



BANK OF BARODA RETIRED OFFICERS' ASSOCIATION

(Estd. 1990 – Reg. No.G/4766/90)

Affiliated to : All India Federation of Pensioners' Association, Chennai
Retired Bank Officers' National Confederation, Bangalore

National President:

Shri K. L. Bansal
A/28,
East of Kailash
New Delhi – 110 065
Tel. 011 – 4162 4222

Executive President :

Shri Jatil G. Patel
5, AnandsagarApts.,
Jetalpur Road,
Vadodara – 390 007
Tel. 0265 – 233 3362

General Secretary :

Shri V. T. Makