



# ALL INDIA BANK PENSIONERS & RETIREES CONFEDERATION (A.I.B.P.A.R.C.)



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<b>TREASURER:</b> =====
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Circular no 103-24

Date: August 31, 2024.

For circulation among members of the Governing Council, State Secretaries, Special Invitees, Advisors, Affiliates, Constituents of CBPRO and Members.

Dear Comrade,

**\*GENERAL GUIDELINES TO FILE WRIT PETITION FOR RESTORATION OF COMMUTATION AFTER EXPIRY OF TEN YEARS FROM THE DATE OF COMMUTATION\***

**1. \*DETAILS TO BE FURNISHED BY THE INDIVIDUAL MEMBERS\* (in the following format)**

- Name.....
- Employee No./Roll No.
- Designation at the time of Joining Bank and at the time of Retirement from Bank
- Date of Joining Bank (Name of Bank)
- Date of Retirement from Bank
- Date of Commutation of a portion of Pension
- Branch from which retired
- Pension Payment Order No.....(copy enclosed- self attested)
- Pension Drawing Branch.....
- Present Residential Address
- Aadhaar Card No.....(copy enclosed -self attested)
- Photo
- Signature
- Membership No. Allotted by PENSIONERS' ASSOCIATION.

**\*Notes for Pensioners Association\***

**1. \*CERTIFIED COPY OF THE RESOLUTION\***

The Executive Committee of the ..... (Name of the Pensioners Association) In its meeting held on ..... (Date) Unanimously decided to file a Writ Petition in the Hon'ble High Court of ..... (Place) for restoration of the Commuted Portion of the Basic Pension after the expiry of a period of ten years from the date of Commutation on behalf of its all the eligible members.

It was further resolved to authorise Shri..... aged about..... Years son of Shri..... retired from the services of ..... Bank as ..... (Designation) and presently residing at ..... (address) and also holding the post of ..... in the ..... (Name of Pensioners Association).

Shri ..... is authorised to represent ..... (Pensioners Association) Before the Hon'ble High Court, sign necessary Vakalatnama, Affidavits and other related papers/documents and exhibits as required by the lawyer and the Hon'ble High Court.

Shri..... Is also authorised and empowered to present himself personally before the Hon'ble High Court to represent ..... (Pensioners Association) as and when required.

Signed on this ..... day of September, 2024.

PRESIDENT

GENERAL SECRETARY

**2. \*COPY OF THE REGISTRATION CERTIFICATE OF THE PENSIONERS' ASSOCIATION\***

**3. \*COPY OF THE BYE-LAWS/CONSTITUTION/RULES & REFULATIONS\***

**4. \*RELEVANT PROVISION OF THE BANK EMPLOYEES' PENSION REGULATIONS 1995 for Lawyer's Reference -\***

**Reg.41: Commutation:**

41(4): The lump sum payable to an applicant shall be calculated in accordance with the Table given below:

**TABLE**

**Commutation Value for a pension of Re.one per annum**

Age Next Birthday. (Say 61 for Normal Superannuation)	Commutated Value expressed as No. Of Years Purchase
61 Yrs.	9.81

**\*Reg.\* \*41(5) \*:** An employee who had commuted the admissible portion of pension is entitled to have the commuted portion of the pension restored after the expiry of a period of fifteen years from the date of commutation.

**Notes:**

**a)** There is no basis in the Pension Regulations to determine the period of restoration as 15 years whereas the admissible portion of Basic Pension commuted is for 10 years.

**b)** Commutation Value received by the pensioner is already discounted @ 9.81 factor in the case of normal superannuation at the age next birth (61 years)

**5. \*OTHER INFORMATION AS REQUIRED BY THE LAWYER. \***

**\*IT IS ADVISABLE TO APPROACH H.C. CHANDIGARH OR H.C. OF KERALA\***

Comradely yours,



K.V. Acharya.  
President, AIBPARC  
& Jt. Convenor, CBPRO



Suprita Sarkar  
General Secretary

**(Compiled by Dr J D Sharma, VP, AIBPARC)**