**NAVY FOUNDATION DELHI CHARTER**

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 04 Apr 2012

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**NEWS LETTER No 01/2012**

**FOR QUARTER ENDED 31 Mar 2012**

Dear Members,

1. At the out set, the President and Members of the Management Committee convey their greetings and best wishes on the occasion of Easter and hope the times ahead will bring a world of happiness and good health to all members and their families.

2. For the Delhi Charter, the period of last three months has been very eventful.

 (a) **Lunch Get together Held on 22 Jan 2012** A get together for members and their spouse was held over Lunch on Sunday 22 Jan at Kota House. The attendance was considerably large and it was a big hit – a great way to start the new year. The weather too was excellent.

 (b) **Veterans Lunch Hosted by CNS.** This was held on Sunday 14 Feb 2012. The attendance was simply overwhelming, perhaps the largest in recent years, as many as 1200 veterans and their spouse were present and enjoyed the afternoon.

 (c ) **Release of Quarter Deck 2011 Edition.** At the Veterans Lunch on 14 Feb, the CNS released the 2011 Edition of Quarter Deck magazine.

 (d) **Annual General Body Meeting of Delhi Charter.** The AGM of NFDC was held on 24 Mar 2012 at Varuna Naval officers Mess. The minutes of the meeting dated 28 Mar 2012 have been issued to members by E mail / by post. Election of office bearers of the new management committee was held during the AGM. The following members were elected as the new Management Committee:

 (i) Rear Admiral SK Das President

 (ii) Commander N Mahajan Vice President

 (iii) Commander Subod K Sud Secretary

 (iv) Commander NK Singla Treasurer

3. The outgoing Committee will hand over charge to the new committee on 01 May / earlier. This will facilitate closing of balance sheet for the year 2011 – 2012, as on 31 Mar 2012. The preliminary audit by Chartered Accountant will also be completed.

4. **Year of The Ex-Servicemen**

 The Navy has announced that 2012 is being commemorated as the “Year of the Ex-Serviceman” to pay tribute to our veterans, honor them and express Navy’s gratitude for their sacrifices which have been instrumental in the progress and prestige of Indian Navy.

 Activities that are being undertaken this year are as follows:-

 (a) Conduct of Pension Adalats.

 (b) Conduct of ESM Melas.

 (c) Conduct of Naval Veterans’ Day at Commands and major Naval

 Stations.

 (d) Enhance the representation of veterans for Navy Day functions,

 Family Day at Sea and Seminars / Workshops at Naval Stations.

 (e) Conduct of Job Fairs for better ‘Second Innings’ prospects.

 (f) Establish new Veteran Sailors’ Forum (VSF) and Navy Foundation

 (NF) Charters.

 (g) Enrolment of entitled non-ECHS members.

 (j) Vigorous liaison with State Governments to maximize benefits to

 widows and pensioners.

There is not much in it for the officers or the Delhi Charter. Actually it is a repetition of the ongoing activities.

5. **New Charters of Navy Foundation.** Three new Charters of the Navy Foundation are planned to be commissioned during this year, one each at Jaipur, Lucknow and Bhopal.

6. **Widows’ Hostel.** The process of building a Widows’ Hostel at Vasant Kunj, New Delhi has started. The Architect for the project has been finalised and the formulation of concept design is in progress. Half an acre of land was acquired by Indian Navy early last year for the purpose of construction of hostel for widows of Naval personnel. The construction of hostel is likely to be completed by middle of next near. This project had not been mentioned to us earlier

7. **Project “Sangam”**  To address the issueof corrigendum PPOs, the Services took up the matter with the Governmentand after extensive deliberations, the Ministry of Finance has now directedPCDA (Pension), Allahabad and CGDA to commence issuing of PPOs under“Project Sangam” wef 16 Aug 11. The revised PPOs will be first issued to post 1996 retirees and subsequently to pre-96 retirees of Army. It has been confirmedthat it will be done for all three services and CGDA is issuing directive to PCDA (Navy) with reference to Naval pensioners

8. **Centralized Pensionary Grievances and Monitoring System (CPENGRAMS)**

 MoD has launched the above system end of last year and this is an internet based program. With the help of this, pensioners can lodge their grievances online and which will be redressed by the concerned Service Headquarters.

