



RAILWAY SENIOR CITIZENS WELFARE SOCIETY

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(AFFILIATED TO BHARAT PENSIONERS' SAMAJ (BPS))

IDENTIFIED BY DOP&PW GOVT. OF INDIA - UNDER PENSIONERS' PORTAL

MEMBER, SCOVA (STANDING COMMITTEE FOR VOLUNTARY AGENCIES) (GOI)

DEDICATED TO THE
CAUSE OF PENSIONERS
SINCE 1991

No. RSCWS/HO/CHD/SCOVA/2019-1

Dated: 30-1-2019

Shri Charanjit Taneja,
Under Secretary to the Government of India,
Department of Pension & Pensioners' Welfare,
3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi – 110003
CC: By Email to : c.taneja@nic.in

Dear Sir,

Subject: 31st Meeting of Standing Committee of Voluntary Agencies (SCOVA) under the chairmanship of Hon'ble MOS (PP) – Suggestions for fresh Agenda items.

Reference: DOP&PW letter F. No. 42/03/2019 – P&PW(D) 18-1-2019

In reference to your letter cited above, following items are proposed and sent herewith for consideration for inclusion in the Agenda of 31st Meeting of Standing Committee of Voluntary Agencies (SCOVA) under the chairmanship of Hon'ble MOS (PP).

Item 1. Improvement of Health Care facilities required for Railway Pensioners/RELHS Beneficiaries

Item 2. Computation of Revised Minimum Pension for implementation of 6th Pay Commission Report at 50% of Pay in PB + GP with respect to the scale of pay of the post in question and not to the corresponding scale of pay at which the incumbent retired – Request for Application of judgements of various Courts for Revision of Pension of similarly placed Pre-2006 Pensioners

I, Harchandan Singh, Secretary General RSCWS (Railway Senior Citizens Welfare Society) shall be attending the said Meeting of SCOVA.

With best wishes & regards,

Yours truly,

(Harchandan Singh),
Secretary General, RSCWS.
(In Camp; At Mumbai
Up-to Mid-March, 2019)

Encls: Two items (As above)

Items proposed by RSCWS for Agenda of 31st Meeting of SCOVA

(Ref: DOPPW letter F. No. 42/03/2019 – P&PW(D) 18-1-2019)

Item 1. Improvement of Health Care facilities required for Railway Pensioners/RELHS Beneficiaries:

Railway Medical Beneficiaries, especially the old age RELHS Optees are at times put to inconvenience & hardship due to existing procedural problems especially in getting specialized medical treatment in Emergency and for getting referral for treatment in empanelled hospital. It is requested that the Railways may please simplify the system in regard to the following vital areas (none of which involves any financial implications but will reduce the hardship of the old age Pensioners):

- a) Authorisation of Doctors of Railway Health Units for referral to empanelled private hospitals: Railway Board vide its orders No.2018/Trans Cell/Health/Medical issues dated 24-1-2019 has decided that the Railway Beneficiaries may be referred for treatment & Investigation to private empanelled and other Government Hospitals by “two Doctors”. This has left out the Single Doctor Health Units in cities like Chandigarh as not being authorised to refer the cases to Empanelled specialized Hospitals and thus compelling the Railway Beneficiaries to travel long distances from such cities, towns & areas which have single Doctor Health Units to reach out to the two authorized Doctors to get a referral for an ailing patient. The hardship thus continues for majority of Old age patients to get the requisite treatment.

It is requested that the Doctors of the Railway Health Units be authorized to refer the Railway Beneficiaries/RELHS Optees to private empanelled hospitals and if so required, the Health Unit Doctor may get the approval from the other authorized Doctor on Phone and record it on the referral documents.

- b) Waiving of condition of Referral from Railway Doctor of RELHS Optees for OPD Consultation & treatment in Government Hospitals: It is requested that RELHS Optees be not required to get a referral from Railway Doctor for treatment in Centre or State Government Hospitals of their choice & convenience – on Reimbursement basis.
- c) Simplification of Procedure for RELHS Beneficiaries for Treatment at private empanelled hospitals without referral by the Railway Doctor, if they are advised specialized treatment by a Specialist in a Central Government/State Govt. Hospital - as has now been allowed to CGHS Beneficiaries vide Ministry of Health & Family Welfare, OM No.Z15025/105/2017/DIR/CGHS/EHS dated 9-11-2017 – Reg. Simplification of procedure for treatment at private hospitals empanelled under CGHS/CS (MA) Rules, 1944.
- d) Reasonable Period of Validity of Referral & for approval by Railway Doctors for treatment in Emergency in Empanelled Private Hospitals for Railway/RELHS Beneficiaries – as provided for CGHS Beneficiaries vide Ministry of Health & Family Welfare, GOI, OM No.Z15025/117/2017/DIR/CGHS/EHS dated 10-12-2018 regarding Revision of Guidelines regarding simplification of referral system under CGHS.

Ministry of Health & Family Welfare, vide their orders dated 10-12-2018 cited above have prescribed a period for validity of Referral to empanelled private hospitals as 30 days for treatment/investigation and Consultation and 3 months for multiple Consultation with 3 specialists for listed treatment procedures on advice by CGHS Specialist.

It is requested that the guidelines for CGHS issued by MOH&FW vide their letter cited above may please be considered for their application to the Railway Medical beneficiaries; And similar guidelines may also please be issued regarding adequate validity of Approval for Treatment in Emergency in the Empanelled Private Hospitals for Railway Beneficiaries.

