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KARNATAKA POSTS AND TELECOMMUNICATIONS
PENSIONERS' ASSOCIATION (R)

(KSR Act 1960, REG. No. 1069/98-99)
(FORMERLY RMS PENSIONERS' ASSOCIATION)

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"PENSIONERS' DAY"- A DAY TO THANK THE JUDICIARY.

Pensioners, all over India observe "Pensioners' Day" in the month of December, every year. It is necessary that every pensioner understands its significance.

2. Present day pensioners may not be aware that till late seventies, there was nothing like revision of pension, when once it is fixed and authorised at the time of retirement. The First, Second and Third Central Pay Commissions had not even discussed this aspect in their reports as they were not required to do so as per the Terms of Reference handed to them by the Government,

3. It is the famous judgment of the Supreme Court of India (Called-"Nakra Judgment") which changed the life of pensioners. The Five Member Bench presided over by Hon'ble Justice Sri.Y.V.Chandrachud heard Writ Petition No: 5939-41/1980 filed under Art.32 of the Constitution by (late) Sri. D.S.Nakra, a civil servant who retired on superannuation as Financial Advisor in the Ministry of Defence, Rear Admiral (late) Sri. Satyendra Singh, who retired from the Armed Forces and "Common Cause", a Society registered under the Societies Registration Act, 1960 and delivered a brilliant decision, which

B. Sadashiva Rao, Former President, KP&TPA and Former Chairman, CCCGPA/Karnataka

put the pensioners on a different pedestal-a more dignified and respectful position. In fact, this judgment has found an entry in the Guinness Book of World Records!

4. Some of the important observations contained in the Nakra Judgment are reproduced below for the information of our brother pensioners:-

i) Para-22: "In the course of transformation of Society from feudal to Welfare and as socialistic thinking acquired respectability, State obligation to provide security in old age, an escape from undeserved want, was recognised and as a first step, pension was treated not only as a reward for past service but with a view to helping the employee to avoid destitution in old age. The quid pro quo was that when the employee was physically and mentally alert, he rendered unto master the best, expecting him to look after him in the fall of life. A retirement system therefore exists solely for the purpose of providing benefits....."

ii) Para-26: ".....A pension scheme, consistent with available resources, must provide that the pensioner would be able to live:

(I) free from want and with decency, independence and self respect, (ii) at a standard equivalent at the pre-retirement level....."

iii) Para-31: "From the discussion three things emerge: (i) that pension is neither a bounty nor a matter of grace depending upon the sweet will of the employer and that it creates a vested right subject to 1972 Rules which are statutory in character because they are enacted in exercise of powers conferred by the proviso to Art.309 and clause (5) of Art. 148 of the Constitution; (ii) that the pension is not an ex-gratia payment but it is a payment for the past service rendered; and (iii) it is a social welfare measure rendering socio-economic justice to those who in the heyday of their life ceaselessly toiled for the employer on an assurance that in their old age they would not be left in the lurch....."

iv) Para-39: ".....Those who rendered the same service earned less pension and are exposed to the vagary of rising prices consequent upon the inflationary inputs. If, therefore, those who are to retire subsequent to the specified date would feel the pangs in their old age, of lack of adequate security, by what stretch of imagination the same can be denied to those who retired earlier with lower emoluments and yet are exposed to the vagaries of the rising prices and the falling purchasing power of the rupee. And the greater misfortune is that they are becoming older compared to those who would be retiring subsequent to the specified date....."

5. Coming back, let me explain, in brief what exactly the claims of the petitioners were. Government of India had issued two orders -1) on 25-5-1979- in the Ministry of Finance and 2) on 28-9-1979 in the Ministry of Defence extending certain benefits under the Liberalised Pension Scheme to 1) Government servants who were in service on 31-3-1979 and retire from service on or after that date and 2) to Armed Forces Personnel who become non-effective on or after 1-4-1979. Both Sri D.S. Nakra and Sri Satyendra Singh did not get the benefit of the liberalised Pension Scheme as they had retired under II CPC in 1972. In the circumstances, they

had contended in the Petition that "If the pension is paid for past satisfactory service rendered and to avoid destitution in old age as well as a social welfare or socio-economic justice measure, the differential treatment for those retiring prior to a certain date and those retiring subsequently, the choice of the date being wholly arbitrary, would be according different treatment to pensioners who form a class, irrespective of the date of retirement and, therefore would be violative of Art. 14. They also contended that classification based on fortuitous circumstances of retirement before or subsequent to a date, fixing of which is not shown to be related to any rational principle would be equally violative of Art.14.

6. Holding the stipulations in the Government orders as unconstitutional, the Apex Court declared that all pensioners governed by the 1972 Rules and Army Pension Regulations shall be entitled to pension as computed under the Liberalised Pension Scheme from the specified date, irrespective of the date of retirement and that arrears of pensions prior to the specified date as per fresh computation is not admissible.

6. After delivery of this judgment (i.e: 17-12-1982) the IV Central Pay commission was constituted in July, 1983 and the Government of India, for the first time issued a "Supplementary Terms of Reference "including therein the case of past pensioners. The IV CPC, in its report hailed the Nakra Judgment as the "Law of the Land"-i.e.: pension to be treated as property and all pensioners, irrespective of their date of retirement to be treated as a homogeneous group for the purpose of pension including relief. For the first time basic pension fixed at the time of retirement was consolidated giving fitment weightage (Additional Relief) on par with serving employees. Pensioners got Dearness Relief at the same rates as admissible to employees calculated on slab formula fixed at 50% of slabs for serving employees. Calculation of Pension/Family Pension based on slab system was recommended to be discontinued and pension @ 50% of Average Emoluments and Family Pension @ 30% of basic pay drawn at the time of retirement was recommended. For the first time a minimum of Rs. 300/- was recommended for grant of Family Pension.

7. Soon thereafter, Sri Rajeev Gandhi who took over as Prime Minister of India (1984-'89)

improved the lot of those, who were past 60 years. He gave them a dignified designation as "Senior Citizens" for the purpose of extending Government benefits. A separate Department as "Department of Pension and Pensioners' welfare" was constituted to look after the welfare of pensioners. The SCOVA was constituted to facilitate periodical meetings with representatives of Pensioners' Associations."Pension Adalath" was ordered to be held at various levels to hear and redress individual pensioners' grievances. Central Administrative Tribunals (CATs) were established to hasten settlement of disputes pertaining to service matters of Government employees/Pensioners.

