaries through CGHS. Speaking about the initiative the Health Secretary said that in the near future the AIIMS, New Delhi, PGIMER at Chandigarh and JIPMER at Puducherry will be incorporated in this agreement.

[CGHS Press Release dated 20-5-2023]

LEAVE SALARY ENCASHMENT

Media reports on 26-5-2023 say:

The Central Board of Direct Taxes (CBDT) has notified the increase of the leave salary encashment limit for non-government employees to Rs 25 lakh from the earlier limit of Rs 3 lakh. The increased leave encashment limit will be applicable from FY 2023-24, starting from April 1, as per the notification. This means that individuals retiring on or after April 1, 2023, will benefit from the new limit. The CBDT notification has also clarified that the maximum amount receivable by employees as cash equivalent of leave salary at the time of their retirement, whether superannuation or otherwise, is set at Rs 25 lakh.

BSNL staff retired after 1-4-2023 shall be eligible to the above benefit. BSNL CO has endorsed the order of CBDT.

OBITUARY

Shri Manohar Lal Sharma, a veteran leader of Telecom employees in Punjab breathed last on 26th April 2023 at the age of 83 years. Shri Sharma served as Circle Secretary of E III Union in NW/Punjab Circle for 40 years, before retirement and after too.



His wife, Mrs. Nirmala Sharma, also passed away on 16-5-2023 leaving behind two daughters. We convey our tributes to both Sharmaji and his wife.

SCRAP NPS and RESTORE OPS

Ministry of Finance, constituted a Committee to review the Pension System for Govt. Employees under the Chairmanship of The Finance Secretary & Secretary (Expenditure) with the following Terms of Reference:

(i) Whether in the light of the existing framework and structure of the National Pension System (NPS), as applicable to Govt. employees, any changes therein are warranted.

(ii) If so, to suggest such measures as are appropriate to modify the same with a view to improving upon the pensionary benefits of Govt. employees covered under the NPS, keeping in view the fiscal implications and impact on overall budgetary space, so that fiscal prudence is maintained to protect the common citizens.

The Committee invited the Standing Committee Members of JCM (NC) for discussions on 09/06/2023. The Staff Side met on the forenoon of the day and discussed in detail about the approach and strategy to be adopted before the Committee. After detailed discussions the Staff Side unanimously took following conclusion:-

1. No Central Government Employees Organizations and the Staff Side of the National Council JCM have ever demanded for any improvement in the NPS. Therefore the Terms of Reference is not acceptable.

2. A memorandum on behalf of the Staff Side should be submitted to the Chairman of the Committee in the meeting bringing in all facts and arguments why the Central Government Employees are opposing NPS and demanding for Restoration of Old Pension Scheme.

3. We should reiterate the following two demands which were adopted in the declaration of the JFROPS (NJCA).

(i) To withdraw the National Pension System implemented to the employees who are recruited

on or after 01/01/2004 and to bring them all under the coverage of old pension scheme under CCS (Pension) Rules 1972.

(ii) To implement the GPF scheme to the employees who are recruited on or after 01/01/2004 by depositing the accumulated employees' contribution along with the returns to the GPF Account of the employees. Accordingly a detailed letter was handed over to The Chairmen of the Committee.

In the meeting the Staff Side placed its firm views and all justifications for scrapping the no Guarantee NPS and restoration of the defined and guaranteed Old Pension Scheme. Detailed discussion took place on all the issues in the letter. (Extracts are given in next page.)

Responding to the views of Staff Side, the Chairman of the committee responded as follows: -

1. The committee has to work within the frame work of the Terms of Reference given to the Committee.

2. The Memorandum submitted by the Staff Side would be studied by the Committee and would be taken in to account while finalizing its recommendations.

3. The points and the justifications given by the Staff Side on their Demand are also noted and the committee would study the same.

4. Discussions both formally and informally would continue to take place with the Staff Side of the National Council - JCM. After listening to the views expressed by the Chairman Staff Side leaders categorically reiterated their position that the only way to solve the problem is to scrap the no guaranteed NPS and to restore the defined and guaranteed old Pension Scheme.

