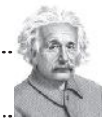


If You Can't explain it simply, you don't understand it well enough



GS DESK

The liberalization's target is takeover of complete markets including local markets by the Corporate Houses. The privatization of Public Sector Institutions, Disinvestment of Public Sector to Private are the known forms of loosening of Government's control on economics and allowing free hand to Corporates to takeover everything with the intent of maximization of their profits and loot. The annulment of established labour laws that guarantees certain labour rights including the trade union rights is also to facilitate Corporates to plunder the cheap labour unhindered. The entry of International Corporates in future trading etc also to facilitate their tightening grip on agriculture produces. Simply liberalization means all round privatization and free hand to exploit and plunder the wealth of all nations and the cheap labour to maximize their profit through production at less cost. These are well-known path of Corporate liberalization.

But what happens when the 'Hindutwa ideals' that contradicts with the drive of liberalization? It is very interesting to note that the Hindutwa instead of contradicting and fighting the liberalization where the issue involved is at variance, helps the liberalization to consolidate itself! The cow-slaughter issue is the point of our observance here. We know that cow-slaughter is legally banned in several states and some states like Gujarat, Chhattisgarh and now the Uttar Pradesh are in the forefront to tighten the laws of cow slaughter! Gujarat amended the cow slaughter law to award life imprisonment for illegal cow slaughter; Uttar Pradesh Government recently closed several local slaughter houses in the name of their functioning without valid licenses and against the norms of National Green Tribunal. The Government of Chhattisgarh boasts of cow-slaughter-free state for years and talks of hanging illegal cow-slaughterers! Yes, cow is holy in Hinduism and cow-slaughter is one of the issues sentimentally been taken up for years by the forces of Hindutwa as a weapon to gain strength in politics. But the question is what is the present position as the proponents of Hindutwa are wielding the central power?

The export of beef and buffalo meat is a major industry in India. In fact India is finding itself in the top of the list of major beef exporting nations of the world. Even countries like Brazil, Australia are unable to beat India in the export

of beef. Several thousands of crores are earned as foreign exchange every year through beef export. According to estimates the buffalo meat produced in India is more cheaper than other countries. This is the major reason for capturing of export market by India. This is possible for India mainly for the reason that labour is cheaper in India in comparison to other countries. But the question is beef and buffalo meat production is being against the Hindutwa ideals, and when several States of India are vociferously speaking against cow-slaughter and tightening the laws to award stringent punishments to persons involved in illegal cow-slaughter, what the Central Government is doing all along? The answer is quite interesting!

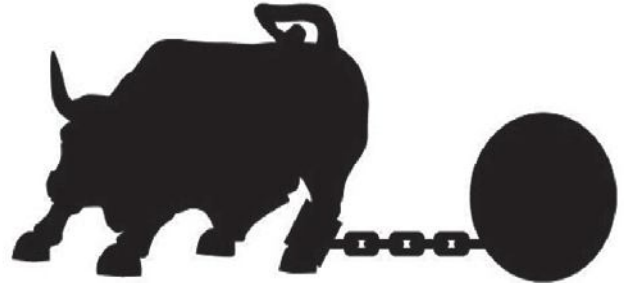
The Central Government is encouraging the Corporate Houses to export more beef and buffalo meat as the guiding policy of the Central Government is 'Make in India'! A literal 'Hindutwa' Vs 'Liberalization' But what is happening? The local cow-slaughter houses that generally tend to cater to the local village and town market is targeted and closed as in Uttar Pradesh! The action is naturally helps the Corporate Houses in the same business to expand their markets and also helps the Corporate Industries to get more experienced labour at a cheaper prices by the unemployment generated by banning of local cow-slaughter houses! The poor hindu peasants, the poor muslim butchers, the poor middlemen involved in the business are all going to be jobless!

Therefore if any one wonders, as to what is the real intention of Hindutwa, they are justified to wonder! The Hindutwa forces are trying a win-win situation by archestrating themselves as strong opponents of cow-slaughter by such harsh laws of Gujarat on one side to consolidate their voting support but at the same time encouraging Corporate Meat Production and Export in pursuit of liberalization to appease the forces of LPG! A fine double game! A nice double advantage! But what is the stake of Pensioners in this game? The unity of the Pensioners /Workers will be divided and as they stand at opposite camps their genuine economic demands will continue to be deposited in the cold-storage! A bonus third advantage to the Government indeed!

K.Ragavendran, Editor

MASS DHARNA IN FRONT OF FINANCE MINISTER'S OFFICE HUMAN CHAIN IN FRONT OF CG OFFICES CONFEDERATION CALL! AIPRPA ENDORSES!!

The assurances given out by the Group of Ministers on behalf of the Government of India on June 30th are broken. The issues of Government Employees especially the correction needed in the computation of minimum wages calculated by the 7th CPC and also the Fitment Factor and other issues are not at all considered by the High Level Committees. The one and only favourable recommendation of the 7th CPC granting Option Number 1 for Pension Refixation by including the number of increments before retirement stands rejected.



good participation of our Pensioners in the Dharna Programme. As its second phase, the Confederation has called upon to mobilize 'Human Chain of CG Employees & Pensioners' on 22.06.2017 in front of major Central Government Offices at all important centres. AIPRPA calls upon all its States and Districts / Divisions to join hands with the Confederation and organize good number of our Pensioners in the Human Chain Programme on 22.06.2017.

Let us join effectively in the 'Massive Dharna in front of Finance Minister's House at New Delhi' on 23.05.2017 & 'Human Chain in front of major Central Government Offices' on 22.06.2017. ●

Comrade Bhagwan Dass ex-GS R4 NFPE - Red Salutes!

Comrade Bhagwan Dass was the first worker General Secretary of R4 NFPE union. Moreover he rose from the ranks of a casual labour. He always concentrated on cadre issues and even in Federal Executives always presented his cadre issues. His demise by heart attack is a shock to us as he was still in service at the time of his demise. AIPRPA CHQ dips its banner in honour of departed comrade Bhagwan Dass!



The Confederation of CG Employees has organised a strike on 16.03.2017. Despite the massive success of the strike, the Central Government is still in its sweet slumber. NJCA united action is very much necessary to wake up the Government. In this background, the Confederation of CG Employees has decided to intensify the struggle. A two-phased Programme of Action is decided. A call for a massive Dharna in front of the residence of Hon'ble Finance Minister in New Delhi in which thousands of CG Employees and Pensioners will participate has been issued. AIPRPA endorses the call for Massive Dharna and calls upon our Postal & RMS Pensioners to join the 'Dharna' Programme on 23.05.2017 at New Delhi en masse. Delhi and adjoining States are requested to mobilize in large numbers to ensure

Valapadi V.Krishnan contributes PP Development Fund



Comrade V.Krishnan is our strong member of AIPRPA Salem District (Tamilnadu). He entered into Postal Services as a EDDA in 1967. In 1969 he became a BPM and subsequently was promoted as Postman in the year 1983. After serving for 18 years in Postman cadre he was retired on June, 2001 at Hasthampatti Post office. Comrade V.Krishnan has contributed Rs.1000/- (One thousand only) towards the development fund of Pensioners Post. The monthly organ of AIPRPA is highly thankful to Comrade Krishnan for his contribution to the development of the journal.

Fate of MACP to Postal Promotees

Modified Assured Career Progression (MACP) Scheme is the so called improved format of the earlier Assured Career Progression (ACP) Scheme. There are but both improvements and slides in the new MACP Scheme. The improvements are the grant of third financial up-gradation in place of two and up-gradations on the completion of 10, 20 and 30 years instead of 12 and 24. The slide is the grant of Grade Pay hierarchical ladder substituting the parity with the regular hierarchical promotion ladder.

The grant of third MACP and grant of financial up-gradations on 10, 20 and 30th year of service attracted the mass of Postal Employees as they were under TBOP and BCR Scheme granted on completion of 16 and 26 years of service. Getting a third up-gradation and getting the up-gradations quicker than TBOP/BCR Scheme pulled the Postal Staff towards MACP Scheme. The slide as mentioned above was not at that time (as well as now) adversely affecting the Postal Staff as like other CG Employees in other departments. The promotion system is generally qualifying one in other CG departments but it is fully competitive in Postal Department. Even the only examination for the cadre of JAO on qualifying pattern had been converted into competitive pattern and so there is no examination at present on qualifying pattern.

But in other departments particularly in Defence, the regular promotional hierarchy means jump of one or two Grade Pay level to employees and so they are at a loss when they don't get their regular promotion but get only MACP in lieu of it. This slide or negative aspect is not at present the concern of the Postal Employees but there is no guarantee that tomorrow the regular promotional ladder is improved. Anyway presently it is not a serious problem in Postal.

The in-built negative feature of MACP Scheme is that any promotion attained by the Postal Staff on competitive examination basis is counted against the number of MACP up-gradations. If any Postman became Postal Assistant through a competitive examination, that promotion is counted against MACP-1. Therefore he will only get two more financial up-gradations under MACP Scheme. A direct entry Postal Assistant will get three up-gradations and therefore he will go one place up in the Grade Pay ladder in comparison to the Promotee Postal Assistants. The net result is that if the Postman does not aspire to become a Postal Assistant also will automatically reach the same Grade Pay hierarchy level under MACP Scheme on completion of his 30th year of service. The case of former Group 'D' employees promoted as Postman and then as a Postal Assistant is getting a raw deal

under MACP Scheme. This type of employees will be eligible for only one more up-gradation under MACP Scheme as his earlier both promotions are counted against MACP.

