

RESOLUTIONS
ADOPTED BY THE 3RD NATIONAL CONVENTION OF
RAILWAY PENSIONERS HELD AT NEW JALPAIGURI ON 29-03-2012
UNDER THE AEGIS OF BHARAT PENSIONERS' SAMAJ

The 3rd National Convention of Railway Pensioners Associations which witnessed the largest ever gathering of Railway Pensioners Representatives from all the zones of Indian Railway was held at New Jalpaiguri on 29-03-2012.

After day long deliberations Convention unanimously adopted following resolution for transmission to the concerned Ministries of Government of India for sympathetic consideration.

1. Provide Rs500000 (5 Lakh) basic Income Tax exemption to Sr. Citizens:

This convention under the aegis of Bharat Pensioners Samaj expresses its deep concern and anguish on the on the treatment meted out to Sr. citizens in the current budget 2012-13

For & up to F.Y.2004-2005 Sr. Citizen were getting , concession in income tax payable (under Section 80CC) to the tune of Rs 20000/-, as compared to other citizens with similar taxable income. In 2005-2006 this was changed, basic exception for other citizens was raised to Rs 100000/- & that for Sr Citizens it was made 185000/- This resulted in actual Tax relief of Rsl2000/- instead of Rs 20000/-.Thereafter it has been progressively reduced & today it stands at just Rs5000/-

Right from its inception, the basic I. tax exemption is related to cost of living. Where as in comparison to the year 2004-05 cost of food items have gone up by more than 5 times & that of health care has gone up more than 7 times. I .Tax exemption in terms of Tax payable for Sr. Citizens have gone down from 20000/- to Rs 5000/-

In view of the facts quoted this Convention appeal to Govt. of India to provide Rs500000/- basic Income Tax exemption to Sr. Citizens

2. AMEND DEFINITION OF COMPLAINT TO INCLUDE RETIRED PERSONS IN BILL NO. 131 OF 2011 (The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011) Popularly known as Citizens Charter Bill: Chapter 1 Section 2(f) definition of 'Complaint' seeks to exclude over 15million Central/State Gov./PSU retired persons form its purview . As these retired personnel have no other effective channel or mechanism for the redressal of their grievance. They are victims of rampant corruption in the Govt. departments dealing with their affairs i.e. Personnel, Finance & Health departments as well as the Banks.

a) This convention urges the Govt. to include retired Persons in the definition of 'Complaint' in the said Bill .

b) It also requests that dissemination of upto date information to Sr. Citizens & retired persons through websites of respective Govt. Departments & Time bound redressal of their grievances should be part of citizens Charter under the said Bill.

3. WITHDRAW NEW PENSION SCHEME :

As :- (i) Pension of Govt. employees is a deferred wage. Since wage paid out to them during the course of work tenure is kept low by design, to cater for pension. (ii) Pension is a social

security measure & cannot be subjected in any way to Market risks (iii) It does not guarantee minimum return & thus lacks the basic Fiber of Social Security (iv). It is in no way better than the existing Scheme (vi)It does not provide guaranteed Family Pension to dependents & disabled siblings which exist in present scheme .

This Convention therefore urge the Govt. to scrap New Pension Scheme w/o further delay.

4 PENSION SHOULD BE NET OF INCOME TAX: Purchase value of pension gets reduced day by day due to unbearable inflation and high rise in food items and cost of medical facilities. Retired persons /Sr citizens do not enjoy fully, Public Goods and Services provided by Government for citizens, due to immobility and many other factors. Their ability to pay Tax gets reduced from year to year after retirement due to, ever increasing expenditure on food & medicines. Their net worth at year end gets reduced considerably as compared to the beginning of the year. Inflation, for a pensioner is much more than any Tax. It erodes the major part of already inadequate pension. To enable pensioners, at the fag end of their lives, to live honorably & to cater for ever rising cost of living, they be spared from paying Income Tax . Pension therefore, should be net of income tax as was recommended by 5th CPC VIDE THEIR PARA 167.11

5.Early Setting up of Seventh Pay Commission:-

The Govt. has conceded wage revision in PSUs after every 5 years – the same criteria should therefore, be applied in the case of Central Government' own past & present employees. Seventh Pay Commission should, therefore, be set up forthwith for revision of wages and Pensions wef 1st January, 2011.

