

PENSIONERS' PATRIKA

पेंशनर्स
पत्रिका

Bimonthly journal of AIBSNLPWA
VOL. V No 3 MAY - JUNE, 2021

Subscription:

Life: Rs 1000.00

Annual: Rs. 100.00

Single Copy: Rs. 20.00



Left:
**The May Day
Monument at
Heymarket Square,
Chicago**

Below:
Artists on May Day



**MAY
DAY**



MAY DAY RALLIES; BEFORE CORONAVIRUS



PENSIONERS PATRIKA

BIMONTHLY JOURNAL
OF AIBSNLPWA (CHQ)
H No. 6, G No 12th Street,
Jogupalya, Halasuru,
Bangalore 560008
Website:
www.bsnlpensioner.in
Email:
bsnlpensioner@gmail.com

GENERAL SECRETARY

P. Gangadhara Rao,
H No. 6, G No 12th Street,
Jogupalya, Halasuru,
Bangalore 560008
gangadharaprao@gmail.com
Phone: 9448088404

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 Gangadhara Rao
K. Muthiyalu
D. Gopalakrishnan
P S. Ramankutty

SUBSCRIPTION RATE:

Annual: Rs. 100 per copy
Life : Rs. 1000 per copy

Editorial

THE CRISIS IS NOT OVER

Our Nation is also being swayed by the new wave of corona virus. *“The virus is back, this time with more energy, tactics and camouflage”* says a Note circulated by a group of doctors of CMC, Vellore, Tamilnadu. Second variant of virus with Covid pneumonia is faster, more dangerous and deadly than the first one, with no cough or fever.

A Nation, like individuals, should learn lessons from experiences. Countrywide lockdown suddenly imposed in March 2020 to face the first attack of corona precipitated a severe ‘crisis of mobility’, with lakhs of migrant workers in many major cities returning to their home towns by any means including long walks. This horrendous history should not be repeated. According to Economic Survey of 2016-17, Maharashtra had 60 lakh workers migrated from other states, Delhi had 48 lakh, Gujarat had 23 lakh, Haryana had 13 lakh. Their reverse migration already had its impact on our national economy and social life. Their rehabilitation posed a serious problem for states like UP, Bihar, Jharkhand, Orissa, West Bengal etc. Such a total lockdown is not advisable. Limited lockdown may not be effective. Even the vaccination may not ensure complete protection. But we have no alternative. The Governments at the Centre and in the states have taken many actions. Such actions have helped to contain death rate in India, compared to the ‘developed countries’. While in Brazil 2.54% of Covid patients died, in France 2.03% and in US 1.81% died in India only 1.31% of the patients have succumbed to the pandemic so far. Data of infections or death is no more relevant in the present scenario.

As disciplined citizens, general public has a major responsibility to overcome present crisis and save the Nation from the new pandemic. Laxity makes any effort ineffective. Misconception that Covid19 has gone is dangerous. Conscious personal quarantine from crowds, social distancing and use of face masks as well as handwash are more effective than official measures in this war. We, the senior citizens, must take every precaution and be alert communicators to the society.

A suggestion has come that this Patrika need not be sent by post and e-Journal be issued. We are watching the situation. We will take a decision about future issues and inform you all. Our safety is most important.



GS WRITES

Dear Comrades,
I write the following lines for a serious consideration of our members and also for feedback.

BSNLMRS, when introduced, was the best system available to PSU employees and pensioners in our country. It has become an ineffective, harassing system.

During the last two decades, BSNL could not perform as expected. Rather, BSNL was not permitted to perform. The Company is incurring huge loss continuously. [Please see the official figures given in Page 25 of this Journal]. I personally feel that the Government may not totally sell out BSNL to private hands soon; it may be retained as 'showcased item', as a loss incurring concern, always targeted to criticism by academics and public abuse. Such a government company is required to maintain the telecom network during the time of natural calamities, which are not uncommon in India. Private companies disappear from the scene on such occasions, adding the woes of people in distress.

BSNL may not pay us the quarterly medical allowance or pay the bills we submit for reimbursement. More and more hospitals discontinue their agreement with BSNL for empanelment for non-settlement of their claims. The hospitals giving 'cashless' treatment do not get the money from BSNL. Many pensioners suffering from chronic diseases are victims of this pathetic situation. Some pensioners undergoing dialysis do not get reimbursement. We have received reports about unfortunate premature death of some pensioners as

the hospitals denied dialysis to them and the affected people could not afford to pay.

When we approached the top officers in BSNL Corporate Office they tried to avoid meetings. At times they met us and assured that some funds would be allotted soon for clearing bills from pensioners and to pay the quarterly medical allowance. But, nothing happened.

BSNL issued an order on 20-2-2014 allowing the BSNL retirees, drawing pension from the Central Civil Estimates, to migrate to CGHS on paying requisite fees. CGHS has fixed the fees based on Grade Pay introduced from 1-1-2006. In IDA pattern there is no Grade Pay. This created confusion. Hence the Department of Telecom issued a detailed order on 31-8-2016 prescribing IDA pay scales equivalent to CDA scales and the Grade Pay applicable, and, entitlement of wards in CGHS empanelled hospitals. BSNL management had also conveyed through an order on 29-7-2016, approval for one time reimbursement of the subscription paid by BSNL retirees to CGHS. It is understood that some fund is earmarked for this purpose and most of the pensioners who migrate to CGHS are getting the reimbursement within two or three months. By delaying or denying quarterly allowance and settlement of our bills the BSNL is deliberately compelling the pensioners to migrate from MRS to CGHS; to escape from the responsibility of giving medical care to the people who built up the telecom infrastructure in the country.

According to the mapping, a Retired Executive has to pay Rs 120000 as life time fees to migrate to CGHS. A retired senior Class III official has to pay Rs 78000, others Rs 54000 and a retired Group D official has to pay Rs 30000. Many of the Retirees find it difficult to pay this huge

amount and then wait for reimbursement. As such, many pensioners continued with BSNLMRS with some hope of getting benefits from it. Their hopes are belied. Now, I feel, we have to reconsider the matter based on our experiences.

In 2019, I had a serious health problem of severe back pain due to lumbar spondylosis. I went to Palakkad in Kerala and took Ayurvedic therapy for three weeks. That did not give me any relief. Instead, my pain got aggravated. I came back to Bangalore and got admitted in a hospital. I had to spend about Rs. 7 lakh total for the Ayurvedic treatment and the surgery. Since I had not migrated to CGHS then I had no option but BSNLMRS. My children advised me not to submit bills and worry about it further. Subsequently I migrated to CGHS.

One of our members in Karnataka, staying about 250 KMs away from Bangalore, had a similar back pain. On my advice he went to the same hospital where I had the surgery. He too underwent a surgery there. Then it was diagnosed that he was suffering from cancer. He was referred to a Cancer Hospital. The panel of doctors in the new hospital opined that neither a surgery nor even chemo therapy was advisable as it was a case of multiple organ cancer. Doctors suggested medication for three months initially with an imported tablet that costs Rs 20000. He had to spend Rs 6 lakh a month. As he had migrated to CGHS few months before commencing the treatment, he got medicine free of cost through the CGHS, worth of Rs. 18 lakh. The panel of doctors is yet to decide further treatment for him. He will submit bills for about Rs 4-5 lakhs spent in the first hospital for surgery.

In such crisis, CGHS is a blessing. No doubt, there are complaints about CGHS

also. CGHS is comparatively better in New Delhi as Ministers, MPs and dignitaries are the beneficiaries. CGHS is functioning in Mumbai and Bangalore also without much complaint. It may not be the same at other stations. CGHS dispensaries are available only at 74 stations now. Pensioners cannot travel to distant places for taking treatment. CGHS centres should be available at least at every district headquarters. We have to seek help of MPs for expansion of CGHS; so also for getting sufficient staff in all the wellness centres of CGHS.

However, when BSNL fails to provide proper medicare to its former employees, CGHS is the alternative. When the Minister gives a deaf ear to our pleas we the pensioners have no alternative in the given situation. I therefore, suggest that our members should ponder over this matter, take stock of the situation prevailing and take a decision. Our health is most important for us, attitude of BSNL or the Government notwithstanding.

Caution:

The corona virus is back; this time more dangerous and deadly. We must be very careful and take every precaution. Some people who took first dose of vaccination also got infected and hospitalized. In this condition, it is advisable to avoid physical meetings of our units. We have to continue with virtual meetings for some more time. Our safety is more important. We have lost some comrades due to the pandemic. We should not lose any more. The whole world is in the grip of a crisis. We have to adjust with the situation and overcome. We shall overcome it.