The above difference between the Promotees and Direct Recruits was known to the Federations that signed the MACP Scheme in lieu of TBOP/BCR Scheme for Postal Employees. The main reason for accepting MACP in lieu of TBOP/BCR was that despite the above negative aspects to the Promotee Employees they do reach either the same hierarchical level or one step above the hierarchical level. The Postman promoted to PA is anyhow reaching the level of 4200 Grade Pay under MACP or TBOP/BCR Scheme. But the Postman who does not opt to become a Postal Assistant cannot reach 4200 Grade Pay level under the earlier TBOP/BCR Scheme. As far as the former Group 'D' is concerned, he cannot reach the level of 2800 Grade Pay under the earlier TBOP/BCR Scheme. Therefore the negative aspect notwithstanding the Federations have opted to MACP Scheme with the clear understanding that through our consistent efforts, the MACP Scheme itself is to be improved to facilitate better up-gradation prospects to Promotee Employees.

Now, let us come to the legal battles being fought on MACP Scheme by the Promotees as well as by those Employees under ACP Scheme who were adversely affected by MACP Scheme. The first judgment in favour of Promotee Employees came from Jodhpur CAT. The Honourable Jodhpur



CAT favoured grant of three financial up-gradations to the Promotees also from the date of their PA Promotion under MACP Scheme. Subsequently

Comrade V.Thulasiraman Contributes to PP Development Fund



Comrade V.Thulasiraman is the retired Deputy Superintendent of Post Offices, Salem East Division. After retirement Comrade Thulasiraman is associated with the pensioners' movement and now with AIPRPA Salem. He has contributed Rs.1000/- (On thousand only) for the Development Fund of the journal through the District Secretary AIPRPA Salem. Pensioners Post profoundly thanks Comrade V.Thulasiraman for his generous contribution and also for his commitment towards the CHQ journal.

several other CATs as well as some High Courts have delivered similar favourable judgments to the Promotee Employees. The crux of these judgments is that the competitive examination that lifted the Promotees from lower level to higher level should be treated like direct entry only.

In the meanwhile a judgment has come in favour of those employees who were eligible for ACP on par with their promotional hierarchical ladder instead of MACP on the next Grade Pay in between 1.9.2008 and the date of MACP orders. The MACP Order issued subsequently but giving effect to MACP retrospectively from 1.9.2008 had snatched the better benefit to some employees under ACP. The Court has now ruled that until the MACP Scheme order was released, the benefit of ACP should be extended to those employees who were getting better benefit under ACP instead of MACP. The Court also ruled that retrospectively a benefit cannot be curtailed through an order issued subsequently. This judgment can be taken advantage of by Postal Employees also who could have derived better benefit under the earlier TBOP/BCR Scheme between 1.9.2008 and the date of MACP order issued for Postal Employees.

Now let us concentrate on the main issue. The CAT Chennai delivered a different judgment. The Chennai CAT has not favoured the argument of Promotee employees. But favoured the argument

of the department based on the Recruitment Rules of PA/SA Cadre that categorically reserves 50% of PA/SA vacancies for the lower grade staff. So the Chennai CAT took the stand that a promotion to PA given to the lower grade employees is only a promotion and therefore it has to be counted against the number of MACP up-gradations. Interestingly the Advocates of Promotee Employees in the involved cases in Chennai CAT pleaded the CAT to wait for the outcome of the SLP filed by the Government against the judgment of Madras High Court in the case of Sivakumar a former Promotee Employee of Chennai City North Division. As the above SLP has already reached the stage of final hearing, the Chennai CAT also willy-nilly waited for the outcome of the Apex Court.

The Apex Court had dismissed the SLP of the Government in Sivakumar Case. But the benefit out of it could not reach all other petitioners including those involved in the cases pending in Chennai CAT. Despite the dismissal of the SLP by the Supreme Court in Sivakumar Case, the Chennai CAT delivered its judgment in favour of the department's argument that the promotions offered to Promotees under the limited departmental competitive examinations are 'Promotions' only and therefore no need to discount them against MACP. This may appear against judicial norms which normally follows the judgments of any higher courts. A lower court do not ignore the judgments of its higher courts. But in the case of Chennai CAT we may note that despite the dismissal of the SLP by the Apex Court in Sivakumar Case, the CAT had delivered its judgment against the grant of MACP to Promotees. Why? Has the CAT Chennai violated the judicial norms? Has the CAT Chennai gone against the judgment of the Apex Court?

The answer is 'No'. The final judgment of the Apex Court in Sivakumar Case while dismissing the SLP filed by the Government against the judgment of the same Chennai CAT as well as the Madras High Court in favour of Sivakumar kept the law open in the matter of MACP. The Apex Court has said that 'the law is kept open'. What is the meaning of 'law is kept open'? The meaning is that the dismissal of SLP by the Apex Court will have no direct effect on any other court case of MACP pending in any other Court of the land! All other cases will follow its own natural course and the aggrieved parties (either the Promotees or the Government) are free to pursue higher courts with their Appeals and SLPs! In effect the Supreme Court has not come to any final conclusion and not delivered any final judgment on MACP up-gradations to Postal Promotees to be mandatorily followed by all lower courts of the land.

The Senior Superintendent of Post Offices, Chennai City North Division issuing any orders in favour of Sivakumar will be applicable only to Sivakumar and not extendable to any other Promotees. The hype that can be seen in the social media as though the MACP case has come to a finality in favour of Postal Promotees is to be ignored. The case has not come to

Comrade Sriramulu contributes PP Development Fund



Comrade Sriramulu is the President



of All India Postal & RMS Pensioners Association, Chengalpattu Division (Tamilnadu). He was originally recruited under the composite Chengalpattu Division and thereafter while bifurcation joined Tambaram Division. He had served the postal employees movement as an office bearer in both composite as well as bifurcated divisional unions of NFPE. After retirement became active in Pensioners' Movement and became the President of AIPRPA on its formation. Comrade L.Sriramulu has contributed 1000/- (One thousand only) towards Pensioners Post Development Fund through the Divisional Secretary of AIPRPA Chengalpattu. The Pensioners Post expresses its gratitude for the donation of Comrade Sriramulu.

its finality. In fact we have to travel a long way further in pursuit of justice to Postal Promotees. The outcome of Sivakumar case in the Supreme Court will give strength to the Promotees in raising the argument in their favour. The Government can cite the outcome of recent Chennai CAT case that supports the contention of the Official Side. The law is kept open by the Supreme Court! Every court of the land can take its own stand on the MACP issue. A final battle in the Supreme Court awaits a final position. ●

Family Pension under NPS?



The question widely asked is 'Will Family Pension be payable under NPS'? We know that family pension was first introduced after the recommendations of 1st CPC. At that time it was introduced only for a period of 10 years from the death of the Government Servant / Pensioner. Later the restriction was removed to make it a life time family pension after 2nd CPC. Further improvements in the family pension scheme were made at different intervals based on successive Pay Commissions. Therefore the family pension also came to be considered as a fundamental right as like the 'Pension'. In fact the family pension is the only source of livelihood to the family especially the spouse in the event of the death of the bread earner of the family. This important fundamental aspect of 'Family Pension' was missing in the considered thought of the liberalization proponents who desired to kill the right to Pension of the Government Employees.

NPS or the New Pension Scheme was void of any provision for family pension when implemented. The absence of family pension was only one among many adverse factors under the NPS Scheme. There was no gratuity, no guaranteed minimum pension, no provision for periodical revision of pension, no dearness relief system etc under the NPS. All that was propagated was that under the NPS the pensioners may get more pension than those under the 'Defined Pension System'. But everyone knows well that there is no likelihood of NPS Pensioners getting better pension than the 'Old Pensioners'.

Repeatedly these adverse factors

were highlighted by the movement in opposition to the NPS. However, the Government went ahead and enacted the PFRDA in Parliament to legalize the new pension system without addressing a single problem raised by the movement! Legal cases challenging the NPS created some pressure on the Central Government resulted in issuing an order for grant of 'Family Pension' to the spouses of the deceased Government Employees in the year 2009 (No.38/41/06-P&PW(A) dtd 5.5.2009). But this benefit is only in case of the death of the Government Servant while in service and not for the spouse of the NPS Pensioner already retired. It was also clarified in that order that either the Family / Disability Pension or the NPS annuity will be given. Constant struggles of the Working Class resulted ultimately in announcing the grant of 'Gratuity' to NPS beneficiaries also recently on the eve of 2nd September, 2016 Strike. But all the other draw backs including the non-guarantee of minimum pension' remain as it is.

It is noteworthy to read the proceedings of the Rajya Sabha of Parliament wherein the former Finance Minister Shri.P.Chidambaram replied for questions related to NPS. To the questions raised on family pension and Disability Pension under NPS, the Finance Minister had replied that there are 1900 cases of family pension and 20 cases of Disability Pension under NPS. It was also replied that under the Orders of the Government dated 05.05.2009, the Family Pension at the same rates given under the Old Pension System is payable to the family of the Government

INJUSTICES GALORE AGAINST TAMILNADU STATE TRANSPORT PENSIONERS



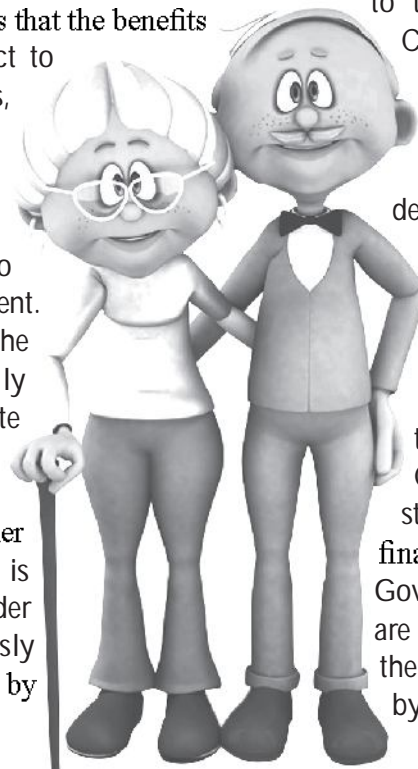
The pensioners and Family Pensioners of Tamilnadu State Transport Services are in a dire situation. The mismanagement of the transport services by the bureaucracy and the callous attitude of Tamilnadu State Government has brought the Government Transport Services to the brink of collapse. There is absolutely money left to pay monthly pension to its pensioners and Family Pensioners. Every month pension is distributed at whim either during 1st week or after 15th or during the last week of the month. No guarantee that the pension will be paid in a month. The retiring transport employees get their retirement settlement benefits like the Gratuity, Commutation etc only after two years! The Pensioners at the call of the Tamilnadu State Transport Retired Employees Association launched a bitter struggle wherein thousands of pensioners assembled in front of transport head offices and sat continuously for 13 days in a 'Squatting Struggle'. The State COC of Central, State Government and Public Sector Pensioner Associations extended Solidarity to the struggle. Here are some photos of their heroic squatting programme conducted before Chennai Transport House:

Employees under NPS who die while in service.