6. PENSION (FIXATION, REVISION & DISBURSEMENT): This Convention wish to draw Governments' particular attention to H'ble Supreme Court's Constitution Bench historic judgment delivered in case of D. S. Nakra on 17.12.1982 and request that it implemented in letter & spirit. Pensioners should not be divided on the basis of their date of retirement or otherwise and a uniform formula be adopted for the revision of pension all the pensioners irrespective of Class, Category or status while in service, i.e., if a multiplication factor of 3 is given to one section of pensioners for revision of Pension of pre 2006 retirees, then by sheer logic, it should uniformly be adopted as common factor for all the pre 2006 pensioners. This Convention therefore, urge that either all pre 2006 Pensioners be given a multiplication factor of 3 at par with HAG + level or their pension be consolidated as per the following formula.

Basic Pension on 31/12/2005+86% DR+50% Grade pay as per 6th CPC and the pre 1996 pensioners be given, full parity as on 01.01.2006 as per Vth CPC recommendations.

7. MERGER OF DR WITH PENSION WHENEVER IT GOES ABOVE 50%:-

The Pension of Central Govt. Pensioners undergo revision only once in 10 to 13 years during which period the pension structure gets seriously disaligned , 50% increase in prices takes place in less than 5 years, this result in considerable damage to the financial position of the pensioner with otherwise inadequate Pension. The working employees are getting automatic relief by way of 25% increase in their allowances with every 50% rise in Dearness allowance. Also their annual increment is now on % basis which has cumulative affect & partially takes care of inflationary affect. As pensioners do not get any allowances or increment, they feel cheated. In order to strike a balance, DR should be merged with Pension whenever it goes beyond 50% or pension be revised every 5 years.

8. RESTORATION OF COMMUTED PORTION OF PENSION IN 12 YEARS: -Taking into

consideration: (i) Increase in % of recovery due to increased average survival age of 67 years & comparative reduction in interest rates.(ii) Pensioners repay the commuted amount in monthly installments by way of not drawing the commuted portion of pension, thus the balance goes on reducing month by month. The commuted amount along with interest element stands fully adjusted in less than 12 years. That is why, States are restoring commuted portion of pension of their pensioners in 12 years .Thus there is no reason why the Central Govt. should also not restore it in 12 years. This convention urges the Central government to immediately issue orders for restoration of commuted value in 12 years as was recommended by 5th CPC more than 10 years back.

9.INCREASE FMA (FIXED MEDICAL ALLOWANCE) TO RS 1200 PM:

The meager amount of Fixed Medical allowance (FMA) of Rs 300 P.M. in lieu of, day to day OPD facility was sanctioned wef 01.09.2008 on the basis of cost of OPD treatment per card holder under CGHS during the year 2003-2004, which has increased by more than 6 times since then.

As per the figure disclosed by M/O Health & Family Welfare under RTI Act 2005. Average cost of OPD treatment per cardholder under CGHS during the year 2007-2008 went up to Rs 1369/-PM. This has further gone up considerably since then. M/O Labour & Employment, is already paying Rs 1200/- as FMA to its beneficiaries. It is therefore, urged that to help elderly Pensioners to look after their health, FMA for all C.G. Pensioners be raised to at least Rs 1200/- PM linking it to Dearness Relief for automatic further increase. Especially as Ministry of Health and Family Welfare have no objection in raising FMA from Rs 300/- to Rs1200 P.M as intimated vide their number MOH &FW F.No20020/45/2012-CGHS (P) dtd. 22.02.2012.

Adequate raise in FMA will encourage a good number of Pensioners to opt out of OPD facility, which will reduce overcrowding in hospital, will reduce expenditure on medicines & finally will be helpful in reducing number of Doctors.

OPD through Insurance is likely to cost much more to the Govt. As such the proposal for raising Fixed Medical allowance to Pensioners is fully justified & viable. This convention their fore request Minister of Finance to grant his approval.

