

Minutes of the Virtual/ Physical Meeting of the TSEWA National Executive

Committee held at 1000 Hrs. on 11 Jan 2025

Attendance

The meeting was attended by the following: -

1.	Brig CS Vidyasagar	President
2.	Brig D S C Varma	Vice President
3.	Lt Col G Parvathesam	General Secretary
4.	Col Venkatesh Mahadevan	Treasurer
5.	Maj Gen Shibnath Mukherjee	President East Zone
6.	Col Vinay Sharma	Vice President North Zone
7.	Col Srikantha Seshadhri	President Karnataka
8.	Col Unnithan	President Chennai
9.	Col Satyanarayana Naresh	NEC Member
10.	Capt MN Reddy	NEC Member
11.	Smt Madhumita Das	Vice President
12.	Smt Shalini Gupta	Joint Secretary
13.	Smt Neera Sirohi	SSLOG President

1. The President welcomed all to the meeting and wished everybody a very happy and prosperous New Year, this being the first meeting for the year 2025.

2. The General Secretary thereafter gave a brief on the progress of points raised in the last meeting held on 28th Dec 2024.

3. Points from General Secretary:

a) **AFT Cases:** The General Secretary informed all that the cases filed by TSEWA are presently being heard in the AFT, though the progress is slow.

b) **Case of One Rank Higher Pension:** Documents forwarded by Mrs. Shalini Gupta, joint Secretary TSEWA, have been received and under scrutiny. A total of 165 litigants have joined the case.

4. Points from Members:

- a) **Col Srikantha Seshadhri President Karnataka:** Informed that in the first week of Jan 2025 100 new members have joined TSEWA from MEG. This was appreciated by all attending the meeting.
- b) **Mrs Madhumita Das Vice President:** Informed regarding the pension anomaly in respect of Mrs Madhu Man Singh of SSLOG. After hearing the grievance, the President advised that the lady should first write a letter to the concerned Record Office. A copy of that letter be sent to HQ TSEWA and it will be forwarded to Lt Col Ranjan Kumar at PCDA resolve the problem.
- c) **Maj Gen SN Mukherjee, President East Zone:** Raised a point regarding an ECHS hospital for Kolkata, which is awaiting approval, and inquired if Col Srikantha Seshadhri could provide an estimate of how long the process might take. Col Srikantha Seshadhri informed that, as it is currently only at the approval stage, the process is lengthy and may take approximately five years. He further mentioned that, in general, there is a paucity of funds, with allocations being more Delhi-centric. There is a need to increase the grant of funds to the Directors of Regional Centres, based on availability. There is also a clause requiring empanelled hospitals to pay a penalty if a bill is delayed by more than 30 days. However, no penalty is imposed on the government when it delays payments.
- d) **Mrs. Neera Sirohi, President of SSLOG:** Informed about a case pertaining to Mrs. Manjula Roye, widow of late Cdr Miron Roye, who passed away in 1982. She was earlier getting Special Family Pension but currently it has been changed to Ordinary Family Pension (OFP). Mrs Neera Sirohi was asked to send the complete details of the case for further necessary action.
- e) **Col Unnithan President Chennai:** Informed that he has forwarded the documents in respect of Ex-Hav Mangala Kumar recommending for some financial assistance. He is presently living with his aged Mother who is suffering from Cancer (Terminal Stage) and they are in dire penury. The President informed that the Management Committee will examine the documents and process the case accordingly.

5. Points from President:

Legal Cases:

1. **Arrears of Broad Banding not to be Restricted to Three Years from Date of Filing the Case in AFTs:** Our advocate in AFT, PB, New Delhi had informed telephonically that the case TSEWA filed in Hon'ble Supreme Court for arrears of broad banding be given from the day the disabled soldiers are due instead of just three years from the date of filing the case. He informed that he attended the hearing in the Supreme Court along with senior counsel of ours. It appears the hon'ble judges asked the Min of Def as the reason for not paying arrears from the date when they are due. Therefore, it appears, that TSEWA is likely to win the case and get our petitioners who

joined our legal case in Hon'ble Supreme Court arrears from their due date. We will celebrate once the judgment of Hon'ble Supreme Court comes in our favour.