However, what the Honourable Finance Minister had not replied in the Parliament is the contents of the said OM dated 5.5.2009 that also says that the benefits are provisional in nature and subject to further orders. As per this orders, Family Pension is eligible to the family on the death of Government Servants.

This order was released prior to the enactment of PFRDA in Parliament. Therefore a question arises as to the continued availability of 'Family Pension' after PFRDA. We should note that the Orders of the Government dated 5.5.2009 stated that the benefit is provisional until further orders. Therefore, Our contention is that a Government order is an order that has to be followed scrupulously unless and otherwise modified by

another Government Order specifically. Therefore the Government Order issued for provision of 'Family Pension' continue to be in vogue as no other order to the contrary was ever issued by the Central Government despite enactment of PFRDA.

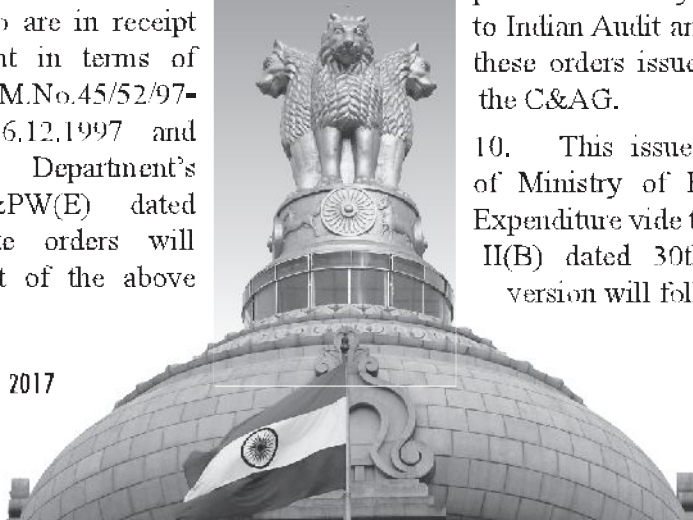


The 'Family Pension' to the families of Government Servants on death (but not to Pensioners of NPS already retired) as per the earlier orders and the 'Gratuity' to NPS Pensioners as per the recent orders is the twin benefits granted to NPS Beneficiaries due to the protests and struggles of the employees and pensioners. The Committee constituted on NPS for streamlining the scheme is expected to finalize its recommendations and submit to Government. We have to wait and see what are all the issues that attracts the attention of the Committee for redressal as pointed out by the 7th CPC. ●

GOVERNMENT ORDERS

- **Department of Pension & Pensioners Welfare**
 - **F.No.42/15/2016-P&PW(G) dated 7.4.2017**
 - **Subject: Grant of Dearness Relief to Central Government pensioners/ family pensioners – Revised rate effective from 1.1.2017.**
1. The undersigned is directed to refer to this Department's OM No.42/15/2016-P&PW(G) dated 16th Nov. 2016 on the subject mentioned above and to state that the President is pleased to decide that the Dearness Relief admissible to Central Government pensioners / family pensioners shall be enhanced from the existing rate of 2% to 4% w.e.f. 1.1.2017.
 2. These orders apply to (i) Civilian Central Government Pensioners / Family Pensioners Service(ii) The Armed Forces Pensioners, Civilian Pensioners paid out of the Defense Service Estimates (iii) All India Service Pensioners (iv) Railway Pensioners / family pensioners (v) Pensioners who are in receipt of provisional pension.
 3. These orders shall not be applicable on following categories
 - (i) The Burma Civilian pensioners / family pensioners and pensioners /family of displaced Government pensioners from Pakistan who are Indian Nationals but receiving pension on behalf of Government of Pakistan and are in receipt of ad-hoc ex-gratia allowance.
 - (ii) Central Government Employees who had drawn lump sum amount on absorption in a PSU/Autonomous body and are in receipt of 1/3 restored commuted portion of pension.
 - (iii) CPF beneficiaries, their widows and eligible children who are in receipt of ex-gratia payment in terms of this Department's OM.No.45/52/97-P&PW(E) dated 16.12.1997 and revised vide this Department's OM .1/10/2012-P&PW(E) dated 27.06.2013. Separate orders will be issued in respect of the above categories.

4. Payment of DR involving a fraction of a rupee shall be rounded off to the next higher rupee.
5. Other provisions governing grant of DR in respect of employed family pensioners and reemployed Central Government Pensioners will be regulated in accordance with the provisions contained in this Department's OM No.45/73/97-P&PW(G) dated 2.7.1999 as amended vide this Department's OM No.F.No.38/88/2008-P&PW(G) dated 9th July, 1999. The provisions relating to regulation of DR where a pensioner is in receipt of more than one pension will remain unchanged.
6. In the case of retired Judges of Supreme Court and High Courts, necessary orders will be issued by the Department of Justice separately.
7. It will be the responsibility of the pension disbursing authorities, including the nationalized banks etc., to calculate the quantum of DR payable in each individual case.
8. The offices of Accountant General and authorized Pension Disbursing Banks are requested to arranged payment of relief to pensioners etc., on the basis of these instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India in view of letter No.528-TA, 11-34-80-11 dated 23.04.1981 of the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No.GANB No.2958/GA-64(ii) (CPL) /81 dated 21st May 1981addressed to State Bank of India and its subsidiaries and all Nationalised Banks.
9. In their application to the pensioners/family pensioners belonging to Indian Audit and Accounts Department, these orders issue after consultation with the C&AG.
10. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their OM No.1/3/2017-E. II(B) dated 30th March, 2017. Hindi version will follow. ●



Date: 28th March, 2017

Dear Comrades, We send herewith a copy of the circular letter dated 20th March, 2017, which could not be placed on the website immediately. The said circular is about the deliberations, the staff side had at the NPS committee meeting. The Committee on allowances had their (last meeting- according to them) today but as per the report, they have not been able to finalise the issue and therefore, the report is likely to be further delayed. In the light of the said development, the Staff side Secretary met the Cabinet secretary and urged upon him to expedite decision on minimum wage, fitment formula, NPS, Pension committee report etc. The 16th March Strike under the auspices of the Confederation of Central Government employees and workers had been a grand success. We thank all comrades who took the initiative to organise solidarity demonstrative actions in support of the striking workers. Com. Tapan Sen, M.P. Rajya Sabha (CPI-M) took up the issue in the Parliament on the day of strike and made a passionate plea to the Government to settle the strike demands.

In the political scenario that emerged after the general elections of five States, it is clear that settlement of demands based upon mere discussions will not fructify. We had been requesting the Bharat Pensioners Samaj to take initiative in organising certain demonstrative programme at Delhi to highlight the Pensioner-specific issues, especially the denial of the Option No.1 recommended by the 7th CPC. They were indicating of a probable date in the month of April, 2017.



CIRCULAR FROM NATIONAL CO-ORDINATIONS COMMITTEE OF PENSIONERS ASSOCIATIONS

However, it looks bleak due to the changed weather conditions, whereby even April has become unbearably hot. Even otherwise also, as no decision was taken so far, the possibility of some programme being undertaken in April is ruled out.

The NCCPA has been publishing its bulletin every month. It was decided earlier that to make it financially viable, the subscription to the magazine must be widened. Except, no affiliate has taken any initiative in the matter. This apart, we have been informed by our Treasurer that the remittance in the form of annual subscription from the affiliates has not been received for the last two financial years.

The Confederation along with the All India State Government employees Federation has mooted the idea of holding another convention on the need to exclude the Government employees from the purview of the NPS. Their plan is to have a convention at Delhi in the month of June. This has become necessary due to the anxiety exhibited by the employees, especially those recruited after 1.1.2004 and the official statements at the NPS Committee meetings.

To discuss these developments and the organisational issue, we have decided to convene the National executive Committee meeting of NCCPA in the month of August, 2017. We are awaiting the confirmation of the date from the President and others. The venue of the meeting will be at Nagpur as the COC of Pensioners organisations there have indicated that it would be possible for them to get the MLA hostel for the purpose in the month of August, 2017.

We are giving a list of items the Staff Side JCM National Council has proposed for discussion at the Standing committee meeting pertaining to health and pension problems of retired personnel. Kindly go through the same. If any more issues are

to be included, please prepare a note with requisite documents and send the same to the CHQ to pursue the same through correspondence and later with the JCM, Staff Side.

With greetings,

Yours fraternally,

K.K.N. Kutty

Secretary General.