10 ADDITIONAL OLD AGE PENSION:

Elderly persons beyond normal life expectancy of 67 years are subjected to severe natural vagaries of age, to cater to its direct indirect effects normal minimum living expenditure increases considerably. Therefore, additional quantum of pension need to start from 65 years of age onwards with 5% increase every five years upto 80 years & thereafter 10 % increase be granted to cater for the needs of advancing years of old age.

11. RESTORE REDUCTION OF PENSION OF PRE-1996 PENSIONERS W.E.F. 1.1.2006.

Railway Pensioners who retired prior to 1.1.1996, from specified category of posts such as Head Clerk, JE Gr. II, Chargeman B, PWI, DSK, AYM, PI, ECRC, ASM, HTC, TI, MCM etc. etc. from scale Rs. 1400-2300, are badly affected, due to denial of min. pension Rs. 6750 w.e.f. 1.1.2006, though over past over 14 years they had been drawing Pension as per their fixation in 5th CPC Scale of 5000-8000. Their pension is now being fixed retrospectively by placing them in scale Rs. 4500-7000 / PB1+2800 GP, instead of Rs. 5000-8000 / PB2+4200G.P, This problem exist only in Railways. Other sister departments have correctly fixed the corresponding categories in PB II.

Subject was discussed in 20th SCOVA Meeting held on 21.9.2011 and Railway Board was advised to sort out the issue after hearing the representatives of Pensioners Assns.

But so far no action has been taken by Rly. Board . This Convention therefore, urges Honorable Minister of Railways to intervene to resolve the issue very early.

12. EXTENTION OF BENEFIT OF ENHANCED FAMILY PENSION FOR 10 YEARS: This convention urges the Government of India to extend the benefit of enhanced family pension for a period of 10 years in cases of death of Pensioner after retirement.

13. . a) WITHDRAWAL of APPEALS AGAINST JUDGMENTS ON PENSIONERS CASES: This Convention urges the govt. that at least while dealing with retired Persons/Sr Citizens . It should change its attitude as litigant. Instead of appealing against each & every judgment favoring Pensioners/Sr Citizens . Govt. should sportingly implement Court's orders. Accordingly Government is requested to withdraw all pending appeals in such cases.

b) WITHDRAWAL of APPEAL AGAINST JUDGMENTS OF PRINCIPAL CAT NEW DELHI IN OA 655-2010: This Convention especially appeal to the Government to withdraw its Appeal against the Full Bench judgment of Principal CAT New Delhi delivered on 01.11. 2011.

14. GRIEVANCE REDRESSAL:

Pensioners/Family Pensioners are exploited, harassed & humiliated by their own counterparts in chair, who at the sight of an old person adopt a wooden face & indifferent attitude. Pensioners do not have representation even in Forums & Committees wherein pension policies & connected matters are discussed. The forum of Pension Adalat too is not of much avail as it meets only once a year, which is too long a period for an elderly nearer to his end. Moreover, these Adalats deals with settlement claim only. SCOVA too meets only once a year & the scope of SCOVA is limited to feedback on Government policies. DOP (P&PW) is a tooth less authority which lacks direct Service Delivery Capability. Though, it has been striving over the years for redress of Pensioners' grievance through 'Sevottam' model of the Department of Administrative Reforms & Public grievances which in the absence of strict timeline with punitive clause is proving to be a failure. Grievances either not resolved for years or closed bitrarily without resolving.

i) A strict time line with punitive clause be introduced in "Sevottam model" (ii) Grievances are not allowed to be closed without resolving. This Convention therefore, appeal that for resolving Pensioners complaints.

15. PROVIDE REPRESENTATION TO PENSIONERS' ASSOCIATIONS IN ALL THE FORUMS & COMMITTEES: While this Convention appreciates Govt. of India's positive gesture in agreeing to include representatives of Pensioners' Associations in the constitution of Sr. Citizens Council, it urges the Govt. to provide adequate representation to Pensioners' Associations in all the Forums & committees like JCM on Pension matters, National / Departmental Anomaly committees/Hospital committees etc where in issues/policies concerning Pensioners are discussed & decided and also to upgrade the institutions of SCOVA and Pension Adalat to the level of JCM.