With regards,

P Gangadhara Rao



REMEMBER HIS WORDS, AFTER ONE YEAR

One of India's best-known epidemiologist and former principal of Christian Medical College, Vellore in Tamilnadu, Dr Jayaprakash Muliyl told Indian Express on 12th April 2020 itself that India should prepare for a continued battle with Covid-19. Emphasising why herd immunity is important, Dr Muliyl said that hiding will always make a person susceptible and if the elderly are protected and transmission is allowed in the younger population, in a staggered manner, it can work. Some questions asked and answers given by the Doctor are given below:

We are now into the third week of the nationwide lockdown, how effective has it been in terms of containment of COVID-19 outbreak?

Lockdown serves the purpose of reducing transmission, which might occur at an exponential rate. It is difficult to make people participate in such an exercise because a majority of the Indians won't even understand what a virus is. In one sense, it has created awareness among the people and I hope the population practices social distancing measures in the weeks to come. Of course, not everybody would have learnt but a good proportion of people now know how to reduce the chance of getting infected and for that alone the lockdown has made a difference. Two main things that have been achieved are—slowing down transmission and creating alertness.

The number of fresh coronavirus cases that we are seeing every day has been considerably high—around 800-900 cases on some days despite the lockdown. Why is that?

I wonder if anyone thought we will get rid of the virus completely through the lockdown. The idea was to slow down transmission and whether it was a success or not subsequent analysis will show. The chances are that there was a small dent in the rate of transmission. Also, it gave us time to prepare ourselves for the grim situation of dealing with a high number of people approaching hospitals. The reality is we should prepare ourselves for a continued battle.

How do you see India's effort in containing the outbreak? Could we have done anything differently in the beginning — for instance, essentially quarantining all international travellers coming to the country since early March maybe?

This is a new disease and all the information we have accrued is over the last four months but it's clear that a country like India could not have prevented the virus from establishing the foothold. Now, small countries like New Zealand have managed to contain it and that's because those societies are much more organised and people follow directions. We, on the other hand, are a huge country with diversity and education and income levels that vary vastly. We could not have stopped travels overnight. We eventually did but infectivity and transmission of the disease

is something that made the virus extremely viable. It's also a helpless situation even for the governments. Let's not get into blame games. We have to move away from the institutional quarantine of every positive person. Those with mild symptoms can be home quarantined. at home.

You have spoken about natural herd immunity to overcome the epidemic? What does that mean?

Whenever a new virus emerges they have an easy way around because everyone is susceptible and the pathogens travel from person to person at will. You can try and keep yourself protected but for how long?

Somewhere along the line, it will catch you. Viruses—like measles, Influenza, induce an immune response and that can kill the viruses completely, that's the blessing we have. After someone's body has killed the virus the body forever remembers that pathogen and you become immune to it for the rest of your life. I believe, SARS CoV 2 behaves like many other viruses and triggers an immunological response in individuals. Those who recover after battling it will become protected from it. After a sizeable proportion of the population becomes immune to a virus that's called herd immunity and a virus finds it hard to thrive because it's difficult to find a host that's vulnerable. In the case of Influenza—the population that required herd immunity to stop the epidemic was 40 per cent. Once we reached 40 per cent in a locality—the epidemic seized. It was like magic. So a locality and then a country has to reach a certain level of herd immunity. For COVID-19, we do not know what that level is but with analyzing the data as it emerges—we will know that. People sometimes say it's not a good strategy but it's not a strategy—it's the natural journey of an epidemic whether you like it or not. The only thing is that

during the process many people can die and the elderly above 60 will be the most susceptible. The rate of death among younger people is very low but even if one young person per 1,000 dies due to the disease, the absolute number could be significant because we have a huge population. The infection, therefore, must be slowed down. Are you saying that the government should allow slow progression of the disease in order to achieve herd immunity?

Remember, if you keep hiding you always remain susceptible. The virus causes just mild symptoms in the young and in people above the age of 60 years, the mortality is high. In India, nearly 12 % of the population is over 55, so a large chunk of the population is not vulnerable in terms of fatality rate. In my view, if the elderly are protected and transmission is allowed in the younger population, in a staggered manner, it can work. For instance, big gatherings should be avoided and social distancing should be maintained. But societies and industries should be allowed to function at a slower rate. Young people who catch the infection will mostly keep recovering. But that doesn't mean it won't come back again. It might come back in a year or so but by then, we may have a vaccine to protect all.

You are suggesting protecting the elderly but can that be possible in a country like ours?

At the family level, the elderly can be kept in a room and though WHO suggests a distance of one meter, I will say follow the rule of maintaining at least two meter's distance. Remember, maintaining a physical distance, for the time being, is important. There is a chance that they might still get infected but it will reduce the spread. Having said that I do understand that in some areas like urban slums, it will not be easy. ○



MAY DAY

International Labour Day is an official public holiday all over the world in various countries. It is observed every year to pay tribute to the contribution of workers across the world. May 1 or May Day as it is popularly known as, is observed in countries such as Cuba, India, China among other countries.

May Day is also known as Workers' Day or International Workers' Day. May Day has different concepts in different countries. However, the common theme in all countries is the labour class taking a stand against the exploitation they were subjected to.

In India, **the first May Day** was celebrated in Madras (now known as Chennai) by the Labour Kisan Party of Hindustan on May 1, 1923. It was also the first time when the Red Flag which symbolises Labour Day was used in India for the first time. The day is linked to labour movements for communist and socialist political parties.

During the era of industrialisation, US industrialists exploited the working class by making them work 15 hours a day. It was only on May 1, 1886, that the labour class came together and revolted against this unjust system and asked for paid leaves, good wages and proper breaks. This is the reason why May Day is celebrated every year.

The day has its origins in the labour union movement, particularly the eight-hour day movement, which supports eight hours for work, eight hours for recreation, and eight hours for rest

May Day has long been a crucial point for demonstrations by various socialist, and communist parties.

May Day has been an important official holiday in countries such as the People's Republic of China, North Korea, Cuba, and the former Soviet Union. May Day celebrations typically feature elaborate popular and military parades in these countries

During the Cold War, May Day became intermittent for large military parades in Red Square by the Soviet Union and was attended by the top leaders of the Kremlin, especially the Politburo, atop Lenin's Tomb. It became an enduring symbol of that period.

The first May Day celebrations focused on workers took place on May 1st 1890 after its proclamation by the first international congress of socialist parties in Europe on July 14th 1889 in Paris, France, to dedicate May 1 every year as the "Workers Day of International Unity and Solidarity."

The date was chosen due to events on the other side of the Atlantic. In 1884 the American Federation of Organized Trades and Labor Unions demanded an eight-hour workday, to come in effect as of May 1st 1886. This resulted in the general strike and the Haymarket (in Chicago) Riot of 1886, but eventually also in the official sanction of the eight-hour workday.

The date was chosen for International Workers' Day by the Second International to commemorate the Haymarket affair, which occurred in Chicago on May 4, 1886.

In Chicago, on May 4, 1886, a bomb blast killed seven police officers and four civilians. The dynamite blast was a reply to the killings of peaceful demonstrators by police the day before. After the bombing, eight Labor leaders were convicted of conspiracy and sentenced to death. The case shaped international headlines because the indication suggested that none of those eight men had thrown the bomb

Three years later, a French socialist party created an international day to honour the labour movement and marked May 1 in commemoration of the Haymarket Massacre

In India, the Child Labour Act of 1986, which prohibited employing people below 14 years, was directed towards achieving better labour standards and to ensure there was no abuse or maltreatment of children by industries. The day is known as "Kamgar Din" in Hindi, "Karmikara Dinacharane" in Kannada, "Karmika Dinotsavam" in Telugu, "Kamgar Divas" in Marathi, "Uzhaipalar Dhinam" in Tamil, "Thozhilaali Dinam" in Malayalam and "Shromik Dibosh" in Bengali.

[Taken from Internet.]

MAY DAY 2021

On the occasion of May Day 2021, 135 years after the Chicago Action, we cannot be proud of the situation we are placed in India.

Using Covid-19 as an excuse, the employers and governments want to push the workers back by a century. The government at the centre is reportedly taking measures to legalize 12 hour working day. Some state governments have already issued notifications to that effect. The Government at the centre has completed the labour law codification process to attack the basic rights of the working class to organize and to strike. The Gujarat Chamber of Commerce and Industry has demanded that trade unions should be prohibited for at least one year and to reduce the wages of the contract workers to the level of Rs. 202 a day. Many more attacks on the rights of the working people are on the anvil on the plea of reviving the slowing-down economy, further aggravated by Corona and lockdown.