CIRCULAR FROM NATIONAL CO-ORDINATION COMMITTEE OF PENSIONERS ASSOCIATIONS

20th March. 2017

Dear Comrades, As you are aware, the Govt. had set up a committee as per recommendations of the 7th CPC to streamline the procedure and functioning of the NPS. The Staff Side of NC JCM was asked to present their views in the matter. The meeting was on 20th January, 2017,. The Staff side made a written presentation to the committee on the subject. (The note was placed on the website). However, it also took the stand that the consultation with staff side could not be held in the manner of a Raj durbar as quite a number of Associations especially representing the organised Group A services and the all India Service officers were also invited to the said meeting. The staff side was assured of an independent hearing. Subsequently the sub-committee III (The Pension Committee had set up three sub committees to interact with various stake holders on different subjects) under the Chairmanship of Ms. Vandana Sharma, Addl. Secretary of the Department of Pension and Pensioners Welfare convened a meeting on 10th February, 2017. The Sub- Committee was more concerned about the applicability of various provisions of the present rules to the NPS subscribers especially those which are punitive in character. In the event of a Government servant being found guilty under the CCS(CCA) Rules, the Government is empowered to restrict, reduce or reject the Pension and other retirement benefits. Prior to the meeting, the sub Committee had asked for views on various issues to be discussed at the meeting. The official Side wanted similar rules in the case of NPS subscribers. The Staff Side had submitted a written Note in this regard. The said Note has also

been placed on the website. In the meeting, the Staff Side had made it categorically clear that no such rules could be imposed on the NPS subscriber as the annuity which he purchases on the basis of the contribution made at the end of his service is the product of a financial transaction and cannot be unilaterally altered at the whims of the employer. Once the contributions of the employee and the employer is remitted to the investing agency, the employer ceases to be a stake holder any more in the scheme.

The third meeting was held on 17th March, 2017. The meeting was chaired by the Secretary Pension. The said meeting was to specifically interact with the members of the Staff Side. On behalf of the Staff side, the following comrades took part in the meeting.

1. Com. M.Raghavaiah (Leader, Staff Side)
2. Com. Sivgopal Misra(Secretary Staff Side)
3. Com. KKN.Kutty(Congress)
4. Com. C. Sreekumar(AIDF)
5. Com. Guman Singh and (NFIR)
6. Com. Sreenivasan (INDWF)

As indicated earlier, several Associations of Group A Officers had made their presentations. Some of the important points mentioned by them during the discussions were:

1. Discrimination between pre and post 2004 officials-
2. While Govt. determines the quantum of pension subscription and makes it mandatory it refuses to guarantee a minimum return.
3. Atal Pension Yojana offers better and guaranteed benefit to the Subscribers.
4. The Government's assurance that the employees under NPS will get annuity not less than the minimum pension under the defined benefit scheme and might even be more was made on wrong assumption in as much as
 - a) 100% of the corpus was taken for computation of annuity whereas as per the scheme only 40% of the pension



wealth alone would be available.

- b) Fund expenses are exorbitantly undervalued.
 - c) No benefit for the family the case of a Pensioner, who dies at an early age under NPS.
 - d) Annuity is not cost-indexed.
5. Two officers at the level of the Secretary to GOI retiring on the same day in 2037(former recruited in 2003 and latter in 2004) will have a huge differential in pension. The 2003 recruitee will have pension 3.25 times of the annuity of the 2004 recruitee. Over a period of next 10 years i.e in 2047,(due to cost indexation) the 2003 recruitee will have pension 7.4 times of what the 2004 NPS official receives as annuity.
6. In most of the countries where contributory pension scheme is in vogue, the Govt's (employer) contribution is 25% of the salary while that of the employee is 10%
7. The NPS Contribution do not enjoy the Tax benefits like PPF, EPF, GPF etc.The Secretary Pension informed the members that the Committee's mandate is only to make suggestions to streamline the NPS procedures and make the rules simple and transparent. The basic features will not therefore undergo any change. He concluded that neither the scheme would be replaced or discarded , nor any guaranteed minimum pension would be offered. as in both cases Govt. will have to undertake financial obligations. He clarified that the Sub Committees have been set up to expedite the work.

The staff Side in their presentation made out inter alia the following points:

- a) The number of employees covered under NPS in increasing day by day and in a decade's time, they might become significant segment of the Government personnel.
- b) All those who are covered by the scheme are extremely critical and resent that their savings are channelled into private hands to help the corporate bodies to make enormous profits.

- c) There is no likelihood either now or in any time in future that NPS subscribers will be able to purchase an annuity equivalent to what the pensioners under the Defined Benefit Scheme is entitled. The Government must honour its commitment made to this effect to the staff side in the National Council, when the NPS was introduced.
- d) The Committee in its report must at least bring it to the notice of Government that the Staff Side of the JCM is of the firm view that the cosmetic changes in the scheme will not bring about any tangible benefit to the subscribers and the Government must as an interim measure guarantee the pension to NPS subscribers equivalent to what is provided for the personnel covered under the defined benefit scheme.
- e) The Staff Side opined that the committee will be well within its term of reference to suggest.
 - (i) Cost-indexation of annuity as the Contribution made by the subscribers and the Government as employer is 10% of the salary-salary for this purpose being Basic Pay and Dearness allowance. In other words, in every six months contribution increases and therefore it is logical that the annuity is also raised every six months to keep pace with the rate of inflation.
 - (ii) Minimum guarantee is assured by many countries even under the contributory system of pension and the provision to the contrary in the PFRDA Act must be recommended to be removed.
 - (iii) It is a welcome step that the Govt. has now decided to extend the benefit of family pension in the case of all NPS subscribers who die in harness. The family pension can therefore be assured at the prevailing rate for all NPS subscribers, if necessary by appropriating a one-time deduction from their pension wealth, at their option, at the time of retirement.
 - (iv) To introduce the GPF again as a voluntary option.
 - (v) All NPS subscribers must be provided with a payment slip by the heads of offices

indicating the amount deducted, the amount contributed by the Govt. and the date on which the sum has been made over to the fund managers, irrespective of the communication the subscriber is entitled to get from the PFRDA registry.

- (vi) No rules to be framed to link the pension benefit with disciplinary proceedings.
- (vii) The present investment pattern prescribed must be reviewed for its viability periodically.
- (viii) The Sub Committee which goes into the issue concerning framing rules may be asked to interact with the Staff Side once the draft rules are ready.
- (ix) In so far as customer friendly procedures are concerned, the committee may look at the best international practices with a view to adopt and incorporate them.

It could be seen from the deliberations in the committee that nothing short of replacing NPS with Statutory defined Benefit Pension Scheme will bring about anything good for new recruits. Our endeavour must be in that direction whereby sanctions are generated and compulsions are felt by the Govt as early as possible.

K.K.N. Kutty

Member, Standing Committee

National Council, JCM.

Item No.1

Central Government health Scheme. Empanelling of hospitals – streamlining the procedure to provide in-patient treatment to the beneficiaries.

The demand placed by the Staff Side earlier to set up CGHS hospitals at all CGHS centres could not be acceded to by the Government due to the prohibitive cost involved. The alternate method of empanelling and recognizing private hospitals for the benefit of CGHS subscribers, who require in-patient treatment, received the appreciation from all concerned. However, the tendering procedure evolved and due to many other reasons, the number of such hospitals in almost all centers except Delhi came down very heavily and in certain places it was reduced to one or two at the maximum. This apart, some of the recognized and empanelled hospitals

do not have even basic facilities to treat the patients. In certain other cases, the hospitals which were recognized and were functioning well and catering to the requirement of the CGHS beneficiaries refused to entertain the patients as there had been huge pending bills, the payment of which had not been received by them. To illustrate the point further, we send along with this a Note we have received from the Central Government Pensioners Association, Kerala. We, therefore, request you to

- (a) Ensure that each CGHS Centre five private reputed hospitals are recognized for the purpose of general treatment; The Government may hold bilateral negotiations on the basis of a pre-determined norms.
- (b) Recognize at least three super specialty hospitals in each centre so that the patients who suffer from chronic diseases, Cardiac problems and cancer related illness could get immediate treatment without hassles.
- (c) Some mechanism is evolved that the bills are not allowed to pile up and the recognized hospitals are made the payment within a fixed time frame.

Item No.2

Include unmarried/widow /divorcee sister in the definition of family for family pension.

The scope of Family pension under Rule 52 of the CCS(Pension) Rules, 1972 was extended to the dependent disabled siblings (brother and sister) of Central Government servants/pensioners vide DOP & PW O.M. No. 1/15/2008-P&PW (E) dated 17th August, 2009. There are cases wherein an employee/pensioner remains unmarried and leaves behind dependent unmarried/widow /divorcee sister/sisters. Though cases of such types may be few and far between, nonetheless, such hapless ladies need to be taken care by the Government lest they should be left to fend for themselves, after the death of Government Servant/pensioner on whom they were fully dependent before his/her death. We request to include dependent unmarried /widow / divorcee sister/sisters in the definition of family for the purpose of family pension .

Item No.3

Counting full service of Temporary casual labourers for pensionery and retirement benefits in Railways-reg.

Item No.4.

Direct consultation with Specialists in CGHS/ Central Government/State Government Hospitals Polyclinics. Continuation of the facility to those CGHS beneficiaries who were eligible for direct consultation before revision of the Monetary Ceiling

The Staff Side had discussed its demand for counting full service of temporary status of casual labourers for pensionary and retirement benefits at the level of Railway Ministry. Consequently, the Railway Ministry had agreed and accordingly proposal was sent to the Ministry of Finance and DoP&T Seeking clearance. Unfortunately, the MoF/ DoP&T have not accorded approval:-

In this connection, the Staff Side brings following key points for consideration.