16. Pension Adalat by Banks : Inspite of RBI's clear directive vide their No DGBA.GAD.H.3085/45.01.001/2008-09 dated Oct. 1 2008 Banks at Branch level have not yet implemented pensioners related accepted recommendations of Prabhakar Rao Committee on Customer service. Branch Managers are not bothered to have structured interaction with pensioner associations. Except for Bank of Baroda in NCR & Indian Bank in Tamil Nadu Pension Adalat are not being conducted at Zonal level.

RBI therefore is requested to ensure strict compliance by all Pension disbursing Banks at Branch as well as at Zonal level.

17. PENSION ADALATS ON RAILWAYS.

Master Circular 63 dt 12.10.95 (reiterated vide No. E(W)2011/PA-1/4 dated 20.12.2011) Para 2.13 provides Pension Adalat at Divisional level every 3 month interval. But these instructions are not being followed. Numbers of Pensioners/Family Pensioners & their grievances have considerably increased over the past one & a half decade. In the absence of strict time line & punitive clause, Grievances recorded through Pensioners Portal "CPENGRAM" are not being timely resolved by the Rly Admn., quite a number of such grievances are either pending for over two years or have been unilaterally closed w/o resolving. SCOVA meetings too are at best once a year & the Forum has limited scope of gathering feedback on Govt. Policies. An year is too long a time for the pensioner who have outlived the normal life expectancy of 67 years. Thus keeping up, the spirit of master Circular. 63, scope & periodicity of Pension Adalat need to be increased urgently. The Railway Board is, therefore, is requested to:

(a) Make Pension Adalats functional also at the Railway Board level.

(b) Widen scope of Pension Adalats to include all the grievances especially those relating to the Medical attention / treatment/, post retirement Passes and reimbursement of medical expenditure.

(c) Ensure that in compliance of Para 2.13. of the Master circular 63 on the subject and to ensure Pension Adalat at Divisional level is held every three months .

18. FAMILY PENSION TO DEPENDENTS : DELAY IN SANCTIONING (cases of Secondary eligible where the event arises post retirement): Such of the dependent relatives who are entitled to receive Family Pension on their turn are facing much hardship, and even harassment, at the hands of the dealing clerical staff. It is regretful to bring out that the Rly administration is taking one to two years in sanctioning Family Pension to Widowed /divorced /unmarried daughters on their turn. Very often lame excuse like " Records not traceable" is given as a cause. Now since M/O Personnel, PG & Pensions- DOP & PW vide their No1/16/2011-P&PW(E) dtd.16/12/2011 has laid down the list of documents & the procedure to be followed sanction of Family Pension in such cases should not take more than 3 months. However, in cases where records are not traceable. Provisional Sanction may be given on the basis of documents submitted by the claimant. Final sanction may be granted after verification of these records. Sr. Divisional Personnel officer may nominate Welfare Inspector to guide such claimant & to monitor such cases.

19. HARASSMENT DUE TO DELAY IN ISSUING REVISED PPOS TO PRE 2006 RETIREES:-

Even after issue of very clear orders by CRB vide his D.O. No.2010/AC-II/21/10 dtd. 10.04.2011 There is no considerable progress in issuing revised PPO to pre 2006 retirees. Due to none issue of revised PPO many Pensioners/family pensioners of 80 yrs & above are being deprived of their entitlement to additional pension at ascending rates & the advantage of minimum Pension @ 50% of minimum of Pay Band +Grade pay. Administration therefore, is once again requested to expedite issue of revised PPOs to Pre 2006 retirees.

20. DELAY IN TRANSMISSION OF PPO FROM RAILWAYS TO BANKS: Present system of transmission of PPOs from Divisions/ Workshops etc through concerned FA &CAO to Link Branch of concerned Bank to CPPC by conventional mode takes 2to 3 months. This convention therefore, demands that PPOs be transmitted electronically through e. mail with provision of acknowledgement.