2. **Pension of One Rank Higher to Pre - 2006 Nb Subs Granted the rank of Hony Subedar and Pre - 2006 Subedars granted the rank of Hony Sub Maj:** Our advocate informed that the case came for final hearing few days back. The members of AFT informed our advocate that since there was a policy decision of Post Jan 2006 Havildars granted the rank of Hony Nb Sub, the AFTs citing several judgments of Hon'ble Supreme Court not to treat Pre - 2006 Hony Subs differently than Post Jan 2006 Hony Nb Subs, the AFTs were liberal in giving judgments for Pre - 2006 Nb Subs to get pension of Nb Subs like Post Jan 2006 Hony Nb Subs. But since no such policy letter is issued by Min of Def, the AFT will not be in a position to give a favourable judgment. Our advocate feels that our case OA-599/2017 filed in AFT, PB, New Delhi likely to be dismissed soon. He consulted our senior counsel in Hon'ble Supreme Court and sought his views on the likelihood of appealing the judgment of AFT, PB, New Delhi if our case is dismissed. The senior counsel quoted few judgments on Discrimination. He opined if the Min of Def is generous in granting the demand of Pre Jan 2006 Hony Nb Subs to get pension of Nb Sub from Jan 2006, if it is denied to Hony Subedars and Hony Sub Majs, then it is a fit case to be filed in the Hon'ble Supreme Court like TSEWA did for Broad banding from Date when the disabled soldiers are due for getting arrears. Our advocate in AFT, PB, New Delhi therefore suggested to the President, TSEWA that it is a fair chance for us to win the case in Hon'ble Supreme Court to get pension of Subedar to Hony Nb Subs and pension of Sub Maj to Hony Sub Majs. The President thereafter informed there are only 56 petitioners who joined the legal case filed in 2017 in AFT, PB, New Delhi. The advocate informed that the legal fees to fight our case in Hon'ble Supreme Court has been arrived at Rs 5 lakhs and he suggested some portion of this amount can be collected from the 56 petitioners and balance can be paid by TSEWA as it is a welfare measure. The President then invited all the members of NEC to give their recommendation. All members agreed to pay a portion of legal fees of Rs 5 lakhs by TSEWA. On further discussion by a majority view it was decided that TSEWA should bear Rs 2.50 lakhs and balance to be paid by 56 petitioners which comes to Rs 4,500 per petitioner. The President then suggested that unless all 56 petitioners or their spouses in case petitioner has passed away should pay Rs 4,500 each then only TSEWA will pay Rs 2.50 lakhs and then the case can be filed in Hon'ble Supreme Court challenging the likely dismissal of our OA 599/2017 by AFT, PB, New Delhi. Each of the petitioners will be informed to pay Rs 4,500 only on receipt of dismissal of OA 599/2017 by AFT, PB, New Delhi.

3. **OROP-III Pension:** Many members and non-members of TSEWA who are migrated to SPARSH complained that their pension in OROP-III from Jul 2024 has gone up. But SPARSH did not pay them the enhanced pension. Nor they are told the reason for non-payment of OROP-III pension which is higher than what they are drawing today. They further informed their course mates who are not yet migrated to SPARSH are getting OROP-III pension with arrears from Jul 2024. President informed that SPARSH does not remit OROP-III pension to those migrated pensioners if they do not