- e) Special provisions for Treatment of RELHS Beneficiaries who are above 80 years of age especially regarding “Priority for Treatment in Hospitals”; “Settlement of Medical Reimbursement Bills” & “Referral to Private Hospital of choice” - as prescribed for CGHS Beneficiaries vide MOH&FW OM No.Z-16025/98/2017/CGHS-III dated 11-7-2017.
- f) OPD Consultation in Empanelled Hospitals for Railway Medical/RELHS Beneficiaries – as per procedure prescribed for the CGHS Beneficiaries vide MOH&FW OM No.

Z15025/117/2017/DIR/CGHS/EHS Dated dated-15-1-2018 regarding Simplification of referral System under CGHS.

- g) Issue of Medicines for 3 Months in case of Chronic Diseases to RELHS Optees as has been done for CGHS Beneficiaries vide MOH&FW OM No.F.No.2-2/2014-CGHS HQ/PPT/CGHS (P) dated 25-8-2014 & 21-10-2014.
- h) i) Expeditious implementation of CTSE (Cashless Treatment System in Emergency) in empanelled hospitals to all RELHS Beneficiaries all over India and expeditious issue of SMART CARDS for the same. Incidentally, the same has yet not been completed in the four Metro cities where the same are held up since 2016. It may please be expedited.
- ii) Detailed instructions for extension of CTSE for other Cities – as referred to in Railway Board's letter No.2014/H/28/1/Smart Card/Part A, dated 02.11.2018 may be issued early and SMART CARDS for the same may also please be expedited
- iii) Waiving of additional charges for CTSE from RELHS Beneficiaries as they had already made one-time payment for joining RELHS which fully covered Cashless Treatment in Emergency in local Empanelled hospitals where card was registered and against reimbursement in other cities in India. The only difference which the CTSE will make is the Cashless treatment instead of Reimbursable treatment in other cities. This is totally unjustified and may please be waived off.

(Continued on Next Page for Item 2)

Items proposed by RSCWS for Agenda of 31st Meeting of SCOVA

Item 2. Computation of Revised Minimum Pension for implementation of 6th Pay Commission Report at 50% of Pay in PB + GP with respect to the scale of pay of the post in question and not to the corresponding scale of pay at which the incumbent retired – Request for Application of judgements of various Courts for Revision of Pension of similarly placed Pre-2006 Pensioners

- i) High Court of Kerala in its final judgment dated 16-12-2016 in WPC No. 34171/2016, WPC No. 22153/2016 and WPC No. 21477/2016 held that that “Kerala High Court found that the computation of pension in the matter of implementation of the 6th pay commission report has to be at 50% of the pay scale with respect to the scale of pay applicable to the post in question and not to the corresponding scale of pay to the one at which the incumbent has retired.
- ii) CAT Bangalore in OA.No.170/00730/2017 in its judgement dated 18-6-2018, had held that “11. The OM dtd.13.11.2009 had clearly stipulated that the posts which were in the pre-revised pay scale of Rs.6500-10500 as on 1.1.2006 and which were granted the normal replacement pay structure of grade pay of Rs.4200 will be granted grade pay of Rs.4600 corresponding to the pre-revised scale of Rs.7450-11500 with effect from 01.01.2006. This makes evidently clear that the applicants were to be considered against the pay scale of Rs.7450-11500 with grade pay of Rs.4600. The revised pay and pension has to be calculated on that basis and that comes to Rs.9230. The manner of computing the pension by the respondents is therefore completely wrong and bereft of any logic. -----, The respondents are directed to grant revised pension of Rs.9230/- to the applicant w.e.f. 01.01.2006 along with consequential benefits within a period of one(1) month from the date of receipt of copy of this order.”
- iii) CAT Ernakulam in OA No. 180-00052-2017 decided on 12-9-2018 in K.G. Manoharan & others Vs UOI & others decided that applicants are entitled to a revised pension in terms of paragraph 4.2 of OM dated 1.9.2008 or 50% of the minimum pay in the pay band of Rs.9300-34800 with Grade Pay of Rs.4600 (in case of applicants 1 to 12) & Rs.4800 (in the case of applicants 13 & 14) or as per Annexure A4 fitment table, whichever is beneficial to the applicants.
- iv) CAT Ernakulam dated 23.10.18 has held in OA No. 180-01071-2017 “The OM dated 13.11.2009 had clearly stipulated that the posts which were in the pre-revised pay scale of Rs.6500-10500 as on 1.1.2006 and which were granted the normal replacement pay structure of grade pay of Rs.4200 will be granted grade pay of Rs.4600 corresponding to the pre-revised scale of Rs.7450-11500 with effect from 01.01.2006. This makes evidently clear that the applicants were to be considered against the pay scale of Rs.7450-11500 with grade pay of Rs.4600. SLP against the judgement was dismissed
- v) It is, therefore, requested that:
 - a) The policy decisions of the judgements of various Courts, may please be equitably applied to all the Petitioners as well as to all similarly placed Pensioners as required under Article 14, 16 of the Constitution.
 - b) Computation of minimum revised pension for the purpose of implementation of 6th pay commission report be done at 50% of the pay in the Pay Band plus Grade Pay with respect to the scale of pay corresponding to replacement pay scale as applicable to the post of varous Categories – (as enlisted in Schedule B of CCS (Revised Pay) Rules 2008) and as revised thereafter, and not to the scale of pay corresponding to the normal replacement scale at which the incumbent had retired.