SCRAP NPS and RESTORE OPS

[Extracts from the letter submitted by Staff Side of JCM National Council to the Chairman of the Committee to review National Pension Scheme, handed over on 9-6-2023, are given below.]

6. It is now 20 years after the implementation of NPS. The Experience of almost 20 years has fully demonstrated the truth that the NPS implemented by the Government of India unilaterally during the year 2003 for those Central Government Employees recruited on or after 01.01.2004 and subsequently by various State Governments, Autonomous Bodies and Authorities, etc. has deprived Social Security/old age security to the Retiring Employees and has violated the

written assurance given by the Government of India in the Standing Committee meeting of the National Council (JCM) held on 14.12.2007.

7. The assurance of the Government of India has been clearly violated which is evident from the following table/ illustration wherein it is clearly proved that the pension under NPS is not at all matching with the Pension rate under the Old Pension Scheme

Table				
<u>Name</u>	<u>Basic Pay</u>	<u>Service</u>	<u>NPS Pension</u>	<u>OPS Pension</u>
R Ramachandran	Rs 30500	13 yrs, 5 Mts	Rs 2417+ No DR	Rs 15250+DR
K Bhaskara Rao	Rs 34300	15 yrs, 6 Mts	Rs 2506+No DR	Rs 17150+DR
S Sivasankaran	Rs 56900	17 yrs, 6 Mts	Rs 4900 + No Dr	Rs 28450 +DR

From the above it is now amply clear that the NPS Employees despite their contribution during their entire service period are getting only a very meager pension when compared to the employees governed under old pension scheme.

(1) To withdraw the National Pension System implemented to the employees who are recruited on or after 01/01/2004 and to bring them all under the coverage of old pension scheme under CCS(Pension) Rules 1972.

8. Considering all the above serious development and the bitter experience of returns from the NPS, the entire Central Government employees and State Government Employees constituted a Joint Forum of Restoration of Old Pension Scheme (JFROPS) under the banner of NJCA. A National Convention of JFROPS was held at Delhi on the 21st of January 2023 where in a declaration was adopted demanding the following:-

(2) To implement the GPF scheme to the employees who are recruited on or after 01/01/2004 by depositing the accumulated employee's contribution along with the returns to the GPF Account of the employees.

9. The Declaration was forwarded to the Cabinet Secretary, Government of India. A copy of the same is enclosed herewith for your kind ready reference which is also self-explanatory.

C R S & Co
Chartered Accountants

RAM NIVAS,
No.18/47 MANDAVELI LANE, MYLAPORE CHENNAI 600004.
TEL : 24934967
UDIN :: 23025241BGYGSA9207

To
The Members of
ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

OPINION

We have audited the financial statements of M/s. ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION, Chennai-40, which comprise the Balance Sheet as at 31st March 2023 and the Income & Expenditure Account for the year then ended and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements give a true and fair view of the financial position of the entity as at March 31st, 2023 and of its financial performance for the year then ended in accordance with the Accounting Standards issued by the Institute of Chartered Accountants of India (ICAI).

BASIS FOR OPINION

We conducted the audit in accordance with Standards of Auditing (SAs) issued by ICAI. Our responsibilities under those Standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our Report. We are independent of the entity, in accordance with the ethical requirements that are relevant to our audit of the financial statements in India and we have fulfilled our other responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

RESPONSIBILITIES OF THE MANAGEMENT AND THOSE CHARGED WITH GOVERNANCE FOR THE FINANCIAL STATEMENTS

The Management is responsible for the preparation and fair presentation of the financial statements in accordance with the aforesaid Accounting Standards and for such internal control as the Management determines is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the entity or to cease operations, or has no realistic alternative but to do so. Those charged with governance are responsible for overseeing the entity's financial reporting process.

AUDITOR'S RESPONSIBILITY FOR THE AUDIT OF THE FINANCIAL STATEMENTS

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free of material misstatement, whether due to fraud or error and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with SAs

will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material, if individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with SAs, we exercise professional judgement and maintain professional skepticism throughout the audit. **We also:**

Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control.