**Supreme Court interprets Section 122 of the Army Act (By Navdeep Singh)**

 9. In a yet another judgement on the subject, the Hon’ble Supreme Court has quashed the directions for assembly of a General Court Martial (GCM) against an officer and has also set aside the judgement of the Lucknow Bench of the Armed Forces Tribunal which had dismissed the said officer’s petition. The officer was accused of irregularities in procurement of stores for a Central Ordnance Depot. The Commanding Officer hearing the charge had initially dismissed the charges under Rule 22 of the Army Rules as not having been proved, however the order was not accepted by the competent authority which directed recording of additional summary of evidence. Again it was found by the Commanding Officer that none of the charges stood. Yet again, setting aside the findings of the CO, the competent authority directed that the officer be tried by a GCM. The offence came to the knowledge of the authority competent to convene the Court Martial in May 2007 while the final orders convening the Court Martial were passed by the said authority in August 2010.

10. The Court Martial was convened but challenged on limitation under Section 122 by the accused officer. The plea was accepted by the Court Martial. However, the convening authority once again set aside the findings and directed the Court Martial to proceed with the trial. The AFT also ultimately upheld the decision to convene the Court Martial based on earlier judgements of the Supreme Court in the cases of VN Singh and JS Sekhon.

 11. The SC has however distinguished the said judgements and has held in a detailed judgement rendered yesterday (15 Feb 2012) that in those cases the dispute was as to who was the competent authority to order the Court Martial, which was not the controversy in the case at hand and hence the GCM was clearly barred by limitation. The Court in its judgement has also observed the light punishment handed to other accused in the same case including a non-recordable censure awarded to a Major General.

**No Income Tax Scrutiny of Senior Citizens and Small Tax Payers for Financial Yr  2011-2012**

12. The Income Tax Department has announced Income tax returns filed by senior citizens above 60 years and small taxpayers with gross total income of less than Rs 10 lakh will not be scrutinised in a routine manner. “It has been decided that during the financial year 2011-12, cases of senior citizens and small taxpayers, filing income-tax returns in ITR-1 and ITR-2 will be subjected to scrutiny only where the Income Tax department is in possession of credible information. Senior citizens for this purpose would be individual taxpayers who are 60 years of age or more. Small taxpayers would be individual and HUF taxpayers whose gross total income, before availing deductions does not exceed Rs 10 lakh. Scrutiny of income tax returns is an important mechanism for ensuring taxpayer compliance and to counter tax-evasion. Please note :-

(a) Exemption is not available to those who are having business Income or are having Income from partnership Business.

(b) Income of senior citizen may exceed 10 Lakh.

**ECHS**

13.  One of the major issues raised by us was regarding good hospitals getting themselves  de-empanelled and more hospitals not offering themselves for empanelment.  The reason quoted by the hospitals was inordinate delay in clearing of their bills.  MD ECHS has informed that with effect from 01 Apr 2012 the bills will be processed through automation and will be cleared within 7 to 10 days.  This will help the empanelled hospitals to stay on and more good super specialty hospital will offer for empanelment. Towards this, MD ECHS has organized a Seminar in the second week of Mar where all the empanelled hospitals in NCR including the hospitals which have left the scheme have been invited.  Hopefully this problem will be resolved and better super specialty hospitals will be available for Health Care of the veterans.  MD ECHS is also writing to other hospitals across the country about the automation in processing of the bills.

14. Medanta in Gurgaon and BL Kapur Memorial Hospital near Karol Bagh, both super specialty hospitals have been empanelled for ECHS Memorandum will be signed shortly and thereafter veterans can avail of the facility. Further, an additional 118 Crores have been allocated for ECHS.  Efforts are on to get these funds released from the Finance ministry.  This will greatly assist in clearing of bills and improving the ECHS services.

**ECHS**

15.  **ECHS Update.**  Finally ECHS has its own website. Please visit  <http://echs.gov.in/>

It includes e Mail ids of Region Centres and Tele numbers of ECHS functionaries. There is also a click on for Claim status. This should be a Great help. Its really a vastly improved site. DO visit it. You will find answers to many of your queries here.