Instead of mobilising financial resources from the super rich, the government has put the entire burden on the workers and the common people. The DA being paid to neutralize ever escalating price of essential commodities, is frozen while there is no cap on profit of industrialists. In the name of Covid, wages of workers in many fields, especially IT field, have been drastically cut. Many workers confined to 'work at home' initially in the name of covid19 are retrenched denying work now. MNCs are not governed by our rules. In effect, 'Eight Hours Work' is reduced to 'No Work'. In BSNL, wages of the workers are not paid regularly or delayed for months together. The much trumpeted 'REVIVAL' project has not taken place, except throwing out about a lakh of workers from BSNL and MTNL.

A united movement of workers and retirees can only emerge as a fortress to protect us all from the attacks.

ORDERS

FAMILY PENSION

OM No. 17/2019-DoP&PW
dated 8-2-2021

Amendment of income criteria for grant of family pension to children/siblings suffering from mental or physical disability-regarding

The undersigned is directed to say that in accordance with sub-rule (6) of Rule 54 of the Central Civil Services (Pension) Rules, 1972, a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, is eligible for family pension for life, if the disability is of such a nature so as to prevent him/her from earning his/her livelihood. Further, as per the said Rule 54, a member of the family is deemed to be earning his/her livelihood, if his/her income, from sources other than family pension, is equal to or more than the minimum family pension and the dearness relief admissible thereon. This income ceiling is also applicable for determining eligibility for family pension of a child/sibling, suffering from a mental or physical disability.

2. The matter regarding income criteria for determining eligibility for family pension in the case of a child/sibling, suffering from mental or physical disability, has been reviewed in this Department, keeping in view the

special needs of such a child/sibling, who requires greater medical care and financial assistance. It is considered desirable that the income ceiling for grant of family pension to such children / siblings should commensurate with the amount of the entitled family pension in their case.

3. Therefore, it has now been decided that a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, shall be eligible for family pension for life, if the appointing authority is satisfied that the disability is of such a nature so as to prevent him/her from earning his/her livelihood, as evidenced by a disability certificate obtained from a competent medical authority. Such a child shall be deemed to be not earning his/her livelihood, if his/her overall income from sources other than family pension is less than the entitled family pension at ordinary rate and the dearness relief admissible thereon, payable on death of the Government servant/pensioner concerned.

4. Accordingly, a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, shall be eligible for family pension for life, if he/she fulfils, among others, the following conditions:

- i. A disability certificate is issued by the competent medical authority.
- ii. The overall income of the disabled child, from sources other than family pension, remains less than the entitled family pension at

ordinary rate (i.e. 30% of the last pay drawn by the deceased Government servant/pensioner concerned) plus the dearness relief admissible thereon.

5. The provisions of Rule 54 of the CCS (Pension) Rules, 1972 shall stand modified to the extent mentioned above only and the amended provisions shall take effect from the date of issue of this Office Memorandum. A formal amendment of Rule 54 shall be notified separately.

6. In cases where a child/sibling, suffering from a mental or physical disability is presently not in receipt of a family pension due to non-fulfillment of the earlier income criteria, family pension may be granted to such a child/sibling, if he/she fulfils the income criteria mentioned in para 3 and 4 above and also fulfils the other conditions for grant of family pension at the time of death of Government servant or pensioner or previous family pensioner. The financial benefits, in such cases, shall accrue from the date of issue of this Office Memorandum and no arrears for the period from the date of death of Government servant/ pensioner/previous family pensioner shall be admissible.

7. This OM is issued with the concurrence of Ministry of Finance, Department of Expenditure vide their ID No. 1(2)/EV/2020 dated 29.12.2020 and 02.02.2021.

8. In its application to persons belonging to Indian Audit and Accounts Department, these orders are issued under Article

148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India vide their UO No. 28-Staff(Rules)/AR//09-2019 dated 25.01.2021.

9. The Administrative Divisions of all Ministries/Departments and attached/subordinate offices are requested to bring the contents of these instructions to the notice of all concerned for compliance.

FAMILY PENSION

OM 1/1(2)/2020-DoP&PW (E)
dated 12-2-2021

Subject: Revision of limits of two family pensions payable to a child in respect of both the parents after the 7th CPC.

In accordance with sub-rule (11) of rule 54 of the Central Civil Services (Pension) Rules 1972, in case both wife and husband are Government servants and are governed by the provisions of that rule, on their death, the surviving child/children is/are eligible for two family pensions in respect of the deceased parents. As per the existing rule 54, if one of the parents dies while in service or after retirement, the family pension in respect of the deceased shall become payable to the surviving husband or wife and in the event of the death of the husband or wife, the surviving child or children shall be granted the two family pensions in respect of the deceased parents, subject to the limits specified below:

(a) (i) If the surviving child or

children is or are eligible to draw two family pensions at the rate mentioned in sub-rule (3) of Rule 54, the amount of both the family pensions shall be limited to forty-five thousand rupees per month;

(ii) If one of the family pensions ceases to be payable at the rate mentioned in sub-rule (3) of Rule 54, and in lieu thereof the family pension at the rate mentioned in sub-rule (2) of Rule 54 becomes payable, the amount of both the pensions shall also be limited to forty-five thousand rupees per month.

(b) If both the family pensions are payable at the rates mentioned in sub-rule (2) of Rule 54, the amount of two family pensions shall be limited to twenty-seven thousand rupees per month.

2. The limits of Rs 45,000/- per month and Rs 27,000/- per month in the existing Rule 54(11) were determined at the rate of 50% and 30%, respectively, of the highest pay of Rs. 90,000/- in the 6th CPC and were notified vide Notification No.38/80/2008-P&PW (A) dated 8th June, 2011 (GSR 176 dated the 11th June, 2011).

3. References have been received in this Department in regard to the limits of two family pensions payable to child/children in respect of both the parents, after the 7th CPC.

4. The highest pay in the Government has been revised to Rs. 2, 50,000/-per month after the 7th CPC. Accordingly, it is clarified that, with effect from 01. 01. 2016, the amount of Rupees forty five thousand per month in

Rule 54(11)(a)(i) & (ii) shall stand revised to Rupees one lakh-twenty-five thousand per month (being 50% of Rs.2,50,000/-) and the amount of twenty Seven thousand per month in Rule 54(11)(b) shall stand revised to Rupees seventy five thousand per month (being 30% of Rs. 2,50,000/-).

5. Formal amendment to the Central Civil Services (Pension) Rules in this respect shall be notified separately.

PENSION PROCESSING OF DISEASED PENSIONER

No. 12(19)/2020-P&PW(H)6569
Dated: 18-2-2021

Subject:Process to be adopted for settlement of pension dues where a retiree expires prior to filing Pension papers.

The undersigned is directed to say that Rule 59 of the Central Civil Services (Pension) Rule, 1972 provides for a definite timeline for preparatory work for processing of pension case of a retiring Government servant. The Rule inter alia provides for submission of pension papers by the retiring Government servant six months before the date of superannuation. Instances have, however, been brought to the notice of this Department where a Government servant died after retirement without having submitted the pension papers. As a result of this, the PPO could not be issued to the Government servant after his retirement. This also makes it difficult to sanction family pension to the eligible member of the family of the

deceased retired Government. It is, therefore, again emphasized that the timeline for submission and processing of pension papers may be strictly adhered to avoid such situations.

2. The claim of a Government servant for pension accrues as soon as he retires from Government service. Similarly, the claim of the family for family pension accrues on death of a Government servant during service or after retirement. In order to avoid any hardship to the family of a retired Government servant, who dies without submitting the pension papers, it has been decided, in consultation with the office of Controller General of Accounts, that the following procedure may be adopted for processing of the case for sanction of pension in respect of the deceased retired Government servant and for sanction of family pension to his/her family:-

ii. The spouse of the deceased retired Government servant or, in the absence of the spouse, a member of his/her family eligible for family pension, may submit the claim in Form 14 (Application for family pension on death of a Government servant/pensioner/family pensioner) along with Form 3 (Details of family), to the Head of Office.

iii. The Head of Office shall process the case in Form 7 (Form for assessing pension, family pension and gratuity) and send Form 7, Form 3, Form 14, Form 20 (Sanction for family pension on death of a pensioner/family pensioner) and a forwarding letter

in Form 8 to the PAO for authorization of pension and family pension in respect of the deceased retired Government servant.

iii. The PAO shall authorize the pension (in respect of the deceased retired Government servant) and family pension to the spouse/eligible family member. Only one PPO shall be issued by the PAO authorizing pension and family pension in Part-II of the PPO. Part-III of the PPO, which is applicable on death of a Government servant while in service, would not be relevant in such cases.

iv. The payment of arrears of pension for the period from the date following the date of retirement upto the date of death shall be made by the PAO to the family pensioner.

v. The PPO shall, thereafter, be sent to the Pension Disbursing Authority, through the Central Pension Accounting Office (CPAO), for payment of family pension.