8. Judiciary, at various levels began quoting extensively the law laid down in Nakra Judgment for deciding cases of pensioners. The following are important cases decided in favour of pensioners by the Supreme Court after the Nakra Judgment:

- i) WP: 5870-93/81: Ponnammal&Anr.—Vs—U.O.I-Justice D.S. Desai and Justice Ranganath Misra(Date of judgment = 30-4-1985)Family Pension under the Family Pension Scheme, 1964 was made admissible to all those who retired prior to 1-1-1964 also.
- ii) WP: 3958/61/83: Common Cause & Ors. —Vs UoI-Justice P.N. Bhagavati & Justice Ranganath Misra. (Date of Judgment: 9-12-1986)-Restoration of Commuted

portion of pension with effect from 1-4-1985 or after 15 years, whichever is later.

- iii) WP:11855/95 : P.Sundararajan&Welfare Assn. of Absorbed employees of Public Sector Enterprises-Vs-U.o.I. Justice Kuldeep Singh, Justice K. Venkataswamy & Justice S. Rajendra Babu: Restoration of 1/3rd commuted portion of pension from the date of commutation or 1-4-1985, whichever is later of PSU Absorbee with consequential benefit of Family Pension.

And the latest is:

- iv) OA: 655/2010 in CAT, Principal Bench, Delhi- Central Govt.SAG(S-29) Pensioners' Assn. —Vs- U.o.I read with WP: 1535/2012 in Delhi High Court and SLP(C) 23055/13 in Supreme court of India-DoJ=1-11-2011=Extension of the benefit of Modified Parity (-as defined originally in the DoP&PW Resolution dated 29-8-2008). -Benefit extended only to those who were Applicants before the CAT, Delhi.

9. It could thus be seen that Pensioners, who were totally ignored by the Government in the past, secured justice from the Judiciary for improving their lot and therefore, it is but natural that they feel grateful to the Judiciary. Every year in the month of December, they celebrate "Pensioners' Day" only to thank the judiciary as the Nakra Judgment was delivered in the month of December.

Air Conditioned Room at a nominal rent for Central Government & BSNL pensioners and Serving employees, on a visit to Bengaluru

An air conditioned, fully furnished , single bed, guest room with attached bath, in the ground floor of "Pensioners' Bhavan" # 61/1, 1st Main, Telecom Layout, Srirampura, Jakkur Cross, Bengaluru-560064, owned by the Karnataka P&T pensioners' Association is available for a nominal rent of Rs. 200/- per day for pensioners and at Rs. 300/- per day for serving employees of Central government and BSNL, who are on a visit to the City for a short stay.

Telecom Lay out is just 3 k.ms off Bengaluru International Air Port Road with excellent road connectivity. Accessible by a 4 lane road from Jakkur Flying Club on NH7 (Airport Road) connecting Shivaramakarantha Nagar. "Pensioners' Bhavan" is located in a serene ambience with a garden in front of the building and a shelter for parking vehicles.

Accommodation can be reserved in advance over phone/email. Identity proof/Address proof must be produced at the time of occupation of the room.

For reservation please contact:

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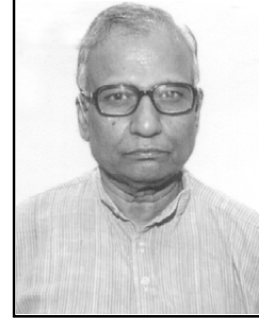
**Our member gets this year's
"Karnataka Rajyothsava Award"**

Sri K S Achyuthan, ALM 1303 former Director (News), Doordarshan, Bangalore, a member of our Association, has been awarded this year's prestigious "Karnataka Rajyothsava Award" for Journalism. Karnataka P&T Pensioners' Association heartily congratulates Sri Achyuthan on this happy occasion and feels proud of having him as one of its members. Given below is a brief profile of the Achiever.

Sri Achyuthan, an Indian Information Service Officer retired as Director News, Doordarshan, Bengaluru in the year 2005. He had worked in various media units of the Ministry of Information Broadcasting including Censor Board, All India Radio Dharwad and Portblair. After retirement he took up teaching Broadcast Journalism in several Universities of Karnataka. He worked as Editorial Consultant of Times of India and PR Consultant of BWSSB, Cauvery Water Project.

At present he is a columnist of "Samyuktha Karnataka" a Kannada Daily.

He has to his credit books written in Kannada titled TV Reporting, ISRO to the doorsteps of common people and a travelogue 'German Diary'



He is a recipient of many awards Viz. Karnataka Madhyama Academy Award, Patil Puttappa Journalism Award, and Achievers' Award conferred by Press club of Bangalore.

Involving himself in Social Work, he is now the Secretary of Dr. Pu Thi Na Trust and Khadri Shamanna Trust.

Volunteers to work as "Pensioners' Representatives" in the CGHS Advisory Committees in Wellness Centres and in Polyclinic for the two-year term from January 2015 to December 2016.

The Coordination Committee of Central Government Pensioners' Associations, Karnataka has addressed its Affiliate Associations connected with CGHS to call for volunteers from among their members to work as "Pensioners' Representative" in the Advisory Committees in CGHS Wellness Centres and Polyclinic for the two-year term from January 2015 to December 2016. Applications in this connection from members of Karnataka P&T Pensioners' Association are also invited. Members volunteering to work in the post are requested to furnish the under mentioned information in their application:

(1) Name of the volunteer (2) Office from which retired (3) Wellness Centre in which he desires to work (4) Address and (5) Landline/mobile phone No. (6) Email ID

The member volunteering should be a beneficiary attached to the particular Wellness Centre (except Polyclinic).

The application should reach the Secretary, K P&T P A before 15-12-2014

Rashtriya Swasthya Bima Yojana (RSBY)
Report on the Workshop for District Key Managers held on 27-10-2014

A Workshop for the District Key Managers of Rashtriya Swasthya Bima yojana (RSBY) was conducted on 27-10-2014 in "Karmika Bhavana", Bannerghatta Road, Bengaluru, housing the offices of the Commissioner of Labour, Government of Karnataka. The Secretary, Karnataka P&T Pensioners' Association along with 10 members of the Association, who had volunteered to involve themselves in implementation of this Health Insurance Scheme for the below poverty line families and families of the workers in the informal/unorganized sector in the State of Karnataka, attended the Workshop on invitation. (An article on RSBY- its objective, targeted beneficiaries, benefits under the Scheme etc. has been published in our journal "Pensioners' Champion", September, 2014.)