16. **ECHS Helpline.** A 24X7 helpline to resolve entire gamut of issues which can

concern an ECHS member on health care will be addressed through this helpline. Queries pertaining to membership, empanelled hospitals and facilities in empanelled hospitals can be made by dialing 080 – 4300 4300 and toll free 1800-103-8666 and SMS No. +919714794300

**Mr Rajeev Chandrashekhar**

17. Mr. Rajeev Chandrasekhar MP and an ardent supporter of the Veterans and who was the force behind the Rajya Sabha Committee on OROP has been re-elected from Karnataka for a second term as an Independent Member of Parliament in the Rajya Sabha - unopposed and supported by all political parties. As you may be aware, during the past six years in Parliament, Mr. Chandrasekhar has been an active Parliamentarian taking up causes and raising issues in the interests to us. We wish him all the luck in his endeavours.

**Killing of Bin laden by the SEALS**

18. A long, 1hr 15min, but interesting documentary on the Bin Laden raid that some members may like to watch. Please visit

http://www.youtube.com/watch\_popup?feature=pladetailpage&v=kN8K2RPXfXc

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**Complete Information Center for Senior Citizens**

19. Here is an extremely informative website for Senior citizens. Most of the needed da to day info is available on it. Please try it.

 <http://seniorindian.com/>

**Renewal of Associate Membership of NOMA Kota House**.

20. Members of Kota House Mess are required to renew their membership from 01 Apr to 31 Mar 2013, at the earliest. They are requested to submit the renewal form, latest photograph and a cheque for Rs 1800/- being the annual fee and also submit the SMART Card for self and spouse which will be renewed.

21. **Car Stickers for Navy Veterans.** The Delhi Charter has printed Car Stickers for Navy Veterans (attractive Design) very recently. These were also distributed to members on the occasion of the AGM on 24 Mar at Varuna Mess. Some surplus stock is still available and members desirous of using these may kindly collect these from the NFDC office, in Kota House.

**Naval Appointments**

22. Vice Adm B Kannan ATVP Hq has been appointed COM wef 1 May 12

**Increase of DA**

23.Cabinet has approved an additional hike in DA of 7% for all the central govt employees with effect from 1st January 2012. The increase in dearness allowance (DA) which will cost the exchequer an additional Rs 7,500 crores. The new DA rate is 65%. The decision will benefit about 50 lakhs central government employees and 30 lakh pensioners

**Restrictions on Liquor and Car Quotas**
24. To check misuse of military canteen facilities, restrictions have been put on liquor quota and sale of cars. The new policy has reached various command headquarters for implementation and their feedback is also asked for. On liquor, there is no change in liquor authorisation, however it has been limited as per brand type. An officer is entitled for 10-12 liquor bottles, but now out of that scotch whiskey will be permitted up to 50 per cent of total entitlement. Junior Commissioned Officers (JCOs) and their equivalents are entitled for six bottles but now out of the quota they can only have three whiskey bottles including one scotch whiskey. The other ranks are entitled for four bottles but now they can only have two whiskey bottles including one scotch whiskey out of the total quota. Widows were earlier entitled to three bottles, but now they will be authorised to 50 per cent of total entitlement of the deceased husband. As a large part of budget gets exhausted against purchase of AFD (Against Firm Demand) goods ( like TV, refrigerator, four wheeler, two-wheeler, electronic items) under the new policy cars for officers have been restricted once in five years, earlier it was once in two years. JCOs and their equivalents can buy car once in 10 years, earlier the second car was allowed after five years. The other ranks can buy once in their lifetime, whereas earlier the second car was allowed after seven years. In case of two-wheelers, officers can buy every three years (with maximum three vehicles in total), where as earlier the restriction was just of two years. JCOs and other ranks can buy every five years with maximum of 2 two-wheelers. Earlier, they were allowed to purchase every two years.

25. There is no change in the policy for other AFD goods. The new policy says that the ceiling limit in a bronze card (meant for URCs) is quite high and may be the main source of misuse. These cards remain with canteen managers and can be used for entitled soldiers who do not have smart card temporarily for any reason. It has-been decided that ceiling limit in a bronze card is restricted to1,000 units in liquor from10,000 per month and in grocery to Rs 1lakh from Rs 10 lakh per month earlier. In AFD items, the ceiling has been reduced to Rs 2 lakh per annum from Rs 10 lakh per annum. Similarly, silver cards will be withdrawn completely.

**Fresh information on Car sales through CSD**

26. QMG’s branch has issued a fresh letter reiterating the ban of car sales through CSD on account of budgetary constraints. The letter issued on 22 Feb 2012 however states that despite the ban, the directorate has been authorised to grant permission on case to case basis and for this a special ‘Car Sanction Cell’ is being established.