21. EX-GRATIA FOR PRE 1986 SRPF BENEFICIARIES & THEIR FAMILIES:-

Very few (a very small number) of Pre – 1986 SRPF(c) beneficiaries are now alive; they are at present being forced to live below poverty line due to meagre ex-gratia of Rs 650 to Rs 3000. Dearness relief too in the case of family recipients is lower by 8% as compared to other pensioners. Their dependent children i.e unmarried/widowed/divorced daughters, mentally, physically & visually disabled sons, too are being discriminated against by not allowing them the same entitlement to the meagre ex-gratia on their turn.

Certainly they too are entitled to lead a dignified life comparable to their earlier status in younger (working) days as Railway Employees. Keeping in view the present day cost of living, a highly inflationary regime and humanitarian factors, they deserve to be considered for another chance to come over to Pensionery benefits. As the number involved is very very few, it would not cause any appreciable financial burden on the Government.

22. MEDICAL ATTENTION & TREATMENT:-

Medical attention & Treatment is a matter of prime concern to Rly Pensioners. As is well-known, Medicare needs increase with age. Apart from Diagnostic & Pharmaceutical requirements, they also need Psychological & Emotional handling with much better Doctor - Patient relationship. A lot of jobs need to be taken care of by the Rly's Medical department, in this field. The Railway Board is therefore urged to take the following measures:

23. To issue 'Smart Card' with all India validation (on CGHS pattern) to all RELHS beneficiaries, with 5 years' validity, for Medical attendance & treatment, in all medical emergencies without prior referral by the A.M.A.

In response to this demand raised through Ist & IInd National Conventions. Railway Board has stated it to be under consideration. This convention urges the Rly.Board to decide the issue favorably & early.

24. It would be necessary to sensitize the Rly Doctors with a view to ensuring that they behave properly with elderly patients, give them patient hearing, carry out proper clinical examination followed by periodical Diagnostic investigation, hassle-free timely specialized consultation, referral facility whenever required and that only good quality medicines are dispensed to them.

Rly. Doctors need to be duly sensitized & trained in handling geriatric patients. Rly Board is urged to take favourable decision on this demand, in the light of Provisions of National Policy for Older Persons (NPOP) & National Policy on Health for older persons.

25. In the existing Sr Citizen OPDs in Divisional & Zonal hospitals the facility should be strengthened and new OPDs opened where it does not exist at present. Separate nominated days & time periods be fixed for Specialist consultation so that the elderly do not have to stand in long queues for long periods & the Doctors are able to pay them adequate attention. Rly Bd. Is requested to consider this demand in the light of Provisions of National Policy for Older Persons & to decide the Issue favorably.

26. At outstations where H.Us & Lockup Dispensaries exist, specialized OPD consultations be outsourced with the existing procedure of dispensing of medicines & referral through Rly's Health Units/Lockup Dispensaries may be continued.

n response to this demand raised through Ist & IInd National Conventions. Railway Board has stated it to be under consideration. This convention urge the Rly. Board to decide the issue favorably & early.

27. In the CGHS, the cost of Smart Card is borne by the Ministry of Health & Family Welfare. Why then the Rly pensioners are made to pay the cost ? The Smart Card would gain immensely popular if the cost thereof is borne by the Rlys.

n response to this demand raised in Ist & IInd National Conventions. This issue was combined with item 8 (i) above & was stated to be under consideration by the Rly. Bd. This convention urges the Rly. Board to decide the issue favorably & early.

28. Constitute the multi-level Hospital Advisory & Grievance Redressal Committees with the participation of pensioners' representatives on CGHS pattern.

In response to this demand raised in Ist & IInd National Conventions. Rly. Bd. stated it to be under consideration. This convention urges the Rly. Board to decide the issue favorably & early.

29. RELHS TO BE MADE OPEN ENDED FOR RETIREES WITHOUT LOCK-IN PERIOD & QUALIFYING SERVICE.

In response to this demand raised through Ist & IInd National Conventions. Railway Board has stated it to be under consideration. This convention urges the Rly. Board to decide the issue favorably & early.