3. While forwarding the pension papers to the PAO, the Head of Office shall make an indication in the Check List of Form 7 to the effect that the case pertains to a retired Government servant, who died without submitting the pension papers.

4. The Administrative Divisions of all Ministries/Department, their attached/subordinate offices and Pay & Accounts Offices are requested to bring these instructions to the notice of all concerned for compliance.

TIMELY PAYMENT OF RETIREMENT BENEFITS

DoP&PW OM Number
3(6)/2021-P&PW(H)-7083
dated 9-3-2021

The undersigned is directed to say that timelines have been prescribed under the CCS (Pension) Rules, 1972 for each activity involved in the processing of a pension case and for payment of pension and gratuity to a retiring Government servant. As per this timeline, the process of verification of service and other preparatory work should be undertaken one year before a Government servant is due to retire on superannuation, the Government servant should submit the forms six months before retirement, the Head of Office should send the pension case to the PAO four months before retirement and the PAO should issue PPO and send it to CPAO one month before retirement. The CPAO is required to issue the Special Seat Authority within 21 days, thereafter.

2. Instructions have been issued vide this Department's OM No 1/27/2011- P &PW{E) dated 01.08.2017 for handing over the copy of pensioner PPO to him/her at the time of retirement along with other retirement dues. The Rules also provide for sanction of provisional pension in cases where a Government servant is likely to retire before finalization of his pension and gratuity.

3. 'BHAVISHYA', the online Pension Sanction & Payment

Tracking System, facilitates online tracking of pension sanction and payment process by the individual as well as the administrative authorities and keeps the retiring employees informed of the progress of pension sanction process through SMS/E-Mail. The system is, therefore, very useful for ensuring timely payment of pensionary benefits to the retiring Government servant.

4. In spite of the timelines prescribed in the rules/instructions and simplification/streamlining of the procedures through BHAVISHYA, issue of the PPO and payment of retirement benefits continue to be delayed in a large number of cases. A significant percentage of the grievances registered on the CPENGRAMS relate to non-payment of retirement dues for several months after retirement. Delay in settlement of retirement dues also leads to avoidable litigation. In a number of cases, the courts have directed payment of interest for the delayed period to the affected pensioners, besides making adverse comments on the functioning of the administration.

5. In order to ensure timely payment of retirement dues in all cases, it has been decided that the progress of the pension cases should be regularly monitored by the Heads of the organizations and the Heads of Departments. An effective monitoring mechanism is required to be established in every office/Department to review the progress of processing of the pension cases.

The information available from the BHAVISHYA software may be utilized for this purpose.

6 Farewell programs are often organized in the offices on the occasion of retirement of employees. This is one of the most appropriate occasions that can be utilized to review the progress of the pension cases and to sensitize the concerned staff about the importance of timely payment of retirement dues. Accordingly, in every farewell function, Heads of organizations/Departments/offices may review the progress of pension cases of all the employees of that organization/Department/office, who are due for retirement in the next six months. Wherever the processing of any pension case is found to be behind schedule, proactive action must be taken to ensure that all retirement dues are paid on time to the retiring Government servant.

7 A half-yearly statement may be submitted by each Department/organization/ office to the Secretary of the administrative Ministry/Department indicating the particulars of the Government servants in whose case issue of PPO was delayed by more than two months after retirement on superannuation. The statement may also contain the reasons for the delay in issuing the PPO and remedial action taken to avoid such delays in future.

8 All the Ministries/Departments are requested to bring the above instructions to the notice of the offices/field organizations under

their administrative control for strict compliance.

PENSION PROCESSING

DoT No. 7-47/2016/PFP-Policy/ Pt-1/3402 to 3433 dated 25-2-2021 to all Pr CCAs/CCAs

Sub: Declaration of Head of the Office – reg.

Currently following process in respect of following revisions is being followed:

S.No. 1. Type of Revision: Conversion to Family Pension when eligible claimant is other than family pensioner mentioned in the PPO (Including BSNL VRS 2019 and Bank migrated cases).

Documents required: Form 14 with all enclosures, Death certificate, Mandate Form

Documents to be submitted by Pensioner to Head of Office: Form 14 to be submitted to Head of Office.

Direct Processing by Pension Section in CCA Office: No. Initiated only after Form 14 with required enclosures is duly forwarded by HOO.

S. No. 2 Type of Revision: Commutation Revision (including BSNL VRS 2019).

Documents required: Form 1/2.

Documents to be submitted by Pensioner to Head of Office: Form 1/2 to be submitted to Head of Office.

Direct Processing by Pension Section in CCA Office: No. Initiated only after Form 1/2 with required enclosures is duly forwarded by HOO.

The above process is leading to delay in settlement of above pension revisions. Further, this is causing great inconveniences to SAMPANN Pensioners.. Further, most of the BSNL VRS 2019 pensioners shall be applying for deferred commutation in coming years. In light of above and in order to provide further convenience to pensioners, the above process have been reviewed.

Accordingly, I am directed to convey that all SAMPANN pensioners may submit the respective forms in regard to above two revisions directly to the CCA offices which shall be performing the role of the Head of Office for the purpose of these two revisions with immediate effect.

This issues with the approval of Member (F).

FMA TO BSNL IDA PENSIONERS

CGCA No. 15-8/2019-20/
BA&IT/2012-2040
Dated 12-02.2021

It has been brought to the notice of Member (F), DoT by All India BSNL Pensioners' Welfare Association regarding problems faced by BSNL IDA Pensioners who migrated to CGHS in availing Fixed Medical Allowance (FMA). Many CCAs are not granting FMA to these pensioners. In this connection DoT vide letter No. 47-14/CPMS/TA.II/2018/4696 - 4726 dated 21-10-2019 (copy enclosed) addressed to all Pr. CCAs/CCAs had issued references of circulars issued by them

regarding CGHS facilities to the retired BSNL/MTNL employees who receive pension from Central Civil Estimates and applicability of FMA for IDA Pensioner.

It is therefore, requested that necessary action to comply the instructions/directions issued by DoT time and again in this regard for extending CGHS facilities to BSNL Pensioners may be complied with to mitigate this problem.

This issues with the approval of the Competent Authority.

FMA TO BSNL IDA PENSIONERS

CGCA No. 13-6/2020-21/
BA&IT/54 to 86
Dated 04.03.2021

Subject: Regarding payment of Fixed Medical Allowance to BSNL pensioners through CPMS reg.

Ref: (i) O% CCA Karnataka Circle Letter No.12/FMA/2021/ dated 21/01/2021 (Enclosed)

(ii) No.47-14/CPMS/TA-II/2018| 4696- 4726 dated 21/10/2019 Vide letter under reference (i) a suggestion for adding a feature of Fixed Medical Allowance (FMA) in SAMPANN for BSNL Pensioners has been raised. Presently, in SAMPANN, option of opting for FMA is extended only to CDA pensioners. As per DoT O.M. dated 21.10.2019 under reference IDA pensioners (BSNL) are also eligible to opt for FMA. Presently, such

functionality is not available to IDA pensioners in SAMPANN. However, development of extension of FMA to IDA pensioners and a utility for change of FMA after generation of PPO is part of the development plan and will be developed in due course.

I am directed to convey that till such time the functionality is developed, the following process for payment of FMA to eligible IDA (BSNL) pensioners could be followed by CCA offices:

.... Necessary corrigendum regarding inclusion of FMA may be issued by CCA Offices manually which can then be uploaded on the Pensioner's Dashboard using the Upload Utility.

.... The payment of FMA (as per eligibility) maybe done by entering the FMA related amount in the Arrear column in the Monthly Bill at DH (PDA) level while processing.

.... Once the FMA Change Utility has been built, the necessary authority will be generated by the system and FMA amount will be incorporated in the Monthly Bill automatically.

.... Also, after development, for fresh cases, FMA will be extended to IDA cases as well like it has been done for CDA cases.

LIFE CERTIFICATE BY SAMPANN PENSIONERS

Controller General of
Communication Accounts,

No. 13-8/2020-21/BA&IT/21 to
S3 Dated .02.2021

Ref: O/o CCA Assam Circle letter
no. ASM/CCA/PEN ADALAT/
2020-21dt.27/01/2021

Vide letter under reference a
suggestion has been given by a
Pensioners Association
regarding submission of Life
certificate of SAMPANN
pensioners in a uniform month (in
month of November every year)
along with other pensioners.