27. The Cell would be manned by a Section Officer who would be available on telephone numbers (011) 23092563 and 23093572. Irrespective of rank, anybody who is desirous of buying a car through CSD can apply to the DDG CS with an application with the following particulars:

 (a) Date of car last purchased from CSD

 (b) Reasons for requirement of the special sanction

 (c) Make and Model of the car required

 (d) Name of depot from where the car is required

28. The letter reiterates that the ban would be lifted completely when the budgetary situation improves but till that happens this adhoc arrangement shall continue

**Non Functional Grade Pay – A Brief**

29. The issue of Non Functional Grade Pay(NFU) being given to Gp A Officers of Central and state Cadres At 19 years of service has caused an immense amount of feeling of discrimination and everyday functional problems. Officers from other services with whom we interact on functional basis, like AFQ Cadre, MES, GREF, BSF, CRPF ,ITBP, Def Accts(IDAS), Test Audit (IA&AS), Ord Factory Bd etc,  will now get the salary and grade pay of Joint Secretary/ Maj Gen (GP Rs 10000/-) in 19 yrs of service, and will draw the pay of Addl  Secretary to Govt of India which is equal to a Lt Gen(GP Rs 12000/-) in 32 yrs of service by virtue of their service being Organised Gp A Service.

30. This has come about consequent to acceptance of 6 CPC recommendations on NFU by GoI, wherein it recommended that  whenever any IAS officer of the state or joint cadre is posted at the Centre to a particular grade carrying a specific grade pay in Pay Bands PB-3 or PB-4,the officers belonging to batches of Organised Group A*services* that are senior by two years or more and have not been promoted so far to that particular grade would be granted the same grade on a non functional basis from the date of posting of the IAS officers in that grade at the centre. Hence if an IAS officer becomes Joint Secretary in 17 years of service the offrs of *Org Gp A Service*(like the ones mentioned in Para 1) will start drawing the salary of Joint Secretary in maximum of 19 years of service and similarly that of Addl Secretary / Lt Gen in 30 and 32 yrs resp.

31. This has occurred because as per Govt of India,  Def  Offrs are **NOT**part of Org Gp A Service and the above recommendation is applicable to only to the latter. We are just ‘Commissioned Officers’.    The Sixth CPC observed that there is a conventional edge of two years between IAS and other AIS/ Central Group A services and stated that though the Fifth CPC had taken the view that the edge need not be disturbed, in practice, however, the gap of two years (for posting to various grades in the Centre in form of empanelment of IAS officers and promotion for other Group A officers), has increased in respect of many organised Group A services.  The sixth CPC felt that this is not justified as Organised Group A services have to be  given their due which justifiably should mean that the disparity, as far as appointment to various grades in Centre are concerned, should not exceed two years between IAS and organised Central Group A services. It recommended that the Government should, accordingly, consider batch-wise parity while empanelling and/or posting  at Centre between respective batches of IAS and other organised Group A services with the gap being restricted to two years.

32.  Therefore whenever any IAS officer of the state or joint cadre is posted at the Centre to a  particular grade carrying a specific grade pay in Pay Bands PB-3 or PB-4,the officers belonging to batches of Organised Group A services that are senior by two years or more and have not been promoted so far to that particular grade would be granted the same grade on a non functional basis from the date of posting of the IAS officers in that grade at the centre. The higher non-functional grade so given to the officers of organised Group A services  will  be personal to them and will not depend on the number of vacancies in that grade.

33. The need NFU more than the Civil Services as no service faces  as much stagnation as the Armed Forces offrs because of   its pyramidal structure. In fact, on the contrary, most of the Gp A service offrs, as it is, reach the level equal to Addl Secretary due to the structure of promotion of their service. Only issue for them is,’ in how many years’. In comparison, 97% def offrs retire at the levels below Joint Secretary / Maj Gen. Hence, if the logic of giving NFU to Org Gp A offrs is stagnation, then, no one deserves it more than the Armed Forces  Offrs.