- (a) The Casual Labourers in Railways had attained temporary status on completion of prescribed days of continuous working and got the benefits admissible to temporary Railway / Government employees such as regular Pay Scale, Medical facility etc.,
- (b) The Railway Administrations have however taken abnormally long periods to absorb them as regular staff although regular posts were vacant.
- (c) The status of casual labourers in railways after acquiring temporary status (termed as Temporary employee) is exactly similar to the substitutes in whose case, the total service from the date of attainment of temporary status is counted for reckoning qualifying service for pensionary benefits.
- (d) Various CATs, High Courts and even the Apex Court have given decisions against the differential treatment between the casual labour and substitutes particularly when both attained temporary status and directed to treat them at par so far as reckoning the service from the date of temporary status till the date of regularization for pensionary benefits etc.,
- (e) The SLPs filed by the Union of India before the Apex Court in a few cases of casual labourers were dismissed and the Hon'ble Supreme Court had directed the Union of India to calculate Pension and other retiral benefits payable to the retiring/retired employees, taking into account the 100% temporary status service.

The Staff Side, therefore, requests to consider the above valid points and accord approval for counting total temporary status service of Casual Labourers for pensionary benefits in Railways.

- i) The monetary Ceiling for direct consultation with Specialists in CGHS/Central/State Government Hospitals/ Polyclinics was revised to Pay/Pension/Family Pension of Rs.33, 480/- per month and above with effect from 1-6-2009 vide MoH &FW O.M. No.S.11011/2/2008-cghs (P) dated 20-5-2009 on account of implementation of recommendations of 6th Central Pay Commission. However, para 5 (iii) of the OM states that "entitlement of Pensioners/ Family Pensioners who have already deposited their contribution for life time CGHS facility, will not be changed"
- ii) Pre-2006 Pensioners who were eligible for direct consultation on the basis of the then existing/pre-revised monetary ceiling of Pay/Pension/Family Pension, but whose Pay/Pension/Family Pension is below the revised monetary ceiling of Rs.33, 480, are not being allowed direct consultation facility on the plea that they do not satisfy the requirement of minimum Pay/Pension/ Family pension for eligibility for direct consultation.
- iii) Absence of the entry regarding entitlement of the beneficiary for direct consultation in the Plastic Card is adding to the woes of the Beneficiaries since they will have to establish their claim for the facility on each and every occasion of direct consultation with Specialist. It is to be noted that the paper cards issued earlier did carry an entry on the eligibility of the Beneficiary for direct consultation.
- iii) Hence it is requested that:
 - a) Instructions may please be caused to be issued to all Directors/Additional Directors; CGHS to continue to provide the facility of direct consultation to such of those Beneficiaries who were eligible for the same prior to revision of the monetary ceiling

vide O.M. dated 20-5-2009, in as much as para (5) (iii) of the said O. M. states that entitlement of a Beneficiary who holds a life time card will not change with the changes brought about w.e.f 1-6-2009.

- b) Entry regarding the eligibility for direct consultation with the Specialist must be made in the plastic cards issued to such Beneficiaries who were eligible for it before 1-6-2009
- c) Entry regarding the eligibility for direct consultation with the Specialist must be made in the plastic cards issued to Beneficiaries who are eligible for it as per the revised monetary ceiling.

On-line appointment with the Specialist

For taking on-line appointment with the Specialist, there are two fields to be filled up in the prescribed format.

- (1) Date of reference from the Wellness Centre.
- (2) Basic Pay / Pension / Family Pension.

In the case of (2) above, If the amount of Pay/Pension/FP, entered is less than the revised monetary Ceiling of Rs.33, 480, the request gets rejected and a message stating that "you are not eligible to take an on-line appointment" appears on the screen, thereby preventing the Beneficiary who was eligible for direct consultation before 1-6-2009 from availing the facility of on-line direct consultation. Hence, the format prescribed for taking direct on-line consultation needs to be suitably modified to include such of those beneficiaries who were eligible for the same as per pre-1-6-2009 monetary Ceiling of Rs.18,000/- & pre- 31-3-2004 monetary Ceiling of Rs. 12,000/-.

Item No.5

Revision of monetary Ceiling for direct consultation with Specialists in CGHS/Central Government/State Government Hospitals / Polyclinics in respect of Pensioners and Family Pensioners.

Vide Para (F) of MoH &FW O.M. No.S.11011/2/2008-CGHS (P) dated 20-5-2009, the Monetary Ceiling for direct consultation with Specialists in CGHS/Central Government/State Government Hospitals /Polyclinics in respect all CGHS Beneficiaries has been fixed as Pay/Pension/

Family pension of Rs. 33,480/- per month and above. Equating Pension and Family pension with Pay for the purpose of direct consultation with Specialists, has not only created a wide disparity in facilities admissible under CGHS between serving and retired employees, but also has resulted in restriction of the facility of direct consultation with Specialists only to the officers retiring from Grade S-30 & above who only are entitled for a pension of 33,500/- and above and in absolute denial of the facility to all Family pensioners since the maximum amount of Family Pension admissible under CCS(Pension)Rules is Rs. 27,000/- only.

Hence, the monetary ceiling for direct consultation with Specialists in respect of Pensioners must be revised to 50% of Rs.33, 480 ie. Rs.16,740 and to 30% in respect of Family Pensioners ie., Rs.10,044, on the analogy of grant of Pension and Family pension under CCS(Pension) Rules.,1972.

Item No.6

Plastic Cards

The process of issue of plastic cards is still not complete, though it started about 2 years ago. In Bangalore, only about 40% of the Beneficiaries have got the plastic card so far. Hence, an Agency in Bangalore City may be identified for the purpose, which would quicken the process.

Item No.7

Indication of Ward entitlement in plastic cards of pre-1-6-2009 Beneficiaries

O .M No.S-11011-6/98-CGHS (P) dated 26-10-2005 issued in connection with revision of ward entitlement consequent upon merger of DA/DR with Pay/Pension w.e.f 1-4-2004 states that

"For the existing CGHS card holders both serving and pensioners, there will be no change in their ward entitlements consequent upon the grant of D P /D R w.e.f. 1-4-2004" & O .M. No. S 1011/2/2008-CGHS (P), dated 20-5-2009 issued in connection with revision of ward entitlement consequent upon implementation of 6th CPC recommendations states that Entitlement of pensioners /family pensioners who have already deposited their contribution for life time CGHS facility, will not be changed

But in some cases, the Ward entitlement is indicated as per the revised rates in the plastic cards issued to pre-1-6-2009 Beneficiaries, which has

resulted in indication of a ward which is below their actual ward entitlement determined with reference to the pay drawn at the time of retirement. This anomaly needs to be set right by making necessary correction in the plastic cards, if a Beneficiary submits representation requesting corrections in the plastic card issued to him/her. Necessary instructions must be issued to all concerned.

Item No.8

Grant of one time option to CGHS Beneficiaries to opt for ward entitlement as per their revised Pay in Pay Band.

Some CGHS Beneficiaries who had opted for payment of CGHS contribution on the basis of their pension at the time of their retirement and whose ward entitlement was determined on their pension, got ward entitlement which was below their entitlement determined as per the pay last drawn. Since they are eligible for higher ward entitlement facility determined on their pay, say from general ward to semi-private ward/ semi-private ward to private ward, they may be given a onetime option to opt for determination of their ward entitlement on the basis of their notional "Pat in Pay Band" in terms of MoH &FW O.M. No.S.11011/2/2008-cghs (P) dated 20-5-2009. It has been clarified in the O.M. ibid that Pay in Pay Band means the corresponding Pay in Pay Band that the Pensioner would have drawn had he/she continued in service.

Item No. 9

Provision of CGHS facility for life time to dependent disabled/mentally retarded children of Central Government Employees/Pensioners

i) In the "Definition of Family" under CGHS, furnished in Ministry of Health & FW O.M. No. 3T-1/2009-C&P/CGHS (P) dated 23-2-2011, daughter as indicated at Sl No.(5) (ii) can avail the benefits till she starts earning or gets married irrespective of the age-limit, where as son indicated at Sl. No. 5(iii) of the list, suffering from any permanent Physical/Mental disability is entitled to avail the facility "irrespective of age- limit", and son's marital status may not result in denial of CGHS facility to him, in as much as there is no mention of marital status in the definition, unlike the definition at Sl.5 (i) On the other hand, daughter suffering from any permanent disability (physical disability or mental retardation) loses the facility if she gets married as per the definition at Sl. (5)(ii).

Hence, the case of a physically disabled/ mentally retarded daughter needs to be considered for extension of CGHS facility "irrespective of age-limit, even after her marriage".

ii) It is to be noted that under CCS (Pension) Rules, 1972, by an amendment to explanations 1 and 3 after Sub-rule 6 of Rule 54, as communicated vide Department of Pension & PW O .M. No. 1/33/2012-P&PW (E) dated 16-1-2013, mentally / physically disabled children have been allowed to continue to draw family pension even after their marriage thereby removing the condition of marital status for continued drawal of family pension.

iii) It is requested that on the analogy of pension rules, mentally/physically disabled children (both son and daughter) of Central Government Employees/Pensioners may be allowed to continue to avail CGHS facilities even after their marriage by removing the condition of marital status now existing in respect of daughters only. The "definition of family" under CGHS may please be modified suitably.

Item No.10

Extension of CGHS facilities to retired BSNL employees - follow up action by the Ministry of Health and family Welfare & fixation of rates of contribution & ward entitlement.

Department of Telecommunications vide their OM No 4-12(11)2012-PAT dated 20/2/2014 have extended CGHS facilities to retired BSNL employees who are in receipt of Central Civil pension/Pro-rata pension from Central Civil Estimates in consultation with the Ministry of Health & Family Welfare. BSNL retirees have been given an option to choose either CGHS or BSNL-MRS as per their convenience.