2. The Workshop commenced at 10-30 a.m. as scheduled. Sri E Lakshmappa, Joint Labour Commissioner and CEO Karnataka State RSBY Society, welcomed the gathering and requested the Labour Commissioner to inaugurate the Workshop.

3. Dr. D S Vishwanath IAS, Commissioner, Department of Labour, Government of Karnataka who is the Chairman, Karnataka State RSBY Society, inaugurated the Workshop by lighting the lamp and stated that he was extremely happy to inaugurate the Workshop which was being attended by the Officers of the Department of labour, District Key Managers who had come from all the Districts of the State and Representatives from the Banking Sector, Insurance Companies and Pensioners' Associations. In his inaugural speech, Dr. Vishwanath dealt at great length about the genesis of the Health Insurance Scheme RSBY, its objective, targeted beneficiaries, financing of the Scheme, benefits that accrue to the targeted groups of unorganized workers and more importantly, the role of all Stakeholders, including NGOs in implementation of the Scheme.

4. Quoting extensively from the Epic "Mahabharatha" and other Sacred Scriptures, Dr. Vishwanath exhorted the Officers who are at the helm and are responsible for implementation of the Health Scheme to introspect to find out that how many people they had helped while they are in Government service and whether they were able to bring smile on the faces of at least some hapless

By- K.B.Krishna Rao, Secretary K P&T PA

people in their Districts. He advised the participants of the Workshop to cultivate the habit of helping those who are in need. Continuing with his speech, he narrated stories in religious works which deal with compassion and empathy and impressed upon the DKMs, that by working faithfully to ensure implementation of RSBY in their jurisdiction, they will be doing a great service to the poor and unorganised workers, since the RSBY is best suited for those with intention to work in the cause of lower strata of the Society.

5. Reeling out statistics, Dr.Vishwanath stated that 93% of the Workforce in the Country is in the unorganized sector, out of ten lakh drivers in the City only 1,68,00 have registered for benefits under the insurance scheme applicable to drivers, under "Swavalambane" scheme there are only 32,00 beneficiaries and out of a population of more than six crore people in the State, only 18.5 lakh beneficiaries have so far been issued with smart cards under RSBY. Setting targets, the Commissioner strongly urged all concerned to ensure that in the year 2014-15 at least another 2 lakh drivers are registered and 20% of the State's population is covered by RSBY, thereby providing health care to about one crore and twelve lakh people which will bring 'a smile' on their faces. He stressed on the need for empanelment of more number of hospitals in the Districts. He advised the DKMs to enlist the cooperation of Pensioners' Associations in the Districts who are willing to assist them in implementation of RSBY, to overcome the shortage of staff in their offices. He concluded his enlightening speech by calling upon the officers to-"work hard, read more- because reading makes one perfect, be compassionate and optimistic because an optimist sees an opportunity in every calamity".

6. After Inaugural Session, the proceedings of the Technical Session of the Workshop commenced. Sri. Shrihari from the Banking Sector spoke on the subject 'RSBY Beneficiaries- Financial Inclusion'. Explaining the subject, he stated that Financial Inclusion started with the Nationalisation of banks in 1969 and now 40% of the population has been covered by Banking services and 10% of the population has Insurance

coverage. He said that in Karnataka the concept of "Financial inclusion" started in 2008 in Bellary District and through active involvement of Nationalized Banks and Gramina Banks coverage of 50 to 55 % of the population could be achieved. He said that Scheme, "Swavalamban" revived by the Prime Minister is another Scheme of financial inclusion and so far five crore bank accounts have been opened increasing the saving potential. Referring to the "Pradhana manthri jana dhana yojana" introduced recently, he stated that people stand in big queues to open bank accounts. He assured full cooperation from the Bankers to the Department of Labour in implementation of RSBY.

7. Sri E Lakshmappa, Joint Labour Commissioner and CEO KRSBY, speaking on 'future of RSBY and role of DKMs', through power point presentation, explained the objective of the Scheme and the role of DKMs in its implementation. He gave details of the targeted beneficiaries and said that construction labourers have now been included in the group. He said that RSBY has already been implemented in 4 Districts of Bidar, Bagalkot, Gulbarga and Shivamogga and Registration of beneficiaries will commence now in the other Districts. Sri Lakshmappa advised the DKMs to establish liaison with the District Commissioners and seek help of NGOs to ensure speedy completion of the tasks assigned to them.

8. In the Afternoon Session, Dr. Balakrishna, Deputy Labour Commissioner, speaking on the Role of Field Key Officers and District Administration, gave a list of Officials who can be appointed as FKOs and explained the duties of FKOs before commencement of enrollment of beneficiaries, and during enrollment. He said that the FKOs should maintain punctuality and ensure issue of correct smart card to the correct beneficiary on the same date of registration.

9. Sri Shanthaveer Patil, Senior Consultant KRSBY Society, through power point presentation, explained the challenges before implementation of RSBY and the approach for its successful implementation. He dealt at length on the need for availability of complete Data of the targeted groups, Pre and post enrolment activities, resource and infrastructure management.

10. Sri S P Narasimha Murthy, Additional Labour Commissioner, sharing his experience, suggested that

the number of enrollment stations and the hours fixed for enrollment of beneficiaries should be commensurate with the increase in population and likewise, the number of hospitals empanelled should also be more. He felt that there is a need for empanelment of 1000 hospitals now. Sri Murthy stated that Government hospitals should grab this opportunity and seek empanelment under RSBY and get a major share of Rs.30 crore paid to hospitals which will help them in becoming "High-tech Hospitals".

11. Sri J.T. Jinkallappa, Additional Labour Commissioner, sharing his experience in RSBY Enrolment when he was the Deputy Commissioner Shivamogga, said that the Data available is Perfect and target fixed is easy to reach. Explaining the nitty-gritty of the Scheme, he brought home the need for a concerted effort on the part of all the officers who are responsible for implementation of RSBY. In his hour long educative speech, Sri Jinkallappa, narrated the sequence of time bound action to be taken right from supply of Kits to the time of issue of smart cards and the precautions to be taken for a hassle free completion of the job assigned to them.