Evaluate the appropriateness of accounting policies used and the reasonableness of the

accounting estimates and related disclosures made by the Management.

Conclude on the appropriateness of the Management's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained upto the date of our auditor's report. However, future events or conditions may cause the entity to cease to continue as a going concern.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during the audit.

For C R S & CO
Chartered Accountants
(C.R.SWAMINATHAN)
Partner - MRN:025241

Place : Chennai
Date : 10th May 2023

NOTE: We have printed the Auditor's report in full, even though only the paragraph titled; **OPINION**, is relevant for us. Others are routine statements. We have an impressive amount in FD. It is because our CHQ was very meticulous in spending the *pensioners' money*. We collect Rs. 1000 per copy for life time subscription of Patrika. It cannot be collected again. So we have to depend upon the interest accrued from the FD. At present the interest rate is 6.5% per annum. For Rs. 1000 we get Rs 65 as interest. We spend about Rs. 110 for six issues of Patrika in a year. In future, the expenditure will increase and the interest may decrease. So, it is essential to keep the FD intact and use it carefully for future functioning of CHQ and publication of Patrika. I congratulate the Treasurer for his systematic and dedicated service P S Ramankutty .

ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

(Regd T 1833/09)

RECEIPTS AND PAYMENTS ACCOUNTS FOR THE PERIOD FROM 1-4-2022 TO 31-3-2023

RECEIPTS

PAYMENTS

Opening Balance		Patrika Printing	465,574.00
With Bank	1,028,619.00	Patrika Posting	178,035.00
Cash on Hand	26,515.00	Org. Tour	335,297.00
Add: Receipts		Auditor fees	23,600.00
Interest from Bank Deposits	1,275,159.00	Computer Exp.	5,000.00
CHQ Quota	1,461,640.00	IT Solution (Website Mtce)	5,900.00
Donation (Pension Anomaly)	723,360.00	Legal Exp	298,000.00
Journal Subscription	96,500.00	Postage	3,186.00
Misc. Receipts	7,055.00	Stationery	2,120.00
IT refund received	3,260.00	Conveyance	9,430.00
Donation to CHQ	11,000.00	Xerox/Misc	14,025.00
AIC Delegate fees received	6,500.00	Editor allowance	72,000.00
AIC Contribution	2,448,295.00	Bank Charges	372.00
		IT paid over and above TDS	37,827.00
		FD investments	1,000,000.00
		AIC Vizag exp	175,787.00
		AIC Vizag contribution paid	2,448,295.00
		AIC Delegate fee paid	6,500.00
		Asdvance Tax (AY 23 24)	100000.00
		Closing Balance: Bank	1878955.00
		Closing Balance: Cash	28001.00
TOTAL	7,087,903.00	TOTAL	7,087,903.00

Vide our Report of Even Date.

For C R S & CO,
Chartered Accountants.

Sd/-
(C R SWAMINATHAN)
Partner - M No. 025241
Chennai, 10th May 2023
UDIN:: 23025241BGYGSA9207

Sd/-
President

Sd/-
General Secretary

Sd/-
Treasurer

ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

(Regd T 1833/09)

Income and Expenditure Account for the year ending 31, March 2023

Expenditure	Amount in Rs.	Income	Amount in Rs.
Excess Income over exp.	1,275,159.00	FD Interest	1,227,449.00
		SB Interest	47,710.00
TOTAL	1,275,159.00	TOTAL	1,275,159.00

ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

(Regd T 1833/09)

BALANCE SHEET FOR THE YEAR ENDING ON 31-3-2023

LIABILITIES	Amount in Rs.	ASSETS	Amount in Rs.
Funds A/c		Fixed Assets	
Balance as on 31-3-23	25,029,709.00	Computer	322
		Less Dep @ 40%	129
			193.00
		Furniture	25067
		Less Dep @ 10%	2507
			22,560.00
		CURRENT ASSETS	
		FD	22000000
		Added this year	1000000
			23,000,000.00
		IT advance tax AY 23-24	100,000.00
		Cash in Bank	1,878,955.00
		Cash on Hand	28,001.00
TOTAL	25,029,709.00	TOTAL	25,029,709.00

Vide our Report of Even Date.