In this regard it is to mention that
for convenience of DoT
pensioners receiving pension via
SAMPANN Financial
Management System only,
timeline for Life Certificate
submission has been relaxed by
means of staggering. By way of
staggering, a pensioner has to
submit his/her Life Certificate
within one year of submission of
the previous Life Certificate.
Therefore, he/she does not have
to mandatorily submit the Life
Certificate in November of each
year. For example, if a pensioner
retires on 31st January, 2020
then he/she has to submit his/
her Life Certificate next in or
before February, 2021.

However, instead of submitting
the Life Certificate in a staggered
manner, a pensioner can submit
his/her Life Certificate in
November also or in any other
month he/she desires before the
expiry of his/her Life Certificate.
Therefore, I am directed to
convey that all Pr. CCA/CCA
offices may inform pensioners
and Pensioners Associations
regarding the above via letter/
SMS/call. This issues with

approval of the Competent
Authority.

**BSNL VRS: TAX
EXEMPTIONS**

BSNL CO Letter No. 1001-09/
2019-20/Taxation/BSNL VRS
2019/3723 Dated 11-2-2020

In continuation to this Branch's
letter of even no. 3719 dated 29-
01-2019 (available on intranet
portal); the quantum of tax
Exemption available to an
eligible BSNL VRS optee shall be
as follows:

i) Rule 2BA read with Sec
10(10C) of the Act provides a
maximum limit of Rs 5 lakhs on
the amount that will be exempt
from tax. The CBDT has clarified
that in case the amount received
exceed Rs 5 lakhs, only the
excess over Rs 5 lakhs will be
liable to tax

ii) TDS at applicable rates may
be deducted over and above d
Rs 5 lakhs on ex-gratia.
However, the provisions of PF,
Gratuity, Pension, Leave
encashment, medical re
imbursement etc. are to be
governed under regular
provisions and not u/s 10(10C).
iii) The VRS optee(s) can claim
either exemption u/s 10(10C) or
relief u/s 89, but not both, on
such amounts received or
recoverable on or after 01-04-
2009. This exemption is to be
provided one time only in a single
Assessment year upon first time
receipt of ex-gratia. Such
exemption cannot be given
proportionately.

iv) VRS optee(s) may declare
that whether he/she wants to opt

Exemption u/s 10(10C) or relief
u/s 89. However, for claiming
relief u/s 89 by the VRS
optees(s) conditions mentioned
under Rule 21A (copy enclosed)
needs to be satisfied. Further,
the relief amount calculated u/
s89 read with Rule 21A needs to
be declared by the VRS optee(s)
well in advanced to that TDS
amount may be calculated
accordingly.

This issues with the approval of
Sr. GM (Taxation), BSNL. CO.

**RETENTION OF STAFF
QUARTERS BY BSNL
RETIREES**

BSNL CO No. BSNLCO-LM/
15(II)/3/2020 dated 3-3-2021

Subject: Regarding revision of rent
of BSNL staff quarters under the
renting policy.

With reference to your letters dated
15.09.2020 and 12.11.2020
submitted vide above PGRMS
docket, it is informed that —

(a) Due to COVID-19 situation,
extension of retention of
Government accommodation was
granted by Department of
Estates up to 15.07.2020.
However, BSNL had allowed the
VRS-2019 optees to retain the
quarter for a period of 8 months,
i.e. upto 30.09.2020, which is
much beyond the retention period
allowed by the Deptt. of Estates on
account of Covid situation.

(b) As per current policy of BSNL,
there is a provision for the retired
employees (including VRS-2019
optees) to retain the quarter by
way of renting for a further period
of upto 2 years, provided there

is no waiting list. Hence, the retired allottee can apply for further retention of staff quarter barring at few locations where serving employees are in waiting list.

(c) Regarding the rental rates of quarters, it is informed that earlier the rates for leasing of surplus quarters were decided by BSNL in 2011. The current revision has been done after 9 years and is broadly in line with the prevailing market rates. However, the Circle Heads have been further delegated powers to reduce the rent by upto 10% or 20% depending upon premium and non-premium location of colony respectively.

This is issued with the approval of competent authority.

VRS: RECOVERY OF DUES

BSNL CO No. 48-2/2020-
Pen(B) dated 19-3-2021

Sub: Recovery of dues other than Government dues from the retirement benefits of BSNL VRS-2019 19 Scheme retired employees — Clarification regarding.

I am directed to refer to this Office letter of even no. dated 20/01/2021, wherein guidelines to recover due amount from the retirement benefits of BSNL VRS-2019 Scheme retired employees has been issued. After issuance of the aforesaid letter, this Office is receiving clarifications from various Telecom Circles / Units with regard to applicability of the aforesaid guidelines in case of

certain categories of BSNL VRS-2019 19 retirees.

2. The matter has been examined in BSNL Corporate Office and it has been decided to issue the following clarifications with regard to applicability of the guidelines issued vide this Office letter of even no. dated 20/01/2021, as under :-

1. Clarification sought:

Whether those BSNL VRS-2019 retirees, who have retained BSNL accommodation on the basis of any of the existing provisions for retention of BSNL accommodation on payment basis in case of retired BSNL employees, are also covered under the instructions issued vide BSNL CO letter dated 20-01-2021?

Clarification issued:

Those BSNL VRS-2019 retirees have been allowed to retain accommodation on the basis of existing provisions for retention of BSNL accommodation on payment basis, such as CROP 2020 Policy are out of the purview of these instructions.

2. Clarification sought:

Whether those BSNL VRS-2019 retirees, who have already vacated BSNL accommodation but not submitted "No Dues Certificate (NDC)" are also covered under the instructions issued vide BSNL CO letter dated 20-01-2021?

Clarification issued:

Those BSNL VRS-2019 retirees, who have vacated BSNL accommodation within

the permitted time period i.e. 30/09/2020 but not submitted "No Dues Certificated (NDC)" to the concerned PAO, are out of the purview of these instructions.

All the Heads of Circles/ Administrative Units of BSNL are, therefore, requested to take necessary action, in accordance with the aforesaid clarifications.

EX GRATIA: FINAL PAYMENT

BSNL CO -A/11(11)/8/2020-
ESTAB Dated 10-3-2021

With regard to the payment of final instalment of Ex gratia in respect of retirees of BSNL VRS-2019, instructions have been issued vide letters dated 05-03-2021 and 06-03-2021 for completion of ERP process latest by 09-03-2021 and payment by 10-03-2021. However as per the latest status at 1100 AM today it is observed that almost all circles have failed to meet the timelines.

2. The above timelines were planned considering bank holidays/strikes during the period from 11.03.2021 to 16.03.2021. However due to non-adherence of the above timelines by the circles so far funds could not be released by the BSNL Corporate Office for the payment for the Ex Gratia.

3. In this regard it is utmost necessary to complete the ERP process latest by 5.00 PM today so that payment can be released. In case of failure by any circle to complete the ERP process today till 5.00 PM the concerned circle

will be held responsible for non-compliance of instructions of BSNL Corporate Office and some of its employees not getting final instalment of Ex Gratia amount.

CROP-2020

BSNL CO -LM/13(11)/2/2020-O/o GM (LM) dated 19-03-2021

The BSNL CO has received query seeking clarification regarding the provisions of CROP-2020 Policy. The following clarification is issued in this regard.

Query:

It is mentioned in Section 9.3(b) of CROP-2020 that a retired employee is entitled for allotment only if the rent of allotted accommodation does not exceed 40% of his pension. It may be clarified whether 40% of pension includes dearness allowance or not.

Clarification:

The term 'Pension' in Section 9.3(b) of CROP-2020 Policy means 'total pension inclusive of all allowances.'

CGHS FEES FOR BSNL FAMILY PENSIONERS

[We took up with BSNL Corporate Office the case of migration to CGHS by Family Pensioners and reimbursement of one time payment to them. Tamil Nadu circle also sought clarification an year before from the corporate office. Our AGS Com Anupam Kaul continuously pursued it. Atlast corporate office issued the necessary clarification on 26-3-2021 and the order is given below]

P Gangadhara Rao, GS

BSNL CO-ADMN/12(12)/4/ 2021-ADMN dated 26-3-2021

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 BSNL CO letter NO: BSNL/Admn.I/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 BSNL CO letter No: BSNL/Admn.I/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.I/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.

In continuation and context of above subject, the matter is examined and following is clarified:

The family pensioners (Department 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.

It has the approval of the Competent Authority.

COVID VACCINATION FOR CGHS BENEFICIARIES

**OM No. Misc-12/CGHS/Gr. Cell/2021/DIR/
CGHS Dated 26-3-2021**

The Department has been receiving various representations and grievances regarding administration of COVID ID vaccine to the CGHS beneficiaries. The matter has been examined and it has now been decided that:

1. As per the Government of India policy, the vaccination against COVID illness is being provided free of cost to the beneficiaries at the designated government facilities. The beneficiaries are required to pay Rs. 250/- per dose in the private hospitals only. As per the policy no reimbursement has been provisioned if a beneficiary decides to get vaccinated at private empaneled hospitals, therefore the referral for the same by the CGHS Wellness Centers to the private hospitals is not required.