34.             Traditionally, since independence, there has been a broad parity between the Class 1 / Gp A offrs of Civil Services and the Defence Services  Offrs  which has been acknowledged   by different Pay Commissions in their reports. In such a case ,the differential  recommendations  of  6 CPC not only disturbs the financial parity, it pushes down the def services in status as even direct recruit  offrs of Gp B services  attain a better pay and promotional avenue and manage to reach the level of Joint Secretary / Maj Gen before retiring . In fact, now  Sub Inspectors of CRPF/BSF/ITBP too can beat Def Services Offrs when they too will retire with the salary of Addl Secretary / Lt Gen, if they get promoted as Asstt Comdt / DSP in 8 yrs. All this will only fuel frustration in the Armed Forces ..

35.         Since Def Offrs will have to work alongside some of the Organised Gp A Services a disparity of this magnitude will lead to functional problems and such problems will only increase in future. Service HQs  are aware of this issue and had sent a proposal to MoD, but it has been rejected and taken up again. However, the issue needs a more forceful pleading duly backed by Service Offrs unanimously. The grant of NFU will not only benefit the offrs  facing stagnation at the level of Lt Col, Col, and Brig, but will also benefit senior offrs like Maj Gen and Lt Gen who otherwise pick up their ranks in 29 yrs and 35 yrs resp, as they will too start drawing the pay of Maj Gen in 19 yrs of service and that of Lt Gen in 32 yrs of service.

This is an issue on which we have not done much and left it to the Services headquarters thus far but we now need to get pro-active.

**The much awaited Parliamentary Committee Report on Military Pensions**  - <http://www.indianmilitary.info/>

36. The Parliamentary (Rajya Sabha) Committee on Petitions submitted its report in Dec 11. A brief was also given to the members at the AGM and some addl issues are highlighted here. For those who want to peruse the full report , you may [click on the site given above to download the entire copy](http://www.mediafire.com/?iigxjt1udvoyv9z). The main developments that are observed in the report are as follows:-

37.    The Department of Ex-Servicemen Welfare (DESW) of the MoD and with two Under Secretaries are actually and practically running the entire show, has been less than truthful with the committee with its inputs. The first proof of the same being the figure of Rs 3000 crore per year for OROP projected by the said department which tacitly has been contradicted by the Department of Expenditure which in turn has pegged the annual expenditure for the first year at Rs 1300 crores.

38.   The DESW had put forth the reasons of financial, administrative and legal impediments in implementing OROP. While projecting administrative difficulties, it was pointed out that the information regarding pensioners was not available since military documents are weeded out after 25 years. This is not true, firstly, the 25 years limit applies to non-pensioners and not to pensioners. Secondly, naturally OROP is to apply to pensioners only and if a person is a pensioner, he or she would obviously be in receipt of pension based on a PPO which would contain all requisite information such as the length of service and rank which is all that is required.

39. Even the legal difficulties expressed by DESW have no legs to stand upon. The DESW commented that the Supreme Court had upheld the implementation of cut-off dates in pensionary matters in various cases. However, what DESW did not mention is the fact that there are many more decisions in which cut-off dates have been deprecated, including very recent ones.

40. The representatives of the Army, Navy and Air Force supported the cause of OROP. A mere reading of the report also seemingly indicates that while the representatives of the Services were very much present in the initial meetings and very fairly assisted the Committee, they were probably not present during the final meeting of deliberation when the Secretaries were again heard on 14 Nov 2011. Perhaps chary of the proper and fair assistance provided to the Committee by the Services, the military reps were not brought in by the DESW on the penultimate date.

41.    The findings of the Committee were appreciable and pro-veteran. The Committee has observed that the demands of veterans were included in Election Manifestoes of various parties but not given effect. The Committee has also observed that OROP was existing in a way till 1973 when it was withdrawn in an ex-parte manner by the 3rd CPC which linked the pensionary system of the armed forces with that of civilian employees. The committee also observed that there was no comparison with civilian employees and Defence services faced much harsher conditions coupled with an early retirement age. The committee also observed that given the economy of the country, Rs 1300 crore per year was not a heavy figure.