For C R S & CO,
Chartered Accountants.

Sd/-
(C R SWAMINATHAN)
Partner - M No. 025241
Chennai, 10th May 2023
UDIN:: 23025241BGYGSA9207

Sd/-
President

Sd/-
General Secretary

Sd/-
Treasurer

ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

(Regd T 1833/09)

FUNDS SCHEDULE FOR THE YEAR ending 31, March 2023

<u>EXPENSES</u>	Amount in Rs.	<u>MEMBERS' CONTRIBUTIONS</u>	
Patrika exp.	643,609.00	Opening Balance a on 1-4-22	23,155,524.00
Tours and Travels	335,297.00	Journal subscription	96,500.00
Audit Fees	23,600.00	Quota receivedd	2,185,000.00
Bank charges	372.00	AIC Contribution receivedd	2,448,295.00
IT solution	5,900.00	Misc.	7,055.00
Legal	298,000.00	AIC Delegate fee receivedd	6,500.00
Postage	3,186.00	IT Refund receivedd	3,260.00
Stationery	2,120.00	Donation to CHQ	11,000.00
Conveyance	9,430.00	Excess of Income over Exp.	1,275,159.00
Comp. Expenses	5,000.00		
AIC Delegates fee paid	6,500.00		
Misc.	14,025.00		
Editor Allowance	72,000.00		
IT paid	37,827.00		
AIC Contribution paid	2,448,295.00		
AIC Vizag exp	175,787.00		
Advance tax adjusted	75000.00		
Depreciation	2636.00		
Balance of Funds as on 31-3-23	25,029,709		
TOTAL	29,188,293.00	TOTAL	29,188,293.00

Vide our Report of Even Date.

For C R S & CO,
Chartered Accountants.

Sd/-
(C R SWAMINATHAN)
Partner - M No. 025241
Chennai, 10th May 2023
UDIN:: 23025241BGYGSA9207

Sd/-
President

Sd/-
General Secretary

Sd/-
Treasurer

MP CIRCLE CONFERENCE:
OFFICE BEARERS ELECTED
UNANIMOUSLY

President R K Tiwari

Vice Presidents G K Joshi
N L Hardiya
D D Sharma
S K Diwan
Charanjeet Singh
G D Nayak
D L Gond

Circle Secretary: V S Thakur

Asst. Circle Secys: N P Rai
M S Yadav
Sanjay Tiwari
N D Paraswani
D R Kori
B K Upadhyaya
K K Gupta

Org. Secretaries: N S Malviya
N L Sen
M C Pancholi
D P Mishra
R D Jain
T P Yadav
Hargovind Raikwar

Treasurer: J P Karve

Asst. Treasurer: S K Gupta

JHARKHAND CONFERENCE:
OFFICE BEARERS ELECTED
UNANIMOUSLY

Advisor: R P Srivastava

President R K Tiwari

Vice Presidents R N Singh
Kalbindar Singh
J P Thakur
B Ram
Dr N K Singh
Basisth Narayan
R G Singh

Circle Secretary: Naresh Lal

Asst. Circle Secys: Dinesh Sahu
B B Mishra
B N Singh
R K Sharma
Mahesh Mahato
R I Ram
Salik Ram
L P Singh

Org. Secretaries: Satyanarayan Singh
B J Barla
Azimuddin Ansari
S K Dutta
Suraj Kumar Pd.
N Banara

Treasurer: Bharat Mishra

Asst. Treasurer: Nilambr Chaudhary



A NEW MOVEMENT IS TAKING SHAPE

In March 2023, employees in various states in India came out demanding restoration of Old Pension Scheme



PENSIONERS PATRIKA

Published
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JULY - AUGUST, 2023

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JHARKHAND CIRCLE CONFERENCE



JAMSHEDPUR DISTRICT LEADERS