12. Sri K.B.Krishna Rao Secretary, Karnataka P&T Pensioners' Association stated that wide publicity has been given about RSBY in the Association's monthly journal "Pensioners' Champion" and members have been requested to volunteer to involve themselves in this unique Health Insurance Scheme. 15 members from Bangalore Urban District have volunteered and several members from other Districts of the State are expected to give their willingness and the list of volunteers will be sent to the Labour Commissioner's office in due course. The Workshop ended at 18-45 hrs after a vote of thanks proposed by Dr. B Sripad, Deputy Labour Commissioner.

Conclusion: After sitting through the marathon workshop that lasted for nearly 9 hours, which was very well attended, planned and conducted efficiently and after listening to the speeches of Dr. Vishwanath the Commissioner, the CEO RSBY Sri E. Lakshmappa and, the experience shared by the Additional Labour Commissioners Sri Narasimha Murthy and Sri Jinkallappa and efforts made by other speakers in bringing home their points, one cannot but come to the conclusion that the workshop did bring in the intended result and with such a team of knowledgeable & dedicated officers at the helm of affairs, the implementation of RSBY in Karnataka will be of a resounding success.

Pendency of Cases in Supreme Court

Information obtained by Sri H.V. Dasan, Subscriber to our journal "Pensioners' Champion" from The Central Public Information Officer, Supreme Court of India under the RTI Act.

Information Sought for:

1. Total number of cases pending as on 30.6.2014 under SLP category together with information on the number of such cases pending over 5 years with oldest date of the case under that category.
2. Total number of SLP cases relating to Senior Citizens pending on 4.6.2014 with date of oldest case together with cases relating to service matters pending with the oldest date of such case pending;
3. The present procedure adopted for listing of pending cases and whether any preference is being given to senior citizens cases as per the guidelines issued by the Supreme Court sometime in 1990
4. Though cases are listed for a particular date for hearing, it is noticed that they are invariably postponed for another date even before the actual date of its hearing. Reasons for the same and also any guidelines for adjourning them to a subsequent dates may also kindly be furnished. Such an action is not only delaying its actual hearing for years especially when cases of service matters do not call for such heavy delays and are mostly to be decided on the basis of records/materials placed in the applications

Information furnished by the CPIO

Point No. 1: Total number of matters pending as on

10.10.2014 are 64,651. Oldest Special Leave Petitions pending is Special Leave Petition (Civil) No. 12502/1993 and Oldest Special Leave Petition (Crl.) pending is Special Leave Petition (Crl.) No. 2238/1995. Total Special Leave Petition (Civil) pending are 25,260 and total Special Leave Petition (Crl.) pending are 4068.

Point No. 2: Information is not maintained in the manner as sought for. However, the number of matters pending pertaining to subject category "6" service matter as on 10.10.2014 are 7,410. However, as per Senior Citizen flag & Computer data available, there are nearly 17 matters pending before the Court.

Point No. 3 & 4: Senior citizen matters are listed as per the guidelines contained in the "Practice & Procedure, A Handbook of Information" under the heading of "Senior Citizen Matters", which is available on the Supreme Court website viz. www.sci.nic.in if the matters are ready in all respects and parties have taken steps for including their matter under the heading of "Senior Citizen Matters". Although no preference is given in listing of senior citizen matters pending on Miscellaneous side, but preference is given in respect of those pending on Regular Hearing side.

All the matters are listed/eliminated/deleted as per guidelines, circulars, practice and procedure which are available in the Supreme Court website viz. www.sci.nic.in under the link "Publication" and then "Practice & Procedure Handbook" and also in accordance with the general or specific directions of the Hon'ble Court.

OBITUARY

Sri. S V Krishna Murthy, LM-996 retired Accounts Officer O/o DDA(P) Bg. expired on 8-10-2014 at the age of 89 years. He leaves behind 3 daughters

Sri. C S Ramanna, LM-1157 retired Office Superintendent, PTC Mysore, expired on 11-10-2014 at the age of 85 years. He leaves behind 4 sons and a daughter

Sri. K B Lakshminarayana Rao, LM-2073 retired Mail guard RMS Bg Stg Dn, expired on 28-10-2014 at the age of 65 years. He leaves behind his wife and 3 sons

Sri. V S Shanmugham, LM-598, retired HSG-II Supr, BG Stg Dn & one of the former active Executive Committee Members of K P&T PA expired on 15-11-2014 at the age of 75 years. He leaves behind his wife, a son and a daughter

Our heartfelt condolences to the bereaved.

Correction: The date indicated in the obituary reference in respect of Sri. B L Subbaramaiah in Oct-2014 issue of the journal must have been 3-10-2014 instead of 30-10-2014. Error is regretted

Tribunal Judgement

A retired Government servant not covered by CGHS and is getting monthly only a sum of Rs. 300 as Fixed Medical Allowance is necessarily to be given medical aid when large sum is to be paid for taking treatment in private hospitals in emergencies.

Facts: The Applicant herein, a retired employee of Department of Posts seeks to reimburse an amount of Rs. 1,91,392 he had incurred for implantation of permanent pacemaker as a part of treatment for heart ailment which was referred for reimbursement of medical claim to the pensioner.

It is not necessary to elaborate further in this case except to examine whether a retired employee who is not entitled for CGHS Medical Assistance as he had not opted for the same and getting a paltry sum of Rs. 300 per month for medical treatment is eligible to get financial assistance when he undergoes treatment in a private or recognized private medical hospital.

In the case of Surjit Singh v. State of Punjab (AIR 1996 SC 1388), it was held that in emergent situation threatening the life of a person/employee had a right to take self preservation without having to stand in queue before the Medical Board and in Government hospitals. That would mean he can approach a private hospital for treatment which means reimbursement of medical expenses for a retired Government employee.

In the case of Kirloskar Brothers Ltd. v. Employees' State Insurance Corporation (1996 (2) SCC 682), it was held that expression "life" assured in Article 21 does not connote mere animal existence or continued drudgery through life. It has wider meaning for 'opportunities to eliminate sickness and physical disability'. Health Insurance "while in service or after retirement was held to be a fundamental right" and even private industries are enjoined to provide health insurance to the workmen.