BSNL also vide its letter no. BSN/Admn/ 14-15/09 (pt) dated 2nd April, 2014 addressed to all the Chief General Managers, has asked them to give wide publicity and to assist the willing retired employees by forwarding their applications to the respective CGHS units for admission to CGHS.

But, the letter No. Z-5025/36/2006-CGHS-III Pt. Dated 9-1-2014 stated to have been issued by the Ministry of Health & Family Welfare extending CGHS facilities to retired BSNL employees, does not seem to have been uploaded to its website or to the website of CGHS which has resulted in a large

number of BSNL pensioners remaining unaware of the CGHS facility extended to them even after a lapse of 14 months .Hence, immediate action for wide circulation of the said O.M. needs to be taken.

Further, since the DoT O.M. dated 20/2/2014 stipulates that the retired BSNL employees who opt for CGHS "would have to pay the requisite fee to CGHS as applicable to Government retirees", the rate of monthly contribution payable by BSNL pensioner has to be fixed. It is to be noted that the contribution payable by the Government retirees is fixed on the basis of the Grade Pay that they would have drawn had they been in service whereas in BSNL there is no element of Grade Pay to fix the rate of contribution on par with Government retirees. The ward entitlement of Government retirees is also determined on the 'notional Pay in Pay Band'. Hence, a new criterion on contribution and ward entitlement in respect of BSNL retirees must now be evolved, which must be in conformity with the rates applicable to CGHS Beneficiaries.

Item No.11

Extending the benefit of pension revision to the employees and officials who are absorbed in the Central Public Sector undertakings.

In the case of Civil Servants who are initially on deputation to Central Public sector undertaking but later absorbed in those organisations and who had drawn lump sum payment by commutation of their central pension, orders are yet to be issued by the Government extending the benefit of pension revision of 7th CPC recommendation to them. We request that the requisite orders may please be issued without further loss of time.

Revision of Ex-gratia to CPF/SRPF (C)retirees.

In acceptance of the demand of the Staff side at the National Council, JCM, ex-gratia payments were made to the CPF/SRPF© retirees. These rates fixed in 1988 was revised on 1.11. 1997 and again from 2006. Presently the rates are as under:

Group A.	Rs. 3000
Group B.	Rs. 1000
Group C.	Rs. 750
Group D.	Rs. 650.

Taking into account the fact that pay and pension were revised on the basis of the 7th Central Pay

Commission's recommendation a revision of rates of the ex gratia to the CPF/SRPF© retirees whose number is dwindling every day is warranted. We, therefore, request that the rates may be appropriately revised applying the very same rationale adopted in the case of civil pensioners.

Dispense with the practice of ignoring the fraction while computing the Dearness allowance.

For the sake of easy computation of DA the practice of ignoring the fraction was initiated. The quantum loss to the beneficiaries in the beginning was meager. Now that the administrative difficulties which promoted for ignoring the fraction has been greatly eased due to computerization and taking into account the loss for six months is no more meagre, it is necessary that the practice is dispensed with. For example, the next installment of DA is likely to be 2.95% whereas the orders would be issued for grant of only 2%. In the case of an employee, whose basic pay is Rs. 50,000, the loss per month in that case would be Rs. 475/-. It is pertinent to mention in this connection that in the case of Bank employees, the practice of ignoring the fraction is not followed. We, therefore, request that the DA hereafter be computed without ignoring the fraction.

Item No.12

Opening of CGHS Dispensaries in AGRA, Barrackpore (Kolkata) and Kochi

A large number of Central Government employees and pensioners are concentrated in and around Agra, Barrackpore and Kochi. The employees and pensioners of these cities are to travel a long distance for taking treatment since CGHS dispensaries are not available in these cities. It is, therefore requested that CGHS dispensaries may be established in these cities

Item No.13

Revision of the benefit of Deposit Linked Insurance Coverage from GPF.

As per Rule 33-B of GPF Rules on the death of a Subscriber an additional amount not exceeding Rs. 60,000/- payable under Deposit Linked Insurance Scheme of GPF to the dependents of a deceased employee. This rate has not been enhanced for so many years. Similar benefit for a depositor in EPF covered under the Employees Deposit Linked Insurance Scheme 1976 is enhanced to Rs. 6,00,000/-. It is therefore requested that Government

Discrimination against Postal Pensioners in the matter of allowing entry into CGHS Scheme:

On the basis of the Orders of the Health Ministry, the Postal Pensioners after retirement are not permitted to join CGHS except those who were beneficiaries of CGHS while in service. This condition is non-existent to other CG Employees who are allowed automatically into CGHS after retirement whether they were beneficiaries of CGHS while in service or not. This issue was taken up with the 7th CPC and the Pay Commission report recommended for ending of this discrimination. The 7th CPC has recommended that all Pensioners of Postal Department should be allowed to join CGHS after retirement irrespective of the fact that they were beneficiaries of CGHS while in service or not. In spite of the reply in SCOVA meetings that this recommendation of the 7th CPC is receiving attention of the Government, no positive decision is forthcoming. It is urged that the decision in this regard be expedited and all Postal Pensioners be permitted to join as beneficiary in CGHS without any discriminative conditions. Incidentally it is cited that in the State of Kerala, the Postal Pensioners by virtue of their winning a court case, getting admitted in CGHS during the past years. But recently the CGHS has taken a position to not to allow newly retiring employees of Postal Department into CGHS. This shows that the attitude of discrimination towards Postal Pensioners is continuing.

Merger of Postal Dispensaries with CGHS:

The 7th CPC has recommended merging all remaining Postal Dispensaries with CGHS. The existence of Postal Dispensaries is taken as a reason to deny proper medical care to Postal Pensioners. In the name of Postal Dispensaries, the retired postal employees are denied entry in CGHS all over India. Even in places and centres where Postal Dispensaries are situated, the Pensioners are at a loss as they are denied inpatient treatment and made to pay for outpatient treatment while the Postal Employees in service are treated free. The successive Pay Commissions are recommending total merger of Postal Dispensaries with CGHS but the same is being done in installments by the Government. It is high time that all the remaining Postal Dispensaries are merged with CGHS and all Postal Pensioners are provided with amenities for proper medical care without discrimination.

may consider to enhance the limit of Deposit Linked Insurance Scheme from GPF.

Item No. 14.

MACP to the employees who have completed 10 years or 20/30 years on the date of their retirement

Employees who have completed 10 years in the same grade / pay level or those who have completed 20/30 years on the last working day of the month which happens to be the superannuation/ retirement day of the concerned employee is denied MACP

benefits on the plea that they are eligible for MACP only on the next working day. Since the concerned employee retired one day before he is denied the benefit. Due to this the employee is subjected to huge loss in pension and other terminal benefits. Therefore it is requested that employees who are completing ten years in the same grade / same pay level and 20/30 years on the date of their retirement i. e. last working day of the month may be granted MACP benefits by relaxing the relevant provisions in the MACP scheme ●

**S.Annamalai D.O.T Pensioner Vellore
632014 :**

I suggest an easy method for revision of pension as per Option I of VII CPC. The details are as follows. The pay drawn by the pensioner on the date of his retirement is available in the P.P.O. The scale of pay in which the pensioner was drawing his pay under relevant CPC is to be ascertained first. This is not difficult. Then on the basis of the pay drawn by the pensioner on the date of his retirement the number of increments earned by him in the Scale of pay of the post of his retirement can be found out very easily. The same number of increments may be added to the minimum of the corresponding revised scale of pay under VII CPC. 50% of the sum of minimum of the VII CPC Revised scale and the total amount of the number of increments added will be the revised pension. Kindly do the needful in this regard.

I am also to state that even in the case of a pensioner who retired after promotion to a higher post adding total amount of increments on the basis of the last pay drawn by him including the increments before fixation of pay in the higher post will only be just and fair. This only will fulfil the principle of parity in pension. For example I am giving the details of my own case. When I was about to retire from service I was promoted to a post in the scale of of Rs. 1600-50-2300-60-2660 under IV CPC on 1st Nov 1992 and pay was fixed at Rs.1950. I retired from service on 30th Apr 1994 after earning one increment to the stage of Rs. 2000 on 1st Nov 1993. If my pension is revised adding only one increment I have actually earned in the promotional post it will amount to revising my pension as if I was drawing a pay of Rs.1650 though I was drawing Rs.2000 on the date of my retirement. If my pension so revised adding only one increment it will be quite unjust and unfair and also it will be against the principle of parity in pension. So pension is to be revised adding the number of increments required to be earned to reach the stage of last pay drawn by the pensioner and not adding merely the actual number of earned by the pensioner to fulfil the principle of parity in

pension. In this case a direct recruit appointed to my promotional post and retires drawing the same pay of Rs. 2000 will be added eight increments and he will be drawing much more amount of pension compared to my pension. Because I am a promoted I am discriminated. Please consider my points and take necessary action to see that justice is rendered to affected pensioners like me.