2. The planning and operational aspects for COVID-19 vaccination are in the domain of the State Governments. The District Health authorities of the State Governments are making arrangements for listing of the health facilities, for providing training, logistics, vaccinators and the vaccine to the identified facilities where COVID-19 vaccination centers are being planned and started. The CGHS does not have any role in this. A request has been made to all states to consider utilising CGHS Wellness Centres as CVC (Covid Vaccination Centre), if feasible.

3. All the beneficiaries are required to register themselves on the CoWin app and to indicate the name of the CVC where they would like to avail the vaccination and also the convenience of time at which to avail the same.

Here's a step-by-step guide for registration and

booking a vaccination appointment on CoWin:

People can register and book an appointment for vaccination either directly through the CoWin portal or through the Arogya Setu app which is integrated with CoWin.

On CoWin portal, enter your mobile number and click on the OTP (One Time Password). Enter the OTP received on your mobile and click on the verify button.

If registering through Arogya Setu app, go to the CoWin Win tab, tap on the Vaccination tab and the click on Proceed.

A registration page will appear where you will need to fill in the beneficiary's details, such as name, year of birth and gender. You will also need to enter the photo id type.

If the registration is meant for a senior citizen, click on Register. If it's for a person with co-morbidities, click on YES where the form asks, "Do you have any co- morbidities (pre- existing medical conditions)". The beneficiaries in this category need to carry a medical certificate when they go for their vaccine appointment.

Once registered, a confirmation message will be sent to your registered mobile number.

After registration, the system will show the "Account Details". On this page, you can add three more beneficiaries by clicking on Add More button.

One person can add up to four people linked with one mobile number.

You can schedule an appointment by clicking on a calendar icon, below a column named Action.

You will then be taken to "Book / Appointment for Vaccination" page where you will need to fill in the beneficiaries' address details - State/UT,

District, Block and Pincode. Click on the Search button once done.

A list of vaccination centres will appear' based on the search criteria.

Upon choosing a centre, the available slots (date and capacity) will be displayed.

After selection the dates, click on" Book".

A confirmation page with "Appointment Successful" message will be displayed.

If you want to reschedule, you can again log in with your mobile number, enter OTP and make the changes by clicking on the edit icon below the 'Action' column against registered individuals. In case you have to move to another city, you can make changes to find the nearest vaccination centre as well.

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

TREATMENT OF CGHS BENEFICIARIES AT GOVERNMENT HOSPITALS

**OM No. Z15025/18/2020/DIR/CGHS
Dated 09-10-2020**

With reference to the above subject the undersigned is directed to state that this Ministry is in receipt of several representations seeking clarifications about treatment at government hospitals. In this regard attention is drawn to Office Memorandum No. S-11012/1/91-CGHS(P) (Vol.I) dt 18.03.1992 vide which guidelines regarding settlement of claims were issued and to convey the approval of competent authority for issue of the following clarifications regarding treatment at government hospitals:

i. CGHS beneficiaries have the option to avail Consultation from Specialists/ Investigations/ treatment procedures from any Government Hospital Central /State)

ii. The definition of "Government hospital" would include any hospital of Central Government /State Government/Government Departments such as Railways. Atomic Energy Commission, etc., as also hospitals of Public Sector Undertakings (such as those of the Steel Authority of India Limited/Coal India Limited, hospitals under Municipalities etc.

iii. Normally, many services at government hospitals are free. However, in case any government hospital charges for certain treatments , the same can be availed by way of reimbursement from the authorities concerned as per CGHS approved rates.

iv. CGHS beneficiaries shall be eligible for reimbursement as per the ward entitlement he/ she is entitled as per the criteria prescribed in case of AIIMS. In other government hospitals, where only General Ward and Nursing Home facility are available, CGHS beneficiaries, who are eligible for semi-private ward and higher are eligible for treatment in Nursing Home wards.

v. Reimbursement for Implants shall be limited to CGHS prescribed ceiling rates. The other treatment charges are applicable item wise as per eligible ward entitlement.

vi. In case of treatment at ILBS, New Delhi , NIMS Hyderabad the reimbursement shall be as per CGHS rates.

vii. Medical claims are to be submitted through concerned CGHS Wellness Centre in case of Pensioners, ex-MPs , etc., and to the concerned Ministry /department /Office in case of serving employees and to the Rajya Sabha Secretariat / Lok Sabha Secretariat in case of Members of Parliament and to the concerned Autonomous body in case of CGHS beneficiaries of Autonomous Bodies for reimbursement

FEW CASES TAKEN UP BY OUR CHQ

IDA FREEZE

Email dated 14-11-2020 to Minister for Heavy Industries & Public Enterprises, New Delhi

I am writing this letter to convey the frustration of pensioners of BSNL on the day of Deepawali, the most important festival celebrated by people pan India. All pensioners and serving staff of CPSEs expected the increased quantum of IDA due from October 2020 before this festival. It has not come as DPE has not yet issued the required orders. DPE has been meticulously issuing orders on revised rate of IDA in the very first week of every quarter. We find a deviation from this practice in July 2020 and again in October 2020, reasons for which are not known to us. When contacted over phone, the concerned officers in DPE refuse to tell the reasons for the delay.

The change of base year for calculation of AICPI in no way affects the rate of IDA from October 2020. We would request you to intervene in the matter and cause issuance of orders on revised rate IDA with effect from 1st October 2020 without any further delay.

PENSION ANOMALY CASE

Email dated 24-12-2021

To, The Secretary, DoT, CMD BSNL,
Secretaries of DPE, DoP&PW and DoE.

The appeal filed by the respondents in W.P © 10019/2017 was dismissed by the Division Bench of Hon. Delhi High Court vide its order dated 24/01/2020 and directed to implement the order passed by Hon. CAT, PB, New Delhi dated 16/12/2016.

With reference to the above, the Hon'ble Division Bench of Central Administrative Tribunal (PB) New Delhi in C.P. No. 422/2017 titled as All India BSNL Pensioners' Welfare Association & Ors. Vs. Smt. Aruna Sundrarajan & Ors. Vide its order dated 18/11/2020 directed the respondents to implement the order dated 16/12/2016 in OA No.2173/2014 passed by the Hon'ble Division Bench of Central Administrative Tribunal (PB) New Delhi within three months. A computer generated copy of the aforesaid final order dated 18-11-2020 as well as a copy of the CAT order dated 16-12-2016 in OA 2173/2014 are enclosed for your kind perusal and compliance. The undersigned requests the respondents to honour the judgement dated 18/11/2020 of Hon. CAT, PB, Newdelhi within the timeline.

Since the affected pensioners have already become super senior citizens, the undersigned is confident that your goodself would certainly comply with the aforesaid final order within the stipulated period as directed by the Hon'ble Tribunal.

PENSION ANOMALY CASE

Letter dated 07-04-2021 to Secretary, DoT, CMD BSNL,
Secretaries of DPE, DoP&PW and DoE.

As your goodself is aware that 4230 employees absorbed from DoT, retired from BSNL, between October 2000 and June 2001 were getting less pension compared to those who retired later. This was because of a clarification issued by DoT on 15/1/2003 which stated that 'for working out the average pay of last 10 months, actual pay received in CDA and IDA should be taken together'.

We, in a representative capacity of all the affected 4230 pensioners, filed a case before Hon Principal Bench of CAT, New Delhi vide OA 2173/2014 wherein the Hon'ble Division Bench of the Tribunal, has been pleased to decide and pronounce the judgement on 16/12/2016 in favour of the applicants. The last para (para 25) is given below.

Extracts from PB, CAT, New Delhi

25. There is, therefore, no ground whatsoever for the respondents to deny the benefit of formula adopted in

OM dated 18.10.1999. The impugned order dated 15.01.2003 is thus quashed with direction to the respondents to re-fix pension of the applicants from the date of their retirement in the same manner as calculated for Central Government employees/ Public Sector Undertaking like FCI by adopting the formula as contained in OM dated 18.10.1999 and give notional benefit of the IDA pay scales and, thereafter, grant all consequential benefits from the date of retirement in accordance with law. We fix a time frame of 90 days from the receipt of a certified copy of this order for implementation of our directions. No costs:

Being aggrieved with the aforesaid Judgement dated 16.12.2016, a W.P.(C) No. 10019/17 was preferred by the Department, which was dismissed by the Hon'ble Division Bench of the Hon'ble High Court of Delhi vide its Order dated 24.01.2020. While dismissing the aforesaid writ petition by the Hon'ble High Court of Delhi. It was directed by the Hon'ble High Court of Delhi to the petitioners that the Order of Ld. Tribunal may kindly be implemented within 8 weeks from 24/01/2020. The last two paras (paras 44 & 45) of the judgement are given below.

