

**ALL INDIA UNION BANK PENSIONERS' AND RETIREES' FEDERATION
(Affiliated to All India Banks' Pensioners' and Retirees' Confederation)**

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Circular No. GS:117

26th April, 2013

TO ALL AFFILIATES/MEMBERS

Dear Comrades,

Sub: 100% D.A. neutralization for Pre 01.11.2002 Retirees

We invite your kind attention to our Circular No. GS:101 dated 19th September, 2012, wherein we had mentioned that Com. S.R. Sen Gupta, former Joint Convenor, All India Banks' Pensioners' and Retirees' Confederation and subsequently General Secretary, AIBPARC addressed the members on the Charter of Demands submitted to the Convenor, United Forum of Bank Unions. In particular, we touch about the demand for 100% D.A. neutralization for Pre 01.11.2002 Retirees. The gist of the demand is given hereunder:

“Dearness Relief, as per settlement is to be granted at such rates as in line with D.A. formula which is in operation in Reserve Bank of India. Although RBI has implemented 100% neutralisation to their pensioners who retired prior to 01.11.2002 with effect from 01.02.2005, the same has not been done in the case of Bank Retirees who retired prior to 01.11.2002. Recently an illuminating judgement was delivered by the Hon'ble High Court of Madras in terms of which no sub-group within the same group of people can be created if it is an already existing benefit to one section and the same cannot be denied to the other.”

In continuation of the above demand, Com. Sen Gupta, General Secretary, AIBPARC has addressed a letter dated 31st March, 2013 to the Chairman, Indian Banks' Association and the content thereof is reproduced hereunder:

Quote:

In our earlier representation on the above subject, we requested you not to go for appeals against the judgement passed by Hon'ble Justice K.K. Sashidaran of Madras High Court and allow 100% DA neutralization to the Pre 01.11.2002 on the ground that the High Court judgement was based on a Supreme Court judgement (D.S. Nakara Vs Union of India) and resorting to legal process will only waste precious time and money. As per reports available, IBA advised member Banks to go for appeal before the Division Bench of the High Court.

In view of what has been told above, we have come to know that the Authorities of State Bank of India has recommended consideration of payment of D.A. with 100%

neutralization to the Pre 01.11.2002 Retirees. We have also learnt that SBI Authorities are desirous of resolving the issue without linking the same with 10th Bipartite Settlement. This is exactly our demand. We wish to have an early settlement to the issue.

Unquote

We are confident that with constant follow-up by AIBPARC, this issue would be resolved successfully.

With regards,

Yours Comradely,



(R. SURYANARAYANAN)
GENERAL SECRETARY

cc: Com. Debasis Ghosh, President, AIUBOF, New Delhi
Com. P.K. Sarkar, General Secretary, AIUBOF, Kolkata

P.S: We have gathered that in the above judgement, Canara Bank Management had preferred an Writ Appeal praying for staying the Madras High court order. The Writ Appeal was taken up for consideration on 17th April, 2013 by the Division Bench and after brief arguments by both sides, the case was adjourned to 5th June, 2013.