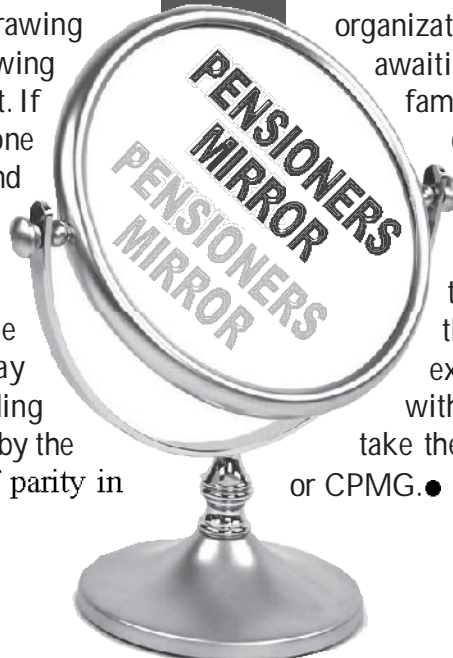
**P.Periah State President AIPRPA AP
(Ongole) :**

One retired BCR official died on 5th November 2016 at his residence during midnight. The wife of pensioner applied for family pension with all documents on 26.11.2016 to the the concerned Postmaster. After keeping silence, all these days the accountant now says that there is variation of date of birth noted in the PPO and the aadhar card presented by her. and denied the family pension to her. However the family pensioner applied for the correction to the aadhar. Is denying the family pension on the ground of aadhar is correct.or not . Now the family is starving and her health is deteriorating day by day. She sought the help of association. Kindly give us suitable guidance in this regrd.

Editor

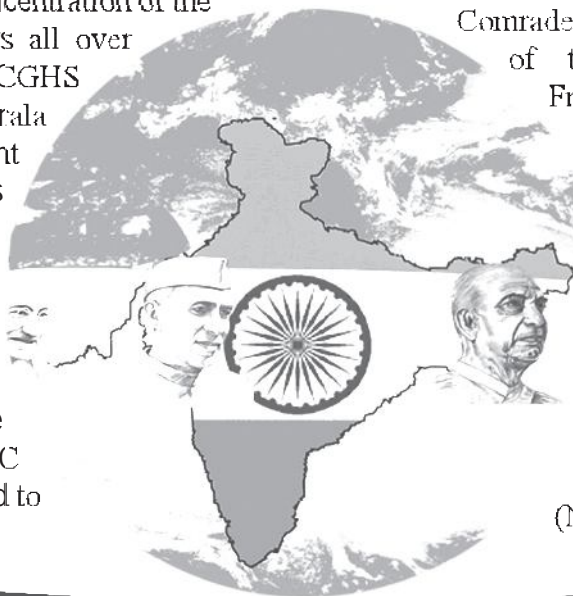
Dear Comrade Peraiahji - The stand of the Department is unreasonable. We know that there are many mistakes committed in Aadhaar Card. However it is not difficult to correct the mistakes in Aadhaar card as the corrections are easily done from many centres. Please guide the affected Spouse to take action to correct the same and submit it early - Please organizationally also intervene to ensure that awaiting correction in Aadhaar Card the family pension may be issued through other valid documents without delay - There is a reference in SCOVA meetings that within one month the Family Pension to be granted to the Spouse and the Government has accepted to expedite the issue of Family Pension without delay - If necessary please take the matter to the notice of the PMG or CPMG.●

Pensioners Mirror



KERALA

The Kerala State Working Committee took stock of the situation warranting mobilization of Postal & RMS Pensioners to highlight the piling up issues. The seriousness of the situation wherein the Postal Pensioners recently retiring from service are being stopped from joining CGHS in the State despite the Court Orders engaged the concentration of the CWC. The Postal Pensioners all over Kerala are getting into the CGHS after the High Court of Kerala delivered a milestone judgment to permit all Postal Pensioners without any discrimination into CGHS. The Pensioners Associations including the AIPRPA have pleaded before the 7th CPC to end this discrimination against the Postal Pensioners. The 7th CPC also favourably recommended to



It was an impressive show with Pensioners from all districts participated. Pensioners from nearby districts came by buses and trains and from distant districts they came by chartered buses and vehicles. AIPRPA Red flags and banners added more colour and attraction to the march. Hundreds of Pensioners marched up to Raj Bhawan in a procession that culminated in an impressive rally inaugurated by Comrade Vaikom Viswan the Convenor of the ruling Left Democratic Front in Kerala. Comrade M.Chandrasekharan Nair the State President presided over the rally and leaders including Comrades M.Krishnan (SG Confederation); K.Ragavendran (GS AIPRPA); V.A.Mohanan (State GS AIPRPA); N.C.Pillai (CHQ OGS AIPRPA); T.Parameswaran (NCCPA Vice President);

AROUND STATES

allow all Postal Pensioners as CGHS beneficiaries. This and other recommendations related to medical treatment of Pensioners are reportedly under the consideration of the Government. At this time, the stand taken to deny the recently retiring Postal Pensioners of Kerala Circle entering into CGHS is quite reactionary.

In addition to CGHS issue, there are many other vital issues like delay in settlement of Family Pension claims; Delay in Pre-2006 re-fixation of pension and settlements; Delay in issue of revised PPOs; etc. The State Working Committee decided to organise Pensioners in all districts to conduct programmes to culminate in a State level 'March to Rajbhawan' on 4th April, 2017 at Thiruvananthapuram.

Postal & RMS Pensioners from all over Kerala gathered in front of Kanakunnu Palace premises where the procession to Raj Bhawan to commence.

C.P.Shobana (Assistant Secretary General NCCPA); T.N.Venkateswaran (Secretary Kerala State CGPA); Guruprasad (Circle Secretary AIBDPA); P.K.Muraleedharan (NFPE State COC Convenor); P.V.Rajendran (State Secretary Confederation); S.Ashok Kumar (District Secretary Trivandrum Confederation); N.D.Babu (State Treasurer AIPRPA) addressed.

Earlier, a comprehensive Memorandum was submitted to the Honourble Governor of Kerala by the State Association of AIPRPA. Hon'ble Governor assured to send the memorandum to Central Government for appropriate action.

Tamilnadu

Pensioners COC: The AIPRPA district and divisional branches are coordinating with other Central, State and Public Sector Pensioners Associations to form district level Coordinating

Selvi D.Shayidha contributes to PP Development Fund



The Family Pension to Selvi.D.Shayidha the unmarried daughter of late Shri.P.Dhasthagir Group 'D' of Salem was suddenly stopped by the Department on her crossing the age of 24 as per the earlier orders. AIPRPA on learning this matter intervened and assisted her to get the re-grant of Family Pension in accordance with the subsequent GOI order No1/19/03-P&PW(E) dated 6.9.2007. Selvi.Shayidha on getting her Family Pension back as well as the arrears too has contributed Rs.1000/- (One thousand only) towards Development Fund of Pensioners Post through the Salem District Secretary of AIPRPA. Pensioners Post greets Selvi.Shayidha as well as the District Association of AIPRPA Salem for effective intervention to get justice. Pensioners Post also thanks Selvi.Shayidha for her contribution to the development of the journal.

Committees of all the above Pensioners Associations. Recently the Coordinating Committee decided and extended solidarity action to the dharna programme of Tamilnadu Electricity Board Retired Employees Welfare Association; to the Squatting Programme of 13 days by the Pensioners and Family Pensioners of Tamilnadu State Transport Pensioners Association; and also to the 16th March Strike action of Confederation by staging demonstrations in all districts of the State. It has also been planned to found NCCPA State Coordinating Committee of Central Government Pensioners Associations with the initiative of AIPRPA & AIBDPA.

AGMs: Coimbatore District AIPRPA conducted its AGM on 26.03.2017 in the premises of Coimbatore HPO under the presidentship of District Vice President Comrade T.Subramaniam. The District Secretary Comrade D.Sivaraju presented a work report and the Treasurer Comrade A.Pechimuthu presented the subject to be audited accounts. The AGM elected Comrade T.Subramaniam as the President of the District Association in the vacancy caused by the demise of its President Comrade Rajendran. The AGM was addressed by Comrade K.Ragavendran (GS AIPRPA); S.Santhanaraman (Offtg.State GS AIPRPA); S.Karunanidhi (State AGS); T.Karuppusamy (D/S Tirupur); Nagappan (State OGS); M.K.Kangayan (Senior Octogenarian leader); and C.Chandrasekaran (Former Wkg. President NFPE).

A Special AGM of Namakkal district was held at Namakkal Town on 16.04.2017. The District President comrade P.Chinnannan presided and

comrade P.K.Ramasamy delivered welcome address. A work report was presented by the District Secretary Comrade T.Mani and subject to audit accounts presented by the District Treasurer Comrade Raju. The AGM was attended by Comrades K.Ragavendran (GS AIPRPA); Kanagavel (District President Salem); N.Shanmugam (District Secretary Salem). Large number of members including women pensioners participated. Momentos distributed to all members and senior pensioners above 70 years were honoured.

Telangana

The State Conference of Telangana State was held at Hyderabad City in the AITUC Building at Himayathnagar. The Conference was presided over by the State President Comrade CH.V.Ramarao. AIPRPA CHQ Vice President Comrade T.Narasimhan attended and guided the conference on behalf of the CHQ. The Conference was attended and addressed by Shri.Vijaya Bhaskar (Additional Director CGHS Hyderabad); Comrade P.Nageshwar Rao (State General Secretary Confederation of CG Employees); and Comrade G.S.Vittal (President AGOPA). The Conference elected a new team of Office Bearers with Comrades CH.V.Ramarao as President; CH.Rama Goud as Working President; R.S.Prakash Rao as the State General Secretary; and M.Venkat Rao as the Treasurer.

Jharkhand State

The Divisional Association of AIPRPA at Hazaribagh (Jharkhand State) has been founded on 16.04.2017 at the initiative of the State Association.

Comrade M.Z.Khan the State General Secretary AIPRPA inaugurated the Divisional Conference and highlighted the issues of Pensioners including CGHS and other medical related problems. The need of a strong organization was stressed by him in the meeting. The Conference unanimously elected a team of office bearers headed by Comrades D.D.Singh (President); Arjun Pandey (Divisional Secretary); K.B.Mahto (Deputy Secretary); and Rajendra Prasad (Treasurer). The CHQ greets all the elected office bearers.