Extracts from Delhi HC judgement

44. In that view of the matter, the question of issuing the impugned clarification to override the statutory mandate did not arise. The conclusions reached by the CAT are also consistent with the case law referred to hereinbefore and therefore call for no interference.

45. For all of the aforementioned reasons, the petitions are dismissed. The interim order stands vacated. The time for implementation of the impugned order of the CAT is extended by a period of eight weeks from today. The pending application is also disposed of."

The preferred C.P. No. 422/2017 for implementation of the Judgement dated 16.12.2016, which was closed by the Hon'ble Tribunal vide Order dated

08.02.2018 as a writ petition was preferred and the operation of the Judgement was stayed. Since, the liberty was granted while closing the proceedings of the Contempt petition vide Order dated 08.02.2018, the applicants availed the liberty and therefore, vide Order dated 19.08.2020, the Contempt Petition was revived.

While hearing the final arguments in details, the Hon'ble Tribunal has been pleased to dispose of the Contempt Petition with the following directions:

".....On 06.10.2020 when respondents to implement the directions issued in the O.A. within three months from the date of receipt of a copy of the Order. There shall be no Order as to costs.

In view of the above, the time framed directions granted vide Judgement dated 16.12.2016 (by the Division Bench of Hon'ble Tribunal), 24.01.2020 (by the Division Bench of Hon'ble High Court of Delhi) and lastly on 18.11.2020 by the Division Bench of Hon'ble Tribunal could not be followed on your part. Therefore, the applicants have left with no other or further option, but to initiate legal action for violation of the aforesaid Judgements duly passed by the Division bench of Hon'ble Tribunal as well as the Hon'ble Division Bench of the Hon'ble High Court of Delhi.

We, therefore, lastly request to your goodself to implement the Order directing the PCCA/CCAs to re-fix the pension of all the 4230 officials on the basis of 18/10/1999 DoP&PW OM i.e. notionally fixing the CDA pay into IDA pay for the period of last 10 months and sanction the pension accordingly from the date of their retirement respectively. So that the Orders dated 16.12.2016, 24.01.2020 and lastly on 18.11.2020 would be implemented accordingly failing which the applicants would be constrained to initiate legal proceedings by way of afresh Contempt Petition against you and other related departments in accordance with law.

A line in reply is solicited.

CGHS FOR FAMILY PENSIONERS

Email Dated: 30/9/2020 To CMD BSNL

As per the existing orders, dependents of BSNL absorbed pensioners are entitled to BSNLMRS facility as applicable to retirees. Retired employees who draw pension from Central Civil Estimate are eligible to migrate to CGHS from BSNLMRS. The family pensioners of such retired employees are also drawing their family pension from Central Civil Estimate. As such, the family pensioners are also entitled to migrate to CGHS. Allowing such migration would help BSNL to reduce the expenditure under BSNLMRS. Many circles allow such migration but some circles like Chennai Telephones, Tamilnadu circle are having doubt about allowing such migration. In this regard, Tamilnadu circle sought clarification from corporate office (addressed to AGM Admn. Secn IV) vide their letter dated 3/12/2019 (copy enclosed for ready referene).

Another problem which was brought to our notice is that, Karnataka circle allows the family pensioners to migrate to CGHS but such migrated family pensioners are not getting the reimbursement of CGHS subscription paid. Poor family pensioners are suffering because of this negative attitude.

We request the corporate office to issue a general clarification permitting the family pensioners who are beneficiaries of BSNLMRS to migrate to CGHS and reimburse the subscription to CGHS as one-time payment.

FMA TO BSNL IDA PENSIONERS WHO MIGRATED TO CGHS

Email Dt.2/2/2021 to Member (F), DoT

BSNL IDA pensioners/family pensioners whose pension is paid from Central Civil Estimate are entitled to avail the CGHS facilities as per the existing orders. Accordingly many have migrated to CGHS and paid the due subscription also.

In accordance with the existing orders the CGHS card-holders who are residing in the uncovered CGHS areas are entitled to FMA @ Rs.1000/- p.m. for their day-today medical out-door expenses. But many CCAs are not granting that amount to BSNL IDA pensioners.

We would like to draw your kind attention to the following:

·Accepting the 5th CPC recommendations, DoP&PW issued the basic order on 19/12/1997 vide OM No.45/57/97-P&PW(D) for grant of FMA of Rs.100/- p.m. to C.G. pensioners residing in area not covered under CGHS w.e.f. 1/12/1997.

·Para 2 of that order states “These orders shall apply to C.G. pensioners/Family pensioners who at the time of retirement/death were governed by CCS (Pension) Rules, 1972”.

·Para 6 of that order states The payment shall be made to the pensioner by the pension disbursing authority along with pension/family pension on monthly basis”.

·Para 7 of that order states “The payment of medical allowance shall be counted for as a part of sub-head under Pension and other Retirement benefits and no separate head shall be opened for the purpose”.

·FMA was increased to Rs.300/- p.m. from 1/9/2008. It was further increased to Rs.500/- p.m. from 19/11/2014.

·DoT vide its circular No.38 dated 8/9/2017 circulated DoP&PW OM No. 4/34/2017-P&PW(D) dated 19/7/2017 which increased the FMA to Rs.1000/- p.m. w. e.f.1/7/2017in accordance with the 7th CPC recommendations.In accordance with the above-quoted orders, BSNL IDA pensioners who migrated to CGHS, paid the due subscription and are residing in CGHS uncovered areas are entitled to a monthly FMA of Rs.1000/- along with their pension.Further, we understand that there is no provision in ‘Sampann’

for inclusion of FMA. Since the number of beneficiaries are more it may be practically difficult to CCAs to manually process the grant every month. To mitigate this difficulty a field may be created in CPMS software for FMA.

We request you, sir, to issue a general order to all the CCAs to grant FMA to BSNL IDA pensioners who migrated to CGHS and are residing in uncovered areas. In addition, necessary action may please be taken for inclusion of FMA in the software.

We shall feel highly obliged if we are informed about the action taken in this regard.

NON GRANT OF DUE PENSION

Email dated 1/2/2021 ToMember (F), DoT.

All the four cases referred above are similar. We give particulars of one case as example.

One Shri R.Balasubramanian, (from Coimbatore, Tamilnadu) SDE, officiated as DE for several spells lastly from 2/1/2007 to 30/6/2007 and retired on 30/6/2007. His pension was fixed taking into account the officiating spells rendered as DE.

After 10 years, BSNL corporate office issued an order on 28/2/2017 vide No.400/11/2011-Pers.I(Pt). Para 1 (ii) of that order stated "*The pay availed under any local officiating arrangement put in place or continued after 18/01/2007 i.e. the date when EPP was promulgated, shall not be protected in any future time bound upgradation or post based promotion under the EPP*".

Based on the above order, O/o PCCA, TN, at the time of granting the benefit of 78.2% IDA merger order of DoT dated 18/7/2016 to the above-mentioned official viz. R. Bala subramanian, the substantive pay was only taken into account ignoring the pay drawn in the officiating spells.

We request you, sir, to consider the following points:-
1) At the time of fixation of pension, the officiating pay was taken into account as per then existing orders as

on 30/6/2007. 78.2% IDA merger should be given only for the pay fixed at the time of retirement. Ignoring the pay for officiating spells amounts to reduction of pension which is impermissible according to Rule 70 of CCS (Pension) Rules, 1972.

2) Pension fixed in accordance with LPD at the time of retirement cannot be modified after a decade.

3) As per the above-quoted BSNL CO office order dated 28/2/2017, it is clearly mentioned the pay availed under any local officiating arrangement put in place or continued after 18/1/2007 i.e. the date of introduction of EPP shall not be protected in any future time bound upgradation or post based promotion under the EPP. From this, it is clear that the pay protection shall not be there for promotion under EPP. The above official did not get any promotion under EPP. So, it is a wrong interpretation by O/o PCCA, Tamil Nadu.

4) The above is not a solitary case. Cases of Shri K Ramani, Shri T M Mukesh and Shri Shanmugam and others are also similar.

PCCA, Tamil Nadu has also written a letter to DDG (Estt.) on 1/11/2019 in this regard and no clarification was received so far. We are constantly taking up the issue in pension adalats. May we seek your kind intervention for getting the due pension for the officials who are now 74 years old.

