



ALL INDIA BANK RETIREES' FEDERATION (Regd.)

(Regn. No:G 6601 under the Trade Union Act 1926)

D-1/1, Sector-C, Scheme-71,

Near Kasara Bazar School, Indore – 452 009.

Chairman

Sri D.A.Masdekar

President

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Sri Anindya Basu
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Sri Suresh Sharma
Sri R.Shirambekar
Sri B.G.Raithatha
Sri Ranjit Bhattacharyya

Treasurer

Sri M.S.Chourey

Ref:2017/82

Date: 01.08.2017

**The Office Bearers/ Central Committee Members/ State Body Chiefs
A.I.B.R.F.**

Dear Comrades,

**Re: Developments in SLP in the matter of 100 per cent
DA case in Supreme Court on 1.08.2017**

**As informed through our earlier communication on the subject,
the above SLP of United Bank came for hearing on 01.08.2017
before the honourable bench of the Justice Adarsh Goyal and
Justice U. Lalit for leading the arguments.**

**2. Senior Counsel of United Bank of India commenced the
arguments and presented in details about the various factor/points
on which Division Bench of Madras High Court upheld SLP of the
bank managements and details as to how bipartite settlements are
held and how allocations of funds are made to meet cost of the
settlements. He pointed out that judgement of Madras High Court
which is already confirmed by the Supreme Court has dismissed
SLP of the retirees.**

**3. Thereafter, AIBRF Senior Counsel Shri V.K. Bali initiated
arguments on behalf of AIBRF and United Bank of Retired
Employees Association in very forceful and effective manner. During
the arguments, he mainly brought the following important facts
before the honourable bench.**

**(a) AIBRF and bank retirees respect settlement dated 02.06.2005
introducing improved DA formula. Clause 7(2) of the settlement
gives details of the improved DA formula**

**(b) The above clause of the settlement does not create division
among the pensioners based on the date of retirement.**

**(c) IBA circular dated 28.06.2005 _ Annexure III which created
separate division among pensioners for the purpose of DA payment
is only administrative instruction and not settlement in itself.**

**(d) He also brought to the notice of the Bench that division bench
of Madras High Court has committed error in treating IBA
administrative circular of 28.06.2005 as part of the settlement.
Therefore Madras High Court judgment is based on erroneous facts.**

**(e) He also made reference of Delhi High Court decision in the
matter of LIC and the points which are in favour of retirees.**

**(g) He also made submission that logically also it looks illogical that
senior retirees who need more money get DA at lower rates while**

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new retirees are paid DA at higher rates.

4. Further another Senior Counsel engaged by AIBRF Shri Jitender Prasad Sharma submitted before the bench that clause no. 6 of settlement of 1993 on pension scheme is binding on the parties to the settlement until modified or revoked. Therefore DA should be paid as per provision of clause no 6 of 1993 settlement.

5. In view of the above submissions of two senior counsels of AIBRF, the Bench has agreed to examine the above submissions and has reserved the decision to be delivered shortly.

6. We may mention that AIBRF has approached to RLC on 100 per cent DA on similar grounds insisting for implementation of provisions of the settlement.

7. We are happy to find that arguments lead by our counsels in very forceful manner have gone well before the bench.

8. We assure our membership that AIBRF will take all possible steps to protect interest of retirees as being done all the years in the past.

With Warm Regards,

Yours Sincerely,

(S.C.JAIN)
GENERAL SECRETARY

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