In the case of State of Punjab v. Mohinder Singh Chawla (AIR 1997 SC 1255), the Apex Court approved steps taken by the Appellant therein to avail of the facilities of private hospitals for urgent treatment.

Elaborating further, the Tribunal observed that medical assistance to retired Government employee is far from satisfactory. Even though Court/Tribunals shall not interfere with the policy of Government with reference to medical reimbursement, but in cases like the present one, it is the duty of the Courts/Tribunals to remind Government of their obligation and responsibilities in the matter of extending medical facilities to the retired Government employees as par with serving Government employees. Right to life is prerogative. As observed in Consumer Education & Research Centre & others v. Union of India (1995 (3) SCC 42), the right to life enlarges its sweep to encompass human personality in its full blossom with invigorated health to sustain the dignity of person and live a life with dignity and equality.

If the serving and retired employees are treated differently in the grant of medical facilities, it is violative of Article 14 of the Constitution. The policies regarding medical facilities for both serving and retired employees when formulated should be in consonance with the directive envisaged in Articles 41 and 47 of Part-IV of the Constitution of India. "Medical assistance and facilitating emergency treatment to the old retired Government servant will be step forward in mitigating their "undeserved want" arising out of their health situation in post-retirement life. This is a situation contemplated in Article 41 of the Constitution. Therefore this matter requires a benevolent approach from Central and State Governments".

Coming back to the present case. "the Applicant who has rendered service to Government of India, prior to his retirement, demands, justice that he shall not be left

hamstrung when he is faced with expenses for life saving treatment using heart valve costing Rs. 1,92,392. Therefore I am of the view that the Respondents should be directed to take up the matter before the appropriate department of Government of India for reconsidering the claim of the applicant in the light of the observations made in this order and for considering appropriate changes in the policy".

In the result, the refusal to consider the medical claim as stated in A-I annexure is quashed and set aside. The exercise of

reconsidering the request for reimbursement of the expenses incurred by the Applicant for implantation of pacemaker shall be completed within six months from the date of receipt of this order.

The OA stands disposed of accordingly.

(Shri B.J. Vekaria v. Director-General Department of Posts and others, 7/2014, SwamysnesS 77, (Ahmedabad), date of judgment 18.7.2013) O.A. No. 64 of 2013

Courtesy: Swamys News

Live with a purpose to live long

We know that happiness is associated with a lower risk of death. New research shows that the meaningfulness and sense of purpose that older people have are related to survival, report agencies from London.

A study of 9050 British people with an average age of 65 found that people with the greatest wellbeing were 30 per cent less likely to die during the average eight-and-a-half-year follow-up period than those with the least wellbeing. Researchers from the University College, London (UCL), Princeton University and Stony Brook University used a questionnaire to measure a type of wellbeing called "eudemonic wellbeing" which relates to your sense of control, feeling that what you do is worthwhile, and your sense of purpose in life. People were divided into four categories based on their answers, ranked from highest wellbeing to lowest wellbeing. Over the next eight-and-a-half-years, nine percent of people in the highest wellbeing category had died, compared with 29 percent in the lowest category. Once all the other factors had been taken into account, people with the highest wellbeing were 30 percent less likely to die over the study period –living on average two years longer than those in the lowest wellbeing group.

"The findings raise the intriguing possibility that increasing wellbeing could help to improve physical health," said Professor Andrew Steptoe, Director of the UCL Institute of epidemiology and health care.

(Source: Cutting Edge- DH 8-11-14)

KCGPA gets S P Vatta Award

Karnataka Central Government Pensioners' Association, Bengaluru, an affiliate of the Coordination Committee of Central Government Pensioners' Associations, Karnataka is the proud winner of this year's **S.P.Vatta Memorial Trophy** instituted by Bharat Pensioners Samaj, New Delhi, a Federation of All India Pensioners Associations. The Trophy with a Cash Reward of Rs 5000 was awarded to KCGPA for its all round performance in the year 2014

Karnataka P&T Pensioners' Association extends its heartiest congratulations to KCGPA on this memorable occasion.

KCGPA had arranged 'Trophy Display Day' at the Association's office on 15-11-2014. Sri K B Krishna Rao, Secretary. Sri KR Anantha Ramu Treasurer and Sri B L Channappa Executive Committee Member of the Association visited the office of KCGPA to personally congratulate the office bearers.

**CGHS
Order****CGHS relaxes another condition on supply of Medicines
Revision of CGHS Formulary**

(G.I. M.H. O.M. No. Pt.F.No. 2-2/2014/CGHS HQ/PPT/CGHS (P) dated 1-10-2014)

With reference to the O.M. No.2-2/2014/CGHSHQ/PPT/CGHS(P) of Ministry of Health and Family Welfare, Department of Health and Family Welfare, dated 25-8-2014, I have been directed to inform that the CGHS formulary is under revision. In the meantime, the formularies of the Ex-Servicemen Contributory Health Scheme (ECHS) and Employee State Insurance Corporation (ESIC) have also been adopted to avoid hardship to the beneficiaries. These formularies are also placed on website of the CGHS. It has been reported that still there are a few essential medicines which are not covered by any of these formularies. It is therefore clarified that till CGHS formulary is revised, CMOs I/C may use their discretion to supply such medicines which they consider essential and are not in the formularies of CGHS, ESIC and ECHS subject to following:-

1. In such cases the duration of prescription should not be for more than seven days and the cost of the medicine must be less than Rs. 1500 per week.
2. It should be approved by the Drug Controller General of India (DCGI), for use in India for that particular indication.
3. In case of imported drug, the drug can be prescribed only when the Indian substitute is not available and the drug is approved by DCGI for use in India for that particular indication.
4. In case, the duration of treatment is more than one week and/or the cost is more than Rs. 1500 the prior permission of AD (MSD/AD) of the City must be obtained.

This is issued with approval of the Competent Authority

**BSNL
Order****Modification in Policy for grant of Concessional telephone facility to retired/ retiring employees of BSNL**

(OM No. 01/2014-PHA dt : 12.06.14 from Bharat Sanchar Nigam Ltd.1st floor, Bharat Sanchar Bhawan, Janpath, New Delhi)

Para 15 of policy guidelines for grant of concessional telephone facility to retired/ retiring BSNL employees issued vide circular No. 02.07.2007-PHA dated 20.07.2007 states that life certificate (as is required for drawing pension) shall invariably be required to be produced during 1st November to 30th November every year to the concerned Commercial Officer. A few representations were received from the General Secretary, BSNL and DOT Pensioners Association requesting to exempt the personal appearance before the Commercial Officer to those pensioners who are unable to appear in person before the Commercial Officer due to illness or old age, etc.