30. A larger number of Hospitals & Diagnostic Centres need to be recognized within a radius of 20 Kms from the Health Units/Lockup Dispensaries so that elderly patients, for whom an attendant & even small expenditure is a luxury, are not put to physical & economic strain because of reference to outstation Hospitals & Diagnostic Centres.

In response to this demand raised through Ist & IInd National Conventions. Railway Board stated to have constituted a committee to go into details. Rly Board is urged to disclose terms of reference, Constitution, Timeline, address of Committee & report partial/full if submitted.

31. Provide Medical facilities to the children of widowed/Divorced dependent daughters as per vi th CPC recommendations. M/O Health & FW has already accepted this recommendation. Rly Board is requested to implement it in Railways also.
32. Provide RELHS facilities to parents as promised in M/O Rly's Budget speech 2011-12. Railway Board is requested to issue necessary orders early.

33. Stop discrimination against women: Provide medical facilities to all family Pensioners as is being done under CGHS & ECHS w/o discriminating against Unmarried/Widowed/Divorced daughters who get family Pension on their turn.

34. POST RETIREMENT PASSES :

34 (a) Post-retirement Complimentary Passes are issued to Railway servants subject to the same conditions as applicable to Railway servants in service. Thus it would not only be logical but also fully justified to extend the same revised entitlement of Passes as per Rly Board's recent orders vide their No E (W)2008/PS 5-1/38 RBE No 03/2011 dt 06-01-2011 to all retired Railway personnel w/o any cutoff date.

In response to this demand raised through Ist & IInd National Conventions. Railway Board has stated it to be under consideration. This convention urge the Rly. Board to decide the issue favorably & early.

34 b) QUALIFYING LENGTH OF SERVICE

t present to become eligible for PRC passes, the minimum qualifying length of service for Group A, B & C Railway staff is 20 years while for Group 'D' staff it is 25 years. But after implementation of 6thCPC minimum length of qualifying service for full Pension is 10 years for all categories of staff. Since Pass Rules are not independent of Pension rules {If pension is denied Passes too are denied}

So in conformity with eligibility for full Pension, the minimum qualifying length of service for PRC passes, be revised to 10 years for everybody, instead of 25 years for Group "D" staff and 20 years for all others.

34 c) NUMBER OF PRC / COMPLEMENTRY PASSES:

At present Group 'A' & 'B' staff with 20-25 years of service get 2 sets of PRC passes and with 25 or more years of service get 3 sets.

The eligibility for Group 'C' staff with service 20-25 years is one set and with service of 25 years or more - 2 sets, while a Group 'D' staff with a minimum service of 25 years are getting one set Per annum.

The above complicated slab and eligibility based on length of service should be dispensed with and be rationalized as below:-

34 c) i) For Group 'A' & 'B' staff with minimum service of 10 years – 3sets,

34. c) ii) For Group 'C' or staff with GP above Rs1800/- (non Gazetted) minimum service of 10 years - 2 Sets P.A.

34. c) iii) For Group 'D' or staff with G.P. 1800/- ; for minimum service of 10 years - 2 Set P.A.

34. d) Widow Pass:

(i) Provision of Widow pass has been in force in Railways for well over two decades. Istly the name “Widow pass itself is a discrimination against women as it carries a social stigma & need to be changed immediately to “Family Pensioner Pass”. Whatever may be the reason, it is not only discriminatory but also against the Rules of ‘Natural Justice’ to include mother-in-law & to exclude a dependent Children, disabled/ unmarried/divorced/widowed daughter from the purview of Widow post retirement Pass. This discrimination against women must end forth with.

(ii) In case of death in harness the widow should be allowed to get a minimum of 1 Set of Pass every year as per entitlement

(iii) In case of widow of a pensioner, the minimum one set per year of widow pass be sanctioned [For Group 'A' & 'B' - 2 Sets P.A.].

35. P.R. Passes to Family pensioners other than the spouse i.e. Complimentary passes for the Unmarried/ Widow/ Divorced Daughters and Handicapped Children:.. At present the above category of children are entitled to get family pension on the event of death of their both the parents. But they are not eligible for Railway passes, though they used to avail the pass facility along with their parents 'when alive'. So, the above category of children be granted with ONE Set of Pass per year.. Railway Board in its reply has stated that Rly. Pass rules are independent & that any further

relaxation is not feasible.