Madhyapradesh

The State Working Committee meeting of Madhyapradesh State AIPRPA is scheduled on 30.04.2017 at Ratlam. At the invitation of the State General Secretary Comrade B.P.Shastri Ganak, the State Working Committee will be attended by Comrades G.C.Joshi (AIPRPA CHQ Vice President) and H.N.Joshi (Vice President of NCCPA) as Special Invitees. Due to constrains the General Secretary AIPRPA Comrade K.Ragavendran misses this State Working Committee. ●

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By **M.R. Meenakshisundaram,**

Co-ordinator, Legal Cell, AIPRPA, Tamilnadu State)



PART 5



PENSIONERS! BEWARE OF RIGHTS

One official who worked with me in the Southern Region contacted me over phone on 30.03.2012. He said that he is working as Deputy Postmaster (HSG I) in another Division and due for retirement on 31.03.2012. He was directed to credit a sum of Rs.94,638/- under UCR towards contributory negligence by the Regional Office and if he did not credit the amount he will be issued with memorandum of charge under Rule 14 of CCS(CCA) Rules, 1965 and all his retirement benefits will be withheld. He wanted my advice on this issue.

The brief facts of the case was that while working as Assistant Postmaster (SB) in his parent Division it was alleged that he did not verify the Stock register of Cash Certificates properly and this led to a fraud by a SPM to commit frauds to the tune of 18 lakhs. He was issued with a memorandum of charge under Rule 16 of CCS(CCA) Rules, 1965 in February 2010 by the SSPOs and the proceeding ended with an order imposing recovery of Rs.60000/- in two installments from his pay for February-2010 and MARCH-2010. But he Regional Office was not satisfied with this order

and decided to recover more money from him towards the pecuniary loss. So the Regional Office resorted to pressure tactics to force him to credit the money.

I asked him whether he is willing to face the disciplinary proceeding and wait for the retirement benefits till the proceedings are concluded. He said that this process will take much time and result in mental stress and he wanted to retire normally. I told him to get a written direction from the Regional Office before crediting any amount and we can fight the case in CAT. He requested the Regional Office to give him written direction for crediting the money and on receipt the written communication he credited the amount of Rs.94,638/- on 30.03.2012 under UCR. On the next day the Regional Office again asked him to credit a sum of Rs. 28,300/- towards pecuniary loss and issued a written direction. He contacted me over phone for my advice and I told him to credit the amount under UCR as directed. He credited the amount under UCR on 31.03.2012 and he was retired from service under normal retirement rules with all pension benefits.

He came to Chennai after retirement and I perused all

the relevant records. I advised him to submit an appeal against the order of recovery imposed after conclusion of Rule 16 proceedings and another appeal against the improper recovery of Rs.94,638/- and Rs. 28,300/- on 30.03.2012 and 31.03.2012. I told him that we can approach the CAT on receipt of the reply from the Appellate Authority. The Appellate Authority rejected his appeal in his order dated 31.08.2010. We filed an O.A. in CAT, Madras Bench and we prayed the Hon'ble Tribunal to set aside the order of recovery of Rs.60000/- imposed by the Disciplinary Authority and confirmed by the Appellate Authority. We prayed that the amount of Rs.94,638/- and Rs. 28,300/- on 30.03.2012 and 31.03.2012 recovered from the official with unethical pressure tactics should also be ordered to be refunded.

The Hon'ble Tribunal finally decided the case on 27.11.2012 and allowed the O.A and directed the Department to refund the following amount to the official within one month.

1. Rs.60,000/- recovered from his pay and allowances for the months of February and March -2010 by way of penalty imposed after the disciplinary proceedings under Rule 16 of CCS (CCA) Rules, 1965 in SSPOs, Madurai Dn memo No. BII/10-4/HSG-1/DIgs dated 24.02.2010.

2. Rs.94,638/- credited by him under UCR on 30.03.2010 vide SSPOs, Madurai Dn letter No.BII/10-4/HSG-1/DIgs dated 30.03.2010

3. Rs.28,300/- credited by him under UCR on 31.03.2010 vide SSPOs, Madurai Dn letter No.BII/10-4/HSG-1/DIgs dated 31.03.2010 along with interest of Rs.9700/- totaling Rs.1,92,638/-

The unethical tactics adopted by the Director of Postal Services, Southern Region with scant regard for Rules and Procedures was totally quashed by the Hon'ble Tribunal and the official was very pleased. This case was argued by Shri.N.Chandra Raj, Advocate and I have to thank him for his involvement in redressing the true grievance of the official.

I normally advise the officials to fight the memorandum of charge if the nature of penalty or quantum of recovery is not known. In this case, I know that there will be only recovery and this can be easily quashed by approaching the CAT as the

2nd AIC of AIPRPA



Dear Comrades!

The 2nd All India Conference venue is yet to be confirmed. Normally three to four months advance time is required for booking up and down train reservation by the Delegates. The final picture regarding exact venue and dates are likely to be clear only during first week of May, 2017. Therefore the AIC will be possible only during August or September, 2017. The CHQ will issue necessary Notice for the same during the month of May, giving enough time for the States and Districts / Divisions to book their journey reservations without trouble – General Secretary AIPRPA

recovery is unethical and illegal. The Regional Office did not realize that they are committing themselves by giving written direction to the official and their action was not covered in any Rule of Procedure enumerated for effecting recovery towards pecuniary loss to the Government. After assessing all the facts of the case I gave my advice to the official to credit the amount under UCR after receiving the written direction from the Regional Office. My advice to the official was on the mark. The pressure tactics of the Regional Office back-fired and they have to shell out more amount than that was recovered from the official! We have to change our tactics according to the circumstances of each case and have to take a correct stand on such matters! ●

GOVERNMENT OF INDIA MINISTRY OF RAILWAYS (Railway Board)

No. PC-V/M/4/NFIR/pt

New Delhi, dated 4.4.2017

Sirs,

Sub:-Board's item No.3-Grant of financial upgradation under MACP Scheme in the promotional hierarchy-(instead of Grade Pay hierarchy)- as per judgment of various courts. {item(s) to be discussed with Board (MS &FC)}

Ref:-NFIR's letter No.IV/MACPS/09/Part 10, dated 20.02.2017.

The undersigned is directed to refer to item No.3 of the record note of discussions held on 12.10.2015 on MACPS anomalies whereby NFIR have stated that ACP Scheme is more advantageous than MACPS for certain categories of employees viz. office Clerks/Accounts Clerks, Commercial Clerks, Stenographers, Technician Gr.III and Shroff category.

2. In this regard, the factual position prevailing on Railways has been ascertained from a Railway i.e. Northern Railway in respect of these categories of employees and on a perusal of the same, it has been observed as under:-

- i. The employees directly recruited as Office Clerk (GP Rs.1900) are getting Grade Pay of Rs. 4600 as 3rd MACPS whereas under ACP Scheme no further financial upgradation beyond GP of Rs. 4200/- would be admissible.
- ii. The employees directly recruited as Technician Gr.III (GP Rs.1900) are getting Grade Pay of Rs. 4200 as 3rd MACPS whereas under ACP Scheme no further financial upgradation beyond GP of Rs. 2800/- would be admissible.
- iii. The employees directly recruited as Shroff category (GP Rs.1900) after their promotion as Hd. Shroff in GP Rs.4200 have further been granted 3rd MACPS in Grade Pay of Rs. 4200 (as next promotional cadre post of ADC is also in the same Grade Pay of Rs.4200/-) whereas under ACP Scheme there is no provision for grant of 3rd financial upgradation.
- iv. The employees directly recruited as Stenographer (GP Rs.2400) are getting Grade Pay of Rs. 4800/- as 3rd MACPS whereas under ACP Scheme no further financial upgradation beyond GP of Rs. 4600/- would be admissible.
- v. The employees directly recruited as Accounts Clerk (GP Rs.1900) are getting Grade Pay of Rs. 4600 as 3rd MACPS whereas under ACP Scheme no further financial upgradation beyond GP of Rs. 4200/- would be admissible.

3. From the above, it can be seen that MACP Scheme is more advantageous than the ACP Scheme for the aforesaid categories.

Federations are requested to appreciate the factual position as mentioned above.

AIPRPA CHQ letter to Comrade Raja Sridhar AIRF Vice President

Dear Comrade Raja Sridharji – Greetings – Kindly refer to the Railway Board letter No.PC-V/M/4/NFIR/pt dated 4.4.2017. I just had gone through the above letter of Railway Board and found certain points contrary to MACP Rules. I do not know whether the Railway Board is wrong in stating like that or actually the MACP ladder is like that only in Railways? I will be grateful if you could tell the correct position:

My Points of observation:

1. MACP is based on Grade Pay hierarchy. The Grade Pay hierarchy is 1800-1900-2000-2400-2800-4200-4600-4800 and so on.
2. It is found in the letter of Railway Board under Para 2 (i) that with Grade Pay of 1900 are allowed to reach upto 4600 as III MACP. Is this not contrary to MACP Rules which states that I MACP from 1900 will be only 2000 GP; II MACP will be only to 2400; and the final III MACP can be only to 2800 as the hierarchy of Grade Pay cannot be violated under MACP. I am not able to understand as to how the Office Clerk recruited with 1900 GP is allowed up to 4600 Grade Pay under MACP Scheme?
3. Similarly several other cadres as pointed out by the Railway Board letter under Para 2 (ii), (iii), (iv), (v) – it is evident that the hierarchy of Grade Pay is not maintained but jumps over some points of Grade Pay hierarchy is allowed in MACP. This is not contemplated under MACP as far as I could understand; only under regular promotional hierarchy such jumps are permitted. That is why we are demanding parity in MACP with regular Promotional hierarchy as like ACP Scheme.

I would be thankful if correct position is enlightened by you over the letter of Railway Board.

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