



ALL INDIA BANK RETIREES' FEDERATION (REGD.)

Flat No 101, Block C Shivom Residency, M. G. Road Indore- 452001

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Ref: 2022/ 606

21.02.2022

Shri S. R. Shukla (SRS Legal)
Senior Advocate, Mumbai

Dear Sir,

Re: Request for Legal Opinion

We refer to the discussion we had on 20.02.2022 on honorable Supreme Court order dated 20.01.2022 on SLP No.5561/ 2016 (M. C. Singla & others Versus Union of India & others) in the matter of updation of pension in banks, through video conferencing.

2. We convey our sincere thanks for sparing your valuable time out of busy schedule to discuss the issues related to the above referred order of honorable Supreme Court.

3. As explained, updation of pension is very important issue for our organization and our members. In view of this we shall be obliged if you will kindly give your considered legal opinion on the following points which are arising out of the order under reference.

- (a) It is stated in the order that IBA has constituted Committee to examine issue of pension updation in banks. The committee is supposed to consider the representation/ claims of the petitioners and similarly placed persons. AIBRF is apex level organization of bank retirees with present membership of more than 2.5 lakhs from 44 banks. It is registered under Trade Union Act, 1926. Whether this statement of IBA which is part of the above stated order make IBA legally bound to consider representation of AIBRF in the matter and for this purpose AIBRF can legally demand for personal hearing by the members of the committee. To ensure and achieve this, what line of action AIBRF should adopt.
- (b) Honorable Supreme Court has ordered to IBA to submit appropriate report or interim report to the court within period of 3 months. What are the legal consequences of this order? In this regard, we would like to have your opinion on the following points (i) Whether the report will be circulated among parties to the SLP. (ii) Whether parties to the SLP will have legal right to present their views through written affidavit and /or oral arguments. (iii) In view of the order passed by the honorable Supreme Court, whether proposed report has become sub-judice and any further action on it will be as per the Honorable Supreme Court order (IV) Whether IBA/ Government at this stage can take decision independent of the court order to accept /reject/ implement recommendation of the committee on updation (V) AIBRF is at present not party to this SLP. How AIBRF can present/ submit its stand/ views before the honorable Supreme Court on the report as and when submitted.
- (c) We have already made available court record of this SLP to you. We would request you to give us your considered opinion on the various issues raised by the petitioners in the SLP and counter affidavit filed by the respondents also. We shall be happy to provide any other relevant documents you require for this purpose.

With Respectful Regards



Edit with WPS Office

Yours Sincerely

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(S. C. JAIN)
GENERAL SECRETARY