The proposal was considered by the Management Committee of BSNL Board in its adjourned 201st meeting held on 29th May 2014 and following decision has been taken :-

"The commercial officer is replaced by any serving BSNL Executive in the para 15 of the above policy guidelines. In cases where BSNL retired employee who is unable to appear in person before the Commercial Officer due to serious illness, old age or being bed ridden etc., if such retired employee produces a Xerox Copy of the pension book containing an entry for receipt of pension payable on 1st Nov. of the year (through courier or otherwise) such an entry which should be duly attested by any serving BSNL Executive, shall be accepted as a proof of life certificate and the retired employee shall not be required to present himself/herself before the Commercial Officer".

Other terms and conditions of the policy remain unchanged.

Legal Matter

Anomaly in fixation of pay BSNL employees who retired between 1-10-2000 and 31-7-2001 ie. Within 10 months of formation of BSNL

O.A.NO.2173/2014 before C AT, Principal Bench, Delhi. Adjourned to 16-12-2014.

One Rank One Pension

The demand for one rank one pension (OROP) was accepted by the previous government and a provision of Rs. 500 crore was made in the interim budget. The new government, stating its intention to implement the demand many times, has also provided for it in the regular budget. However, veterans are nowhere near getting the enhanced pension envisaged. What is the current status on OROP?

A high-level meeting was taken by the Defence Minister on July 16th to thrash out issues with Service Chiefs, Staff of Services Head Quarters and the top brass of the Defence Ministry, including Defence Accounts and the Department of Ex-servicemen's Welfare attending.

Also present were the Representatives of four major Ex-servicemen's organizations to give inputs and plead their case. Regrettably, the meeting was inconclusive. A deadlock was created over the most basic issue, the very definition of OROP between bureaucrats of the MOD on one side and the uniformed fraternity plus the veteran on the other. The Defence

Minister stated that the Koshiyari Committee's definition of OROP might not be acceptable to the government now. His remark to veterans to lower their expectations reveals the stand of the government on the issue, causing consternation among them.

The political executive as well as the people of this country must realize that OROP is not a concession but is meant to offset restricted terms of service to soldiers wherein they are retired at a very young age. Here, the definition set by the Koshiyari Committee must prevail in that OROP implies that uniform pension be paid to Armed Forces Personnel retiring in the same rank with the same length of service, irrespective of their date of retirement, and any future enhancement in the rates of pension to be automatically passed on to past pensioners.

It is significant that this explanation had already been accepted by the government. The government needs to show political will and make good on its promises.

Source: Hindustan Times (28-7-2014)

"Jeevan Pramaan" – Digital Life Certificate for Pensioners

Huge relief for senior citizens who have to produce Life Certificates each year to continue receiving pension

The Prime Minister, Shri Narendra Modi, today launched "Jeevan Pramaan" – an "Aadhar-based Digital Life Certificate" for pensioners, in a move that could eventually benefit over a crore pensioners. The Prime Minister said that after the push towards self-certification, this digital life certificate was another enabling mechanism which would benefit the common man.

The proposed digital certification will do away with the requirement of a pensioner having to submit a physical Life Certificate in November each year, in order to ensure continuity of pension being credited into his account. The Department of Electronics and IT has developed a software application which will enable the recording of the pensioner's Aadhar number and biometric details from his mobile device or computer, by plugging in a biometric reading device. Key details of the pensioner, including date, time, and biometric information will be uploaded to a central database on real-time basis, ultimately enabling the Pension Disbursing Agency to access a Digital Life Certificate. This will conclusively establish that the pensioner was alive at the time of authentication.

The earlier requirement entailed that a pensioner either personally presents himself before the Pension Disbursing

Agency, or submits a Life Certificate issued by Authorities specified by the Central Pension Accounting Office (CPAO).

At present, 50 lakh individuals draw pension from the Central Government alone. A similar number draw pension from State and Union Territory Governments. Several PSUs also provide pension benefits. Over 25 lakh retired personnel draw pension from the Armed Forces. The Aadhar-Based Digital Life Certificate will go a long way in reducing hardship which so many senior citizens have to go through to produce a Life Certificate every year.

The software application system will be made available to pensioners and other stakeholders on a large scale at no extra cost. It can be operated on a personal computer or a smartphone, along with an inexpensive biometric reading device. This facility will also be made available at Common Service Centres being operated under the National e-Governance Plan, for the benefit of pensioners residing in remote and inaccessible areas.

Press Information Bureau
Government of India
Prime Minister's Office
10-November-2014 17:37 IST

Subscription of Rs. 100/- received for Pensioners' Champion in Octoiber-November - 14

LM/ALM	Name (Smt./Sri)	LM/ALM	Name (Smt./Sri)	LM/ALM	Name (Smt./Sri)
24	S. Krishnan	1166	B.R. Baliga	2033	M.A. Setty
99	H.S. Krishna Murthy Rao	1523	G.L. Ramachandra	2101	D. Shashikala
335	V. Ramanathan	1696	S. Ravindra Rao	S-56	S.N. Janakiraman
428	K.N. Narasingha Rao	1698	Ramakrishnappa	S-107	Suresh Warpe
549	S.L. Gopalakrishna	1701	K. Sadarama	S-217	H. Sitaram Bhat
627	D.J. Monisse	1705	Y. Sitaram	S-242	Prakash Rai Pareek
740	C. Devendra	1734	Surendra Murthy	S-243	Ashokkumar Sharma
829	S.N. Honnalli	1822	B.S. Narayana Murthy	S-244	Hariprasad Sharma
981	G. Sundaram	1846	M.T. Basappa	S-245	R.S.N. Murthy