DEMAND NOTICE UNDER SECN 154 OF ITR ACT 1961

Email dated 10-2-2021 to Shri Debjyoti,
Director (HQ), CBDT, Newdelhi-110001

We represent the majority of Telecom pensioners retired from Department of Telecom and BSNL. Many of our members have informed us that they are getting demand notice under secn 154 of ITR Act 1961 for AY 2018-19 & 2019-20 from CPC, Bengaluru and CPC, Ghaziabad. Because of this notice, senior citizens are under tension and suffer from mental agony. All of them are honest tax payers. Nearly

78,000 employees from BSNL took voluntary retirement on 31/1/2020 in response to the appeal of the Government, with a view to revive BSNL.

2. BSNL management has got a proper system to deduct tax at source by giving due exemptions in accordance with provisions of ITR.

3. Before formation of BSNL, Department of Telecom (DoT) moved a Cabinet Note on 25/9/2000 for its approval. Para 4.4 of that memo deals with HRD issues. Point (v) of that para stated "**facility to carry over EL & HPL would be provided**". Point (vi) of that para stated "The pension framework has been made part of the CCS Pension Rules by amending Rule 37 using powers under Art. 309 of the Constitution of India". This was approved by the Cabinet and Department of Pension & Pensioners' Welfare issued gazette notification on 30/9/2000 amending Rule 37 of CCS (Pension) Rules, 1972.

4. Section 10(AA) (i) of ITR 1961 exempts leave encashment fully for the leave earned during the service in Government. Section 10(AA) (ii) exempts upto Rs. 3 lakhs of leave encashment for the leave earned in a PSU. BSNL management taking these provisions granted exemption accordingly. TDS was effected by the respective AOs and paid to IT department accordingly.

5. We understand that demand notice under secn 154 was issued as a matter of routine without taking the exemptions provided under the law.

The irony is that CPC, Bengaluru issued demand notice to one Shri Marshal Anotony Leo who retired on 31/7/2018 from BSNL as Chief General Manager; but he did not opt for BSNL and continued as DoT employee till retirement who is entitled for full exemption from paying incometax for encashment of leave.

6. In this connection, we would like to point out the order of Incometax Appellate Tribunal, Mumbai dated 5/2/2019 in Babulal Patel Vs Commissioner of Incometax, Mumbai. According to that order, the leave encashment for the leave earned during his service

as JE in DoT was totally exempted; exemption of Rs. 3 lakhs was granted for leave encashment for the leave earned during his service in MTNL.

7. We have written to CPC, Bengaluru and CPC, Ghaziabad yesterday (9/2/2021) requesting for withdrawal of those notices. May we request you, sir, to give proper instructions to those CPCs in this regard. We shall also feel obliged if we get a line of reply.

BSNLMRS CARDS REVALIDATION

Email dated 8-4-2021 To CMD, BSNL .

In view of Covid-19 situation, BSNL corporate office extended the date for revalidation of BSNLMRS cards initially upto 30/9/2020 vide its letter dated 29/6/2020, later upto 31/3/2021 vide its letter dated 28/9/2020.

Due to second wave which is considered as much more serious and spreads very fast throughout the country, the pensioners (senior citizens) are not in a position to move out for revalidation. Nobody can predict when complete normalcy will be restored, free from covid-19. Vaccination also may not prevent it.

Hence we request you, sir, to extend the date for revalidation till normalcy is restored in the country or until further orders.

QUICK REMEDY

We are happy to note that the BSNL CO issued instruction to all Circles vide its letter No. BSNL-ADMN/11(15)/2/2020-ADMN dated 8-4-2021 extending the validity of existing BSNLMRS Cards of BSNL Retired employees up to 30-9-2021 or till further order.

Existing Cards are valid till 30-9-2021. Let us hope that the situation pan India will be normal by that time.

STAFF REDUCTION IN BSNL & MTNL

[FIGURES FROM OFFICIAL STATEMENT PLACED IN LOK SABHA ON 10th MARCH 2021]

(a) No. and details of Employees In BSNL and MTNL on 31st March of Each Year are as under:

BSNL			MTNL				
Year	Executives	Non Executives	Total	Year	Executives	Non Executives	Total
2014	47768	190509	238277	2014	5075	31448	36523
2015	46694	178818	225512	2015	4534	29236	33770
2016	44906	166180	211086	2016	4354	26716	31070
2017	45354	151094	196448	2017	3925	23994	27919
2018	48455	135067	183522	2018	3561	21630	25191
2019	47116	119858	166974	2019	3127	18581	21708
2020	30887	38937	69824	2020	1288	2897	4185

(b) Government approved revival plan for BSNL and MTNL on 23-10-2019 which inter alia included in principle approval for merger of BSNL and MTNL. However, due to financial reasons including high debt of MTNL the merger of MTNL with BSNL is deferred. However, close cooperation and service integration between BSNL and MTNL has been undertaken.

(c) & (d) The details of expenditure and annual profit/loss for the period from 2010-11 to 2019-20 of BSNL and MTNL are as under:

BSNL			MTNL		
Year	Total expenditure	Loss in Crores	Year	Total expenditure	Loss in Crores
2010-11	36,002 cr.	6384	2010-11	6314 cr.	2802
2011-12	36,585	8851	2011-12	6720	4410
2012-13	34899	7884	2012-13	7836	5321
2013-14	34929	7019	2013-14	5480	+7825
2014-15	37291	8234	2014-15	5284	2893
2015-16	37270	4875	2015-16	5054	2006
2016-17	36327	4793	2016-17	5049	2971
2017-18	33809	7993	2017-18	4584	2971
2018-19	34225	14904	2018-19	4293	3398
2019-20	34406	15500	2019-20	3981	3811
2020-21*	12368	3607	2020-21*	2111	1220

* The figures for FY 2020-21 are provisional and unaudited and upto 30-9-2020

* The figures for FY 2020-21 are provisional and unaudited and upto 30-9-2020

IT NOTICES: QUICK SOLUTION.

During February-March 2021, we received many complaints from our members that they received notices from CPC Bangalore of Income Tax Department, under sections 143/154, raising a demand up to more than Rs. 4 lacks in some cases. After analyzing we found that it was due to inclusion of DoT-leave encashment amount in salary component. The Leave Encashment amount paid to Government employees at the time of retirement is totally exempted from Incometax. Whereas, the Leave Encashment amount paid to PSU Employees is taxable, with an exemption of Rs 3 lakhs. In our case, a portion of LE amount pertains to DoT service period and another portion to BSNL service period. Same should have been shown distinctly separate.

We pursued the case promptly with CPC Bangalore and also with the Central Board of Direct Taxes New Delhi, simultaneously. I discussed the matter with Director TPL2 (Tax Policy & Legislation) CBDT. I was informed that there was no need for any change or modification to the IT policy in our case. I requested the Director to advice CPC suitably. At the same time we also sought for the kind intervention of Member (F), DOT. And our leaders consulted many Tax Practitioners at different stations too.

On the basis of such discussions and consultations we advised our members to file Revised Returns excluding DOT-LE amount and send a request letter along with other documents as detailed in our message posted in Whatsapp Groups.

Soon, many of our members started getting a reply from CPC, Bangalore of Income Tax Department that the tax to be paid is corrected as zero. Some members got revised notification from the IT Department even without submitting the such request.

We are greatly relieved and happy along with affected members for having got the solution so quickly.

**P Gangadhara Rao,
General Secretary.**

CORONA CAN'T KILL THE SPIRIT

Meeting of our Kancheepuram branch, 22-3-2021



Meeting of our Palakkad branch, 26-3-2021



Virtual CEC Meeting of AP Circle on 27-3-2021



PENSIONERS PATRIKA

Published
Bimonthly.

MAY-JUNE, 2021

Posted in first week
of alternate month

RNI Regn No. TNBIL/2017/70652



Martin Niemöller (1892 – 1994) was a German Lutheran pastor and theologian. Niemöller was an anti-Communist and supported Adolf Hitler's rise to power. But later on, Niemöller became disillusioned. He became the leader of a group of German clergymen opposed to Hitler.

In 1937 he was arrested and eventually released in 1945 by the Allies. He continued his career in Germany as a clergyman and as a leading voice of penance and reconciliation for the German people after World War II. His famous poem, still relevant after three quarters of a century, is given below:

**First they came for the Communists
And I did not speak out
Because I was not a Communist**

**Then they came for the Socialists
And I did not speak out
Because I was not a Socialist**

**Then they came for the trade unionists
And I did not speak out
Because I was not a trade unionist**

**Then they came for the Jews
And I did not speak out
Because I was not a Jew**

**Then they came for me
And there was no one left
To speak out for me**