have SPARSH PPO. As per the data given by SPARSH, 30 lakhs out of 33 lakhs have been migrated to SPARSH which is 93%. This says 93% of 26.50 lakhs pensioners of Armed Forces are also migrated to SPARSH. But very few have been given SPARSH PPO. The President recommended that such migrated pensioners whose pension in OROP-III is higher first should take up their case with their respective Record Offices to approach SPARSH to issue SPARSH PPO. Secondly, such migrated pensioners also should lodge a complaint in CPENGRAMS. Thirdly those who are active in social media platform like Twitter (now X), Facebook, Instagram to appeal to Hon'ble Prime Minister to direct Min of Def to expedite generation of SPARSH PPOs by a definite time frame and to immediately remit OROP-III pension with arrears from Jul 2024 as all data required to work out OROP-III pension is already available with SPARSH as they are remitting OROP-II pension from Jul 2019. If OROP-II pension can be remitted without SPARSH PPO where is the necessity for SPARSH PPO to remit OROP-III pension.

4. **Relief of Lt Col Ranjan Kumar:** The President informed that the posting order of relief of Lt Col Ranjan Kumar, OiC, DPCC, in the office of PCDA (Pensions) Prayagraj has been issued. The relief will take over the duties of OiC, DPCC from last week of Apr 2025. The President informed that only cases which have financial implications be sent to him so that these can be redressed before Lt Col Ranjan Kumar goes away to his new appointment. All other data entry correction cases can be sorted out later. The President informed he is likely to visit PCDA (Pensions) Prayagraj in first week of Apr 2025 to get redressal of grievances before Lt Col Ranjan Kumar goes out on posting.

5. **Honouring of Veterans in RSI:** RSI informed that 100 Pipers will honour six veterans who have served the community. The Management Committee decided that only TSEWA's name be recommended and not any individual member of TSEWA.

6. **New Legal Cases:** The President informed that TSEWA sent legal documents for four new legal cases to our advocates in AFT, PB, New Delhi. This has enhanced our membership to 21,270. The legal cases are: -

a) **Commutation Recovery.** OA 3959/2024 was filed for 52 petitioners titled Col Pankaj Kumar Naithan Vs UOI to restore full pension on completion of 11.50 years of payment of commutation instalments.

b) **SFP and LFP Ladies to get Pension for Full Length of Service of their Martyred Husbands.** Legal documents for 35 ladies have been sent to our advocate in AFT, PB, New Delhi.

c) **Pension of One Rank Higher.** 165 petitioners have submitted their documents which are under scrutiny and will be forwarded soon.

d) **3% Reduction of Pension in OROP-III.** 10 Lt Col Petitioners have submitted their documents to work out their pension by reducing pension of one with higher pension by 3% per year as it will give them higher pension

7. **TSEWA Google Groups:** The President informed that out 21,270 only 4,250 are in the TSEWA Google Groups. All those members who have not yet become members of TSEWA have been sent the link to join TSEWA Google Groups. Efforts are also being made to make them members of this group so that maximum number of members join TSEWA Google Groups for dissemination of information.
8. **Awareness Programmes:** HQ TSEWA can send a team to organise Awareness programmes in the area of responsibility of NEC members.
9. **Family Pensioners Welfare Samiti:** It is headed by Brig SC Kuthaiala (Retd) who filed a case in Hon'ble Supreme Court to remove the limitation of 7 years / 10 years for getting Enhanced Rate of Ordinary Family Pension. Maximum contributions to pay for legal fees has come from Services Single Ladies of Officers Group (SSLOG).
10. **New Year Diaries 2025:** TSEWA despatched by post New Year diaries to three officers and 16 JCOs /OR working in the three pension liaison cells in the office of PCDA (Pensions) Prayagraj. Mrs Shalini Gupta, Jt Secy, TSEWA personally handed over the New Year Diaries in MP 5 & MP 6. Mrs Nargis Naqvi and Cmde Kuldip Singh Sandhu (Retd) have also been requested to present the New Year Diaries to DAV and NAVPEN staff.

There being no more points the meeting was declared closed. The next meeting will be held on 25th Jan 2025.

Brig CS Vidyasagar (Retd)

President, TSEWA