Subscription of Rs. 200/- received for Pensioners' Champion

LM/ALM	Name (Smt./Sri)	LM/ALM	Name (Smt./Sri)	LM/ALM	Name (Smt./Sri)
251	K. Raghunathan	1046	R. Jayaraman	1819	Vidya B. Nagnur
460	N.T. Basavaraju	1271	Jayashankara Rao	1858	H.R. Krishna Murthy
463	H.N.N. Murthy	1323	M.S. Raghavendra	1895	M.C. Padakannayya
763	H.S. Keshava Murthy	1332	K. Vasudevan	2084	N. Saraswathamma
805	C.R. Prabhakara	1364	V. Padmanabhan		
1025	K. Prasannasimha Rao	1540	G.L. Chandrasekhar Rao		

Subscription of Rs. 300/- received for Pensioners' Champion

LM/ALM	Name (Smt./Sri)
1349	B.G.Pranesh

ALL INDIA CONSUMER PRICE INDEX

Month	CPI Base 2001=100	12 Months' Total	Monthly Ave.	% increase over
July 14	252	2896	241.33	108.47
Sept 14	253	2927	243.92	110.71

By- K.B.Krishna Rao

Subscription of Rs. 500/- received for Pensioners' Champion

LM/ALM	Name (Smt./Sri)	LM/ALM	Name (Smt./Sri)
1476	P.Vijaya	2169	R.Yoganarasimhan
2086	T.Gurumurthaiah	S-161	N.D.Kulkarni

Newly Enrolled Members

Name (Smt./Sri)	Designation & Office in which last worked	Type & No.
1 B. Madhava Karvi	Postmaster, Brahmavara	LM 2216
2 H. Raghuram Ganiga	BCR Stg Asst., RMS 'Q'Dn, Udupi	LM 2217
3 C. H. Sridharachari	RPI(P). Hyderabad Jubilee H O	LM 2218
4 M. Panduranga	Survey of India, Bangalore	ALM 2219
5 V. V. Joshi	SPM, Lokapur S.O. Bagalkot	LM 2220

LM: Life Member

ALM: Associate Life Member

PENSIONERS' CHAMPION

12

NOVEMBER 2014

**COORDINATION COMMITTEE OF
CENTRAL GOVERNMENT PENSIONERS' ASSOCIATIONS, KARNATAKA (R)**

(Regd. under the Karnataka Societies Registration Act 1960: Regn. No. 1070/98-99)

212, "Kaveri", 7th 'A' Main, Hampinagar, Bengaluru-560 104. Ph.: 080 -23386661 E-mail: cccgpabangalore@gmail.com

K.B. Krishna Rao, Chairman ☎ 23230545 M. 9483467750	S. Radhakrishna General Secretary ☎ 9448880921	O.M. Bhaskaran Treasurer ☎ 23451578
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No. CCCGPA/MCM/2014

20th November 2014

To

All Affiliates and all Members of the Management Committee of CCCGPA

Notice of Meeting of the Management Committee of CCCGPA and observance of Pensioners' Day

It is hereby notified that a meeting of the Management Committee of CCCGPA, Karnataka, will be held on Sunday the 21st December 2014 at 11.15 AM in the Auditorium of Udayabhanu Kala Sangha, located in Gavipuram Choultry Road, Ramakrishna Matt Layout, Kempegowdanagar, Gavipuram, Bangalore-560019 to consider the following Agenda.

PENSIONERS DAY will also be observed on the same day.

1. Adoption of Minutes of the previous meeting.
2. Approval of Accounts
3. Revision of pension of pre -2006 pensioners – Latest position
4. 7th Pay Commission – Latest position
5. Grant of Interim Relief and DR Merger
6. Pension Adalth - Review
7. Central Government Health Scheme Matters
8. Observance of Pensioners' Day

Address: Significance of Pensioners' Day : by Sri S. Radhakrishna, General Secretary CCCGPA

Address by the Chief guest: Prof. H S Lakshminarayana Bhatta

9. Felicitations to Sri. B. Sadhashiva Rao former Chairman and Sri. N. Bhaskaran former General Secretary
10. Felicitations to chief guest
11. Any other subject with the permission of the Chair

Management Committee Members are requested to attend the meeting along with four or five members of their Association. They are requested to confirm their attendance and to intimate the number of their members attending the meeting over phone or in writing by 10th December 2014 for making seating arrangement as also arranging lunch.

S Radhakrishna
General Secretary

**CGHS
Order**

**Fresh empanelment of Private Hospitals and
revision of package rates under CGHS**

*(O.M. No. 19-3/2014/ADMN. (129)/ 5287, Ministry of Health & Family Welfare Government of India.
Office of the Additional Director Central Government Health Scheme III Floor, E-Wing, Kendriya Sadan, Koramangala,
Bangalore-560 034. Dated 13th November, 2014.*

The undersigned is directed to state that CGHS had initiated action for fresh empanelment of private HCOs under CGHS, Bangalore and also for the revision of package rates to be paid to HCOs, by floating tender for the same. On the basis of responses received, rates for various procedures/treatments/investigations have been arrived at and have been uploaded on the website of CGHS: www.mohfw.nic.in/cghsnew/index.asp and can be downloaded from there. Similarly a copy of the agreement containing the terms and conditions of empanelment has also been uploaded on the above quoted website of CGHS.

The approved list of the HCOs for empanelment under CGHS Bangalore as per the terms and conditions of empanelment and MoA signed between CGHS and HCOs is enclosed herewith.

The revised rates and terms and conditions as mentioned above will come into effect from 17th November, 2014. The empanelment shall be for a period of two years from the date of issuance of this order. The HCOs already on the panel of CGHS which do not find their names in annexed list of empanelled HCOs are allowed to continue on CGHS panel till 30th November, 2014 at old CGHS rates to facilitate the patients who are already admitted/permitted, to continue with their treatment course.

This issues with the concurrence of Internal Finance Division in the Ministry of Health & Family Welfare, New Delhi.

A copy of this Office Memorandum along with a list of empanelled HCOs rate list and agreement are placed on the internet at <http://mohfw.nic.in/cghsnew/index.asp>.