42. However, most importantly, the following observations of the committee summed up the essence of the entire exercise :-

*“…They (defence services) serve the nation with utmost devotion and selflessness but their demands are consistently being ignored, not by the heads of the Armed Forces, but by bureaucrats. It’s a typical example of bureaucratic apathy. To continue this apathy, the Ministries apprised the Committee that if OROP were to be implemented, similar demands may be raised from civilian employees. This argument the committee finds is a baseless apprehension...The defence personnel in the PBOR category retire when they are around 35-40 years of age. Even the officers retire when they are around 55 years of age. That is the time when they have family and social responsibilities to discharge for which they need sound financial support. This is certainly not the case with civilian work force where the age of retirement is 60 uniformly…

The committee is not convinced with the hurdles projected by the DESW in implementing OROP for defence personnel…”*

**Issue of Email Messages by Web Master - NFDC.**

43. On some occasions the NFDC members have queried why our emails are not going out to some ranks or to a limited number of Veterans. This is to clarify that each and every one of our mails, without exception, go out to each and every member without exception. Some will be aware that there are limitations on the number of email IDs that can be addressed in one mail and therefore they go simultaneously, but as several separate emails. Also many of the members of the same rank, say Commanders or Captains get addressed together as those starting with the letter C go together, thanks to the MS office/Word.

**Notification issued for appointment of Captains and Majors in the IPS through Limited Competitive Examination.**

44. The Ministry of Home Affairs has notified rules for recruiting Captains and Majors of the Army, and equivalent from the other two services, into the Indian Police Service from this year onwards through a Limited Competitive Examination. The examination is also open to officers of the State Police Service and Group A Officers of the Central Armed Police Forces from the BSF, CRPF, ITBP, CISF and SSB with 5 years service.

45. The rules regarding protection of seniority and pay have not yet been promulgated and even the number of vacancies would be notified later. The examination shall remain a regular feature. The maximum age permissible is 35 years as on 01 August 2012 which is further relaxable by 02 years for SC/ST candidates and 01 year for OBC candidates. The last date for receipt of applications was 01 April . Three points related to Limited Competitive Examination for the Indian Police Service

 (a) Firstly, the online application form is now available on the official website of the Union Public Service Commission. As expected the Services Hqrs have objected to the scheme as it will lead to further shortages in the Services. But equally, there are good reasons to expect that there will be a number of volunteers.

 (b) Secondly, the MHA could have done with some more homework and clarity on the eligibility conditions. The advertisement makes DSPs with 5 years of service and Assistant Commandants of the Para-Military Forces (sic) eligible for the examination along with officers of the rank of Capt/Major from the Defence services. Now it is not clear from the advertisement whether the 5 year service condition is applicable only to DSPs or to all categories of eligible officers. Also it would be wrong to equate and treat at par all three categories. DSPs in some States are Group B officers with Grade Pay 4800 (equivalent to Subedar Majors) while in other States they are Group A with GP 5400 (equivalent to Lieutenants). On the other hand, Assistant Commandants are Group A Officers with GP 5400 (equivalent to Lieutenants). Officers of the rank of Lieutenant in the Army with GP 5400 have been made ineligible while much senior officers of the rank of Capt (GP 6100) and Major (GP 6600) have only been made eligible for the examination while their civilian peers would be much junior.

 (c) Thirdly, it would have been better if the finer aspects of the service conditions such as seniority and pay protection could have been clearly spelt out.

 **Status of Court Cases Pertaining to Veterans.**

46. **IVth PC – Maj Dhananpalans Case.** In accordance with the recommendations of the IV Pay commission, officers of the Army, Navy, &Air Force were granted Rank pay in addition to the basic pay in the integrated pay scale of Rs 2300-100-3900-150-4200-EB-150-5100. CDA(O) while fixing the pay in the integrated scale created a ‘faux paus’ by deducting ‘rank pay’ from the total emoluments and then doing the pay fixation resulting in huge financial loss to the officers with cumulative effect on pay, DA, Pension, gratuity, commutation etc.

In the case of Maj AK Dhanapalan Vs Union of India in OP 2448/96, The High Court of Kerela allowed the plea of the officer and held that the deduction of the rank pay was not correct and directed to re fix the basic pay of the officer from 1.1.1986. Appeal filed by the Union of India before the larger bench of the High Court & SLP in the Hon’ble Supreme Court against the judgment was dismissed. Although Govt sanction to pay arrears to Maj AK Dhanapalan was issued, the benefit was not extended to similarly placed officers of the three Services. Since pay fixation of the IV pay commission was wrong, the consequential fixation of V pay commission is also wrong, so also pension, commutation, leave encashment, gratuity, etc. Similar cases were filed by a large number of officers in various courts throughout the country. The Supreme Court of India directed that such of the cases be transferred to the apex court. Retired Defence Officers Association (RDOA) and including us.