This Convention does not agree to Bds' argument that facility of pass is not linked to Pension. As per Post retirement Complimentary Pass Rules. Facility of pass is denied to one who is denied Pension one or the other account. Railway administration has allowed so many free life time passes to other than Rly & ex Rly personnel's that it has lost count and is today unable to give exact number of such passes. Then how can it adopt discriminatory attitude to its own woman family pensioners. This convention appeals to the Honourable Minister of Railways to reconsider the issue & to end such discrimination against woman.

36. Companion in IInd class Post retirement Passes:-

Pensioners are a homogenous group, variation in 'Age' related privilege within the same organization, is discriminatory and needs to be rectified. Ministry of Railways is therefore requested to allow the facility of Companion in the second-class Post retirement passes also.

37. AGE OF COMPANION: As per RB letter No. E(W)96PS5-8/2 of 9.5.2005

there is no age restriction for the companion. But in reservation on post retirement passes companion's age below 65years only is accepted. This needs to be corrected in compliance to Rly. Board's orders.

38. Issuing of post retirement passes - Denial of Same Day facility:-

In spite of instructions to do so, post retirement passes are not being issued the same day resulting in repeated visits to the concerned office causing physical and financial strain to elderly people. The Rly. Board is requested to see that the instructions / orders issued are strictly followed.

This convention does not agree to Board's view that the issue concerns Zonal Railway. It is the responsibility of Rly. Board to; ensure that its orders are followed by the Zonal Railways.

39. Welfare Measures:-

39. (i) Include Pensioners' representatives in various Committees:-

Discussing, debating and deciding the Matters / Policies relating to Pensioners, with representatives other than those of pensioners, is unfair & against the Rules of 'Natural Justice'. At present various Committees like National Anomaly Committee (NAC) and JCM (on Pensionary matters), wherein matters / policies relating to pensioners' welfare are discussed and decided, do not have pensioners' representatives with the result their viewpoints, hardships & anomalies are not properly represented.

This convention does not agree to Rly. Board's view that SCOVA & Pension Adalat are sufficient to meet this requirement.

SCOVA is altogether a different forum than JCM (on Pensionary matters) & Departmental anomaly committees. SCOVA/Pension Adalat do not have inbuilt negotiating tool. Scope of SCOVA is limited to feedback on Govt. Policies. Whereas Pension Adalat deals only settlement cases. Thus SCOVA/Pension ADALAT cannot be equated with JCM(on Pensionary matters) & Departmental anomaly committees.

12 lac pensioners constitute one homogenous class, there is an urgent need to constitute separate Committees for pensioners. Wherein, matters / policies / anomalies relating to pensioners of all Groups & categories may be discussed. In view of the facts mentioned in

foregoing lines, the Rly Board is urged to constitute separate Committees with Pensioners' representatives, wherein issues relating to the welfare of pensioners may be discussed and debated as already recommended by the 5th CPC vide their Para 141.30. This will give them a feeling of participation and involvement in decision making.

Alternatively SCOVA be upgraded to JCM level covering all matters relating to Pensioners & should meet qtrly. As a year is too long a time for elderly during which a good number of them die.

39. (ii) Correspondence & representations by Pensioners' Associations:- Pensioners' Associations are basically Welfare organizations working for the betterment of Pensioners, but in spite of clear instructions from Rly Board Vide their No E (W) 2001/PA/1 dated 30.09.2004, most of the Divisions & Zones are not replying to the representations made by these Associations.

Similarly, as mentioned in Rly Board's letter E9W)95/PA/2 dated 19.12.97, in the 13th & 14th SCOVA meetings of the Deptt. of Pension & Pensioners' Welfare (the nodal Ministry), the Railway administration had assured that the representatives of Pensioners Associations' could meet and discuss the issues with concerned officers of the Railways as & when necessary. But, in practice, Railway officers very rarely provide such opportunities to the Rly Pensioners' Associations.