Note: List of Hospitals in Page 15

**DoP & PW
Order**

Fixed Medical Allowance Increased

***Grant of Fixed Medical Allowance (FMA) to the Central Government Pensioners
residing in areas not covered under CGHS.***

*(Ministry of Personnel, Public Grievances & Pensions Department of Pension & Pensioners' Welfare
O M NO.A/25/2008-P&PW (D) Dated the 19th November, 2014)*

The undersigned is directed to say that at present Fixed Medical Allowance is granted to the Central Government pensioners/family pensioners residing in areas not covered under Central Government Health Scheme administered by the Ministry of Health & Family Welfare and corresponding health schemes administered by other Ministries/Departments for their retired employees for meeting expenditure on their day-to-day medical expenses that do not require hospitalization. Orders were issued vide this Department's O.M. of even no. dated 26.05.2010 for enhancement of the amount of Fixed Medical Allowance from Rs. 100/- to Rs. 300/-p.m. w.e.f. 1.09.2008.

2. The demand for further enhancement of FMA has been under consideration of the Government for some time past. Sanction of the President is hereby conveyed for enhancement of the amount of Fixed Medical Allowance from Rs.300/- to RS.500/- per month. The other conditions for grant of Fixed Medical Allowance shall continue to be as contained in this Departments' OMs NoA5/57/97-P&PW(C) dated 19.12.97, 24.8.98, 30.12.98 and 18.8.99.

3. These orders will take effect from date of issue of this O.M.

4. These orders are issued with the concurrence of the Ministry of Finance (Deptt. of Expenditure) vide their 1.0. Note No 588/E.v/2014 dated 22.10.2014 and in consultation with the Comptroller and Auditor General of India vide their UO No. 174 Staff (Rules)/02-2011 dated 12.11.2014.

(Harji Singh)

Deputy Secretary to the Govt. of India

List of CGHS Empanelled Hospitals, Bengaluru

Sl. No.	Name of the Hospital	Address & Pin Code	Phone No.	Name of the Hospital
1	CGHS Hospital 1st Floor Bengaluru	CGHS Hospital 1st Floor Bengaluru	080-26611111	CGHS Hospital 1st Floor Bengaluru
2	CGHS Hospital 1st Floor Bengaluru	CGHS Hospital 1st Floor Bengaluru	080-26611111	CGHS Hospital 1st Floor Bengaluru
3	CGHS Hospital 1st Floor Bengaluru	CGHS Hospital 1st Floor Bengaluru	080-26611111	CGHS Hospital 1st Floor Bengaluru
4	CGHS Hospital 1st Floor Bengaluru	CGHS Hospital 1st Floor Bengaluru	080-26611111	CGHS Hospital 1st Floor Bengaluru
5	CGHS Hospital 1st Floor Bengaluru	CGHS Hospital 1st Floor Bengaluru	080-26611111	CGHS Hospital 1st Floor Bengaluru

Editor's Note: List of Diagnostic Centres, Eye and Dental Clinics will be published in December, 2014 issue of the journal

Posted on 27th/30th of every month at Bangalore GPO - MBC

RNI Regn. No. KAR BIL/2000/1576 Reg. No. CPMG/KA/BGS/446/2012-14 - Total No. of Pages: 16

Donation to Prime Minister's National Relief Fund Oct-Nov 2014

498	M.R.Revankar	1111	436	K.Chidambareswaran	1000	838	B.L.Channappa	500
1523	G.L.Ramachandra	10001	654	S.D.Sahane	1000	687	B.K.Gundu Rao	500
1024	R.Balaji Singh	10001	818	A.N.Srinivasa Murthy	1000	1339	G.Narendranath	500
542	V.S.Burge	3000	2195	R.Lakshman Swamy	1000	796	Shantha Venugopalan	500
805	C.R.Prabhakara	2200	986	S.Jayaram	1000	1387	K.R.Shankar	500
1540	G.L.Chandrasekhar Rao	2002	463	H.N.N.Murthy	1000	1070	T.R.Narayana	500
676	H.C.Keshava Murthy	2000	541	Bandigaiah	1000	1276	M.R.Sridhara	500
129	T.V.Srinivasa Murthy	2000	1916	S.Sivaprasada Rao	1000	580	S.R.Pavana Murthy	500
478	G.H.Yekkundi	2000	106	A.Aithappa Naik	1000	1664	S.B.Hombal	500
4	B.Sadashiva Rao	1100	442	M.S.Venkararamaiah	1000	2110	C.S.Chikkerur	500
35	N.Bhaskaran	1010	863	M.K.Raghavendra Rao	1000	870	G.K.Rukmangada	500
3	M.Ramaiah	1010	1560	N.S.Krishna Murthy	910	409	R.Vaikunta Raju	500
48	S.M.Vittal Rao	1001	1550	A.Poobalan	800	780	R.D.Sahane	500
136	M.S.Krishna Murthy	1001	2047	Jagannatha Rao	578	965	D.R.Joshi	500
1156	G.Babu	1001	867	B.N.Malleshappa	501	2174	B.N.Sundaresha Moorthy	500
1147	K.B.Kulgod	1001	201	D.Lakshminarayana Rao	501	1956	G.L.Shiva Swamy	500
808	Bhaskara Bhatt	1001	1894	N.Subbaiah	500	1476	P.Vijaya	500
1254	P.R.Srinivasan	1000	838	B.L.Channappa	500	79	Abdul Jabbar	500
1134	K.Yellappa	1000	69	K.S.Ranganatha	500	2024	B.S.Bhujanga Rao	300
2109	M.Nanjunde Gowda	1000	2055	D.K.Prasannamma	500	S-222	N.D.Adur	1001
920	A.Kanagamani	1000	1694	T.N.Sonwalker	500	Well Wisher	P.G.Kadni	500
67	H.Rama Kamath	1000						

Legal Matters

1. Modified parity in pension- implementation of DoP&PW OM dated 28-1-2013 from 1-1-2006. OA 655/2010 and Contempt petition No.158/2012 of CAT, Principal Bench Delhi –The case which was due for hearing on 17-10-2014 was adjourned to 7-11-2014. Not found in the Cause list of 7-11-2014.Date of next hearing not notified
2. SLP 36148-50 before the Supreme Court- listed on 14-10-2014 was adjourned – date of next hearing to be notified. Status as on 20-11-2014 is indicated as "Pending- There are no further orders of listing"
3. PB 3/PB 4 Case OA No. 4130/2013 before CAT Principal Bench, New Delhi--- Adjourned to 1-12-2014

Regd. Journal

If undelivered, please return to:

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165, 4th Main, 3rd Block, 3rd Stage,
Basaveshwaranagar, Bengaluru-560 079.

To

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