47. Vide order dated 8.3.2010, the Supreme Court after hearing detailed arguments, the Court agreed with the judgment dated 5.10.1998 passed by the learned Single Judge of the Kerala High Court while upholding the judgments and reasoning, directed to pay the rank pay to officers of the Armed Forces retrospectively with effect from 1.1.1986 and also directed to pay 6% interest p.a. accordingly. The Union of India has filed an interlocutory application (I.A.) for directions seeking modifications/directions/recall of order dated 8.3.2010 though no such provision exists in the Supreme Court. Detailed response to this and comprehensive counter affidavit have been filed in the apex court. Hearing is awaited.

**Maj Generals Case.**

48. You will recall that a land mark judgment was pronounced by a SC bench comprising of Justices Altamas Kabir & Markandy Katju on 09 th Sep 08. The Judgment stated that you cannot create a class within a class & it should be ensured that the benefit of pension should be available to all persons of the same class equally otherwise it will be violating the provisions of Article 14 of the Constitution (right to equality). The detailed Judgment is available on - [www.supremecourtofindia.nic.in](http://www.supremecourtofindia.nic.in) in SLP No is 12357 of 2006. The GOI went in appeal and that too was dismissed by the same bench of the SC

49. As was to be expected, the GOI bureaucrats again misinterpreted the judgment but have paid the arrears as per GOI calculations. In the process most of the affected Officers have been shortchanged. Maj Gen Vains and others have again filed a Contempt petition in the SC but the same has not come up being low in priority. Both the sides have provided their replies to the petition and we are awaiting taking up of the Petition by the Court

50. **Blogs.** As you are aware, we have introduced Blogs for the greater participation by our members and as a platform for them to have their say on any matter of interest and on emails that we send out. A cursory examination of the blogs on the net will show that some of the writers often go astray in using foul and abusive language and this is most un-desireable. Needles to say that we are all gentlemen but in order to ensure that no one, particularly from outside the fraternity is vulgar, the Webmaster will, on a daily basis, examine the content before it is published. There will be no censorship of any views or opinions etc but he will ensure that views are couched in polite language etc.

50. **Obituary**

 It is with deep regret we inform of the sad demise of our following friends/ families:

 (a) Commander JM Chand passed away on 21 Feb 2012.
 NOK Mrs Nancha (wife)Tele: 011  29210919

 (b) Commodore SKS Prasad VSM, President  Navy Foundation Bangalore Charter passed away on 22 March 2012, in Bangalore.

  NOK: His wife Mrs Preet Prasad on Mob 9341907859, Res Tel 08032717914

 Son Sidharth Mob 9845538497

 (c) Commander SC Anand passed away in Noida on 22 Mar 2012.

 (d) Cmde TN Krishnaswamy (00318Y) passed away on 24 Feb 12 in Canada.

 (e) Commander RPS Malan, (01344-B ) on 31 March 2012 in Noida.
 NOK : Mrs Shashi wife , Cell 9871150142

 Warm regards

 ( V K Thakur, VSM)

 Commodore (Retd)

 Secretary

 **On the Lighter side – Continued below Please**

**Cheers Veterans! Lets Drink beer and live longer**



Toby Talbot  /  AP

**By Markham Heid,** 

Up until you're 21, you're told that drinking alcohol is bad. Then you're suddenly told that, really, it's drinking alcohol and driving that's bad. The latter is definitely true. But the former? Scientists aren't so sure.

Case in point: During a five-year period, lifetime alcohol abstainers were 19 percent more likely to die than regular drinkers, defined as having one or two drinks, three or more days a week, say Virginia Tech University researchers.

Those who never touched the bottle were also roughly 56 percent (!) more likely to experience coronary heart disease than regular drinkers, found the scientists, who crunched data from a government survey of nearly half a million Americans.

[**Could moderate drinking save your life?**](http://news.menshealth.com/the-best-heart-healthy-beverage/2011/11/18/?cm_mmc=MSNBC-_-MH_News-_-To%20Live%20Longer_Have%20a%20Beer-_-The%20Surprising%20Heart-Healthy%20Beverage)

So what power does alcohol hold, besides making you awesome at karaoke? Past research has shown that alcohol can raise good cholesterol, lower bad cholesterol, and can reduce those blood problems that lead to clogged arteries. It can even [lower your risk for diabetes](http://www.menshealth.com/spotlight/diabetes/diabetes-prevention.php?cm_mmc=MSNBC-_-MH_News-_-To%20Live%20Longer_Have%20a%20Beer-_-Diabetes%20Prevention).

