



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



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Circular no 104-24

Date: September 03, 2024.

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

Dear Comrade,

Sub: A few clarifying notes on our circular numbers 101-24 dated August 30, 2024 and 103-24 dated August 31, 2024.

1. We reiterate even at the cost of monotonous repetition that our organization has been assiduously following up the issue of restoration of commutation after 10 years of retirement with DFS, MOF, GOI and the Chairman, IBA. Every correspondence has been circulated for information of membership. We have also urged in those letters to both DFS and IBA to honour the Senior Citizens Litigation Policy/ Honest Litigation Policy by directing the Banks to comply with the Orders of the Hon'ble High Courts of Punjab and Haryana and other High Courts instead of forcing the Bank Pensioners to rush to the various Hon'ble Courts to obtain Interim Stay Orders by spending money and undergoing unnecessary agony and tension at this age.

2. Our proposed centralized Dharna at Delhi on 23rd October 2024 will focus on certain important issues which include, inter alia, the issue of restoration of commutation on expiry of 10 years after retirement.

3. Since when the retired employees of the Punjab and Haryana Government got favourable Court orders in favour of themselves in regard to stoppage of recovery of commuted value of pension on expiry of 10 years, different groups of retirees of different Banks have approached the same Court and got favourable restrain orders on respective Banks. Several such groups of Pensioners belong to the affiliates of AIBPARC also. Before approaching the Court of Law, our affiliates felt the organizational necessity of doing so and they did it in the interest of Retirees. As far as our knowledge goes, a few Pensioners and Retirees Organisations having affiliation with AIBPARC are contemplating to approach the Courts of Law for similar such relief. This is the organizational decision of the affiliate only.

4. In the given circumstances, requests from different quarters had come to us to explore the possibilities as to whether AIBPARC could approach the Court of Law in the representative capacity and seek relief for all its members. Sincere efforts had been employed but it did not materialize for reasons adequately explained in circular no: 101-24 dated August 30, 2024. The said circular was neither a directive nor a mandatory obligation to follow by any affiliate. The point no. 4 of the circular reads as under:



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"In view of the above, we request our affiliates (who are yet to seek legal remedy) to consider the feasibility of their approaching the Court of Law on behalf of the eligible members in the next few days."

5. We had been approached by a few affiliates to advise the procedures and formalities of approaching the Court of Law. In view of such request, the guidelines had been issued through circular no.103-24 dated August 31, 2024 in consultation with the Lawyers of Chandigarh. However, those who wish to wait for the final word from the respective Hon'ble High Courts about their Interim Order may do so.

6. In view of all that has been told above, we as Apex Body have made our views clear to each affiliate. Some affiliates have already approached the Court of Law and it was their decision. Some affiliates might move to the Court of Law in the next few days and it will be their decision. Some affiliates may not approach according to their wisdom and practical difficulties and that will be their decision.

7. It is also very important to note that as of now the Hon'ble High Courts have given Interim Stay Orders only in respect of deduction of Commutation Value for those who have completed more than Ten Years after their retirement.

As far as AIBPARC is concerned, our relentless struggle in the shape of continuously following up with the Government and IBA and also agitating in the streets on all the pending issues including the issue of Commutation shall continue till the same get a logical and satisfactory resolution.

With best wishes and regards,

Comradely yours,

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

Suprita Sarkar
General Secretary