



ALL INDIA UNION BANK PENSIONERS AND RETIREES FEDERATION
(Affiliated to All India Bank Pensioners & Retirees Confederation – AIBPRC)
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Ref. No. GS:101/ 2019

3rd September, 2019

Shri Raj Kiran Rai,
Managing Director & Chief Executive Officer,
Union Bank of India,
Union Bank Bhavan,
239, Vidhan Bhavan Marg,
Nariman Point, Mumbai - 400 021

Respected Sir,

Sub: Staff Circular No. 5690 dated 27/08/2010 issued by the Department of Personnel - Another option to join Pension Scheme in terms of Bipartite Settlement a with Workmen and Joint Note with Officers' Organizations - Tax Deducted at Source but not remitted to the Income Tax Department

We invite your kind attention to our Letter No. GS:110/2017 dated 30th August, 2017 addressed to you (copy enclosed) wherein we had requested you to pass on suitable instructions to the Department of Personnel to remit Tax Deducted at Source during 2010-11 from the employees but not remitted to the Income Tax Department.

While on the subject, we wish to draw your attention to Staff Circular No. 5747 dated 05/04/2011 wherein the following instructions were given to branches/offices:

"It has come to our notice that the Income Tax Department at various centres have issued appropriate notices under the Income Tax Act and called upon the serving Employees/Officers and Retirees to pay the TDs deducted by the Bank and the Department has also claimed penalty on such amount for the delayed period.

It has further come to our notice that in some of the individual cases, the Terminal Benefits Division at Central Officer or some of the Regional Offices have taken a letter from the individual employee/Officer and refunded TDS held in Sundry Deposit account as per orders of the High Court of Madras/Kerala and such actions were totally against the orders of the respective Courts."

In this regard, we had made the following requests to you:

"If the interim stay granted by the High Court of Madras had been vacated, which in all probability remains so, the Bank should have remitted /instructed all its Offices to remit TDS on the date the stay was vacated. We reliably gather that the amount of TDS is still held in Sundry Deposit account of the Bank and in all

probability all such deductions may be held in Central Office account for the reason that standing instructions are in force that the Branches/Offices cannot keep amounts in Sundry Deposit account beyond a stipulated period.

In view of the sensitiveness of the issue on hand, we request your personal intervention in the matter and help serving employees/retirees to face the department concerned and free them from the demands of penalty for delayed remittance of TDS. In case the interim stay granted by the High Court of Madras was already vacated and the main Writ Petition is pending disposal, it is incumbent on the part of the Bank to meet the claims of individual assessee for payment of penalty demanded by Income Tax Department."

While no action has been taken on our above requests, some of the retirees are continuing to receive notices from the Income Tax Department, calling upon them to remit the Tax Deducted at Source that too with penalty for the delay in remitting their dues.

We now wish to bring to your kind notice that Mr. Tarak Nath Basak, Employee No. 06974 received Demand Notice Identification No. 20122011100028040IIT dated 11/06/2012 for the AY 2011-12 calling upon him to remit Rs.21500/- (Tax Deducted at Source Rs.18111/- and interest Rs.3389/-).In this regard, he had addressed a detailed letter dated 02/02/2019 and followed it up with another letter dated 19/08/2019. We are sorry to state that in spite of our detailed representation dated 30/08/2017, no action has been taken by the department concerned. In the process, retirees continue to receive Demand Notices from Income Tax Department for non-remittance of Tax Deducted at Source by the Bank. The Department is also claiming interest for the delay in remittance of its dues.

It is our fervent hope that you will pass on suitable instructions at least on receipt of this letter. If the Bank feels that the Tax Deducted at Source from the employees need not be remitted in view of the High Court Orders, a suitable reply may be sent to the highest authority in Income Tax Department, advising them not to send Demand Notices to the employees concerned. Your immediate action will be appreciated and will free the tensions of the retired employees.

Thanking you,

Yours faithfully,



(N. GOVINDARAJULU)
GENERAL SECRETARY

Encl: A/a

cc: The Chairman,
Union Bank of India,
Union Bank Bhavan,
239, Vidhan Bhavan Marg,
Nariman Point, Mumbai - 400 021