Railway Board is urged to ensure that the orders issued by it are followed by the Zones & the divisions. Board is also requested to nominate Nodal officer for dealing with pensioners matters at Board level also.

39. (iii) Provision of office accommodation to Pensioners Associations

As recommended by 5th CPC in their Para 141.24 :-

In its reply to agenda item no 21(2) SCOVA 25 M/O Railway stated, "Provision exist in para-1963 of Indian Railways Engg Code for allotment of spare buildings to house Staff Welfare Organizations at a nominal fee. Zonal Railways can be approached accordingly in the matter."

Whereas, in reply under RTI Act 2005 Case No. RTI Cell /2010/010013050 Rly Board stated, "Railway quarters and buildings not required for housing railway staff or for other railway purposes may at the discretion of the General Manager be let out, in consultation with the Financial Adviser, to outsiders, on the highest rent that can be secured. This power may, subject to such restrictions as the General Manager may impose, be delegated to officers not below the rank of Divisional Manager"

In another reply in this connection under RTI Act 2005 i.e in case No SCR/P-GNT/740/3/Vol.VII/RTI Act dated 30.06 2001 Sr. Divisional Personnel officer &PIO S.C. Rly/Guntur stated, "no prior approval of financial advisor or Rly Board is required"

Now vide its No E(W)2011/PA-1/2 dtd.02.01.2012 Rly Board has stated that there is no policy to allot accommodation to Railway Pensioners Associations.

However, in field S.C.Rly has allotted office accommodation to the affiliates of a particular Rly. Pensioners' organization even w/o verifying its exaggerated & incorrect claims.

As such in the interest of transparency and fairness. Rly Board, in the light of Vth CPC recommendations vide their Para 141.24 & must come out with clear guidelines.

40. Recognition to Pensioners Associations: As recommendations by 5th CPC vide their Para 141.24:

There are 12 lac of Railway Pensioners and their number is rising year by year. Bharat Pensioners Samaj is the oldest & largest organization of Indian Pensioners. Is a non rotational member of SCOVA , recipient of Grant in aid from M/O Personnel, PG & Pensions and is a member of advisory committee for the Govt. of India “Pensioners’ Portal. It has the exclusive distinction of finding a mention in UNO Publication and in the books & papers of renowned Sociologists & Anthropologists In addition to other Central/state govt. pensioners, it represents majority of Railway Pensioners through its affiliate 160 Railway Pensioners Associations.

BPS is the only organization which, to ensure welfare of Railway Pensioners, interact with grass root level to spread awareness & gather feedback through holding National Conventions /Seminars in the different parts of the Country. In recent times it held National Convention of Railway Pensioners Associations at New Delhi, Secunderabad & New Jalpaiguri and a National Seminar at Vishakhapatnum. In addition to resolving their Grievances & Pension related issues, it also assist them through its benevolent fund to overcome distress. It also publishes monthly magazine ‘Bharat Pensioner’ & Pension hand Books from time to time and disseminate up-to-date information through its website, Blog & facebook pages.

Railway Board therefore, is requested to accord recognition to Bharat Pensioners Samaj

41. Allowances :- Pension is a Deferred Wage, subject to future good conduct. Therefore, pensioner is not a written off category of staff and thus, he has legitimate entitlement to share the benefits such as House Rent Allowance, Transport Allowance, Children’s Educational Allowance, Hostel Subsidy, Festival Advance etc, etc., 5th CPC also vide their Para 141.23 recommended that whatever facilities already exist for the serving employees, may also be allowed to be shared by the pensioners.

The Rly Board therefore, is urged to extend all such benefits to the Pensioners to enable them to cope up with the continuous all-round increase in cost of living due to high inflationary trends in the country’s economy.

42. ANNUAL GET-TOGETHER WITH PENSIONERS: Rly Board, Zonal Railways & Divisions should organize a get-together with pensioners once a year to inculcate in them a feeling of security, unity & belonging.

**Shyam Sunder S.C.Maheshwari
Secy. General BPS Secy. (Rly.) BPS**