But don't start pounding half-a-dozen RBVs every night. (For one thing, mixing energy drinks and alcohol [is a bad idea](http://www.fda.gov/ForConsumers/ConsumerUpdates/ucm233987.htm).) The Virginia Tech study shows that heavy drinking, defined as at least three drinks, three or more days a week, is even worse for you than abstaining. (Although not by much, and non-drinkers were more susceptible to heart disease.)

Instead, look for [healthy alcohol options](http://news.menshealth.com/is-wine-really-healthier-than-beer/2011/12/29/?cm_mmc=MSNBC-_-MH_News-_-To%20Live%20Longer_Have%20a%20Beer-_-Is%20Wine%20Really%20Healthier%20Than%20Beer), such as a low-calorie beer like Beamish Irish Stout. If you're more of a wine guy, [avoid bottles with red or yellow labels](http://eatthis.menshealth.com/content/ultimate-wine-decoder?cm_mmc=MSNBC-_-MH_News-_-To%20Live%20Longer_Have%20a%20Beer-_-The%20Ultimate%20Wine%20Decoder). They're designed to draw your attention, and usually mean the wine's not worth your taste buds.

**-------------------------------------------------------------------------------**

***BRITISH HUMOUR IS DIFFERENT***

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| These are classified ads, which were actually placed in U.K. Newspapers: **FREE YORKSHIRE TERRIER.**8 years old,Hateful little bastard. Bites!**FREE PUPPIES**1/2Cocker Spaniel, 1/2 sneaky neighbour's dog.**FREE PUPPIES.**Mother is a Kennel Club registered German Shepherd.Father is a Super Dog, able to leap tall fences in a single bound.**COWS, CALVES: NEVER BRED.**Also 1 gay bull for sale.**JOINING NUDIST COLONY**!Must sell washer and dryer £100.**WEDDING DRESS FOR SALE .**Worn once by mistake.Call Stephanie.\*\*\*\* And the WINNER is... \*\*\*\***FOR SALE BY OWNER.****Complete set of Encyclopedia Britannica, 45 volumes.Excellent condition, £200 or best offer. No longer needed, got married, wife knows everything. Statement of the Century**Thought from the Greatest Living Scottish Thinker--Billy Connolly."If women are so bloody perfect at multitasking, How come they can't have a headache and sex at the same time?" |

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***Children Are Quick***TEACHER: Why are you late?
STUDENT: Class started before I got here.

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TEACHER: John, why are you doing your math multiplication on the floor?
JOHN: You told me to do it without using tables.
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TEACHER: Glenn, how do you spell 'crocodile?'
GLENN: K-R-O-K-O-D-I-A-L'
TEACHER: No, that's wrong
GLENN: Maybe it is wrong, but you asked me how I spell it.
(I Love this child)
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TEACHER: Donald, what is the chemical formula for water?
DONALD: H I J K L M N O.
TEACHER: What are you talking about?
DONALD: Yesterday you said it's H to O.
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
TEACHER: Winnie, name one important thing we have today that we didn't have ten years ago.
WINNIE: Me!
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
TEACHER: Glen, why do you always get so dirty?
GLEN: Well, I'm a lot closer to the ground than you are.
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
TEACHER: Millie, give me a sentence starting with ' I. '
MILLIE: I is..
TEACHER: No, Millie..... Always say, 'I am.'
MILLIE: All right... 'I am the ninth letter of the alphabet.'
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
TEACHER: George Washington not only chopped down his father's cherry tree,
but also admitted it. Now, Louie, do you know why his father didn't punish him?
LOUIS: Because George still had the axe in his hand.....
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
TEACHER: Now, Simon , tell me frankly, do you say prayers before eating?
SIMON: No sir, I don't have to, my Mom is a good cook.
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
TEACHER: Clyde , your composition on 'My Dog' is exactly the same as your brother's..
Did you copy his?
CLYDE : No, sir. It's the same dog.
(I want to adopt this kid!!!)
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TEACHER: Harold, what do you call a person who keeps on talking when people are no longer interested?
HAROLD: A teacher