

July 17, 2010

My dear Pranab Mukherjee,

I have a vague recollection of having a big public meeting in Calcutta years ago. I wonder if you have recollection of me or that meeting.

I write this letter for a public cause so necessary for a class of people who need most support from Government. I am happy you have been sworn into high office as Finance Minister of India. You have done us great and in a country of deprivation and indigent it is important that a man of your vision and socialist mission should become vibrant 'to wipe every tear from every eye' if I may quote from Nehru's historic tryst with destiny speech over Independence Day on 15.8.1947. May I disclose to you the pathetic condition of a class of people arbitrarily alienated from the beneficial stream of pensioners in the LIC. What is arbitrary is unconstitutional as a Constitution Bench has held in the Supreme Court in Maneka Gandhi's case (Maneka Gandhi v. Union of India, AIR 1978 SC 597).

Here is a case of arbitrariness which I dare say has been overlooked by your ministry and must be set right once it is discovered. The older the age of the pensioner the greater the need for liberal pension since age invites infirmity. I know this to my cause at age 95 by way of income tax benefit. The LIC pensioners are one integral group and cannot be divided into different classes. Date is an irrelevant factor when alteration in pension was made. The Supreme Court again in a weighty judgment observed that the date of variation cannot be the basis of differential pension (Vide Nakara v. Union of India, AIR 1983 SC 130: (1983) 1 SCC 305: (1983) 1 LLJ 104].

Facts which has lead to this anomaly are as follows:-

It has been alleged by the LIC Board where a resolution passed by them on 24.11.2001 rectifying the disparity in the calculation of Dearness allowance to pensioners of the LIC before and after 31.7.1997, has been kept in abeyance for want of financial sanction from your ministry. The court had directed the LIC to implement the resolution of the Board dt. 23.11.2001 stating that the corporation cannot hold different criteria for granting D.A based on the cut of date i.e. 31.7.1997. The LIC is also not able to approach the court again as per the provisions of the national litigation policy announced by your ministry on 23.6.2010.

I, therefore feel that your ministry in all fairness instruct the LIC to implement court judgment, simultaneously giving financial concurrence for its implementation by your ministry.

I am enclosing the papers connected with this received by me with a prayer that immediate action in the matter is called for as a humanitarian and patriotic duty which otherwise will adversely affect the old aged pensioners who may be deprived of their benefits if prolonged further.

In the light of my submission above and out of consideration for humanism, justice and constitution fairness kindly accord financial concurrence to the court order. Surely these unfortunate section as they draw their pension on a just basis will bless you and your Government. I too will. Statesman like action without delay will be a boon to the forsaken pensioners.

With regards,

Yours sincerely,

V.R. KRISHNA IYER

Encl : as above

To

Shri. Pranab Mukherjee

Hon'ble Minister for Finance

Government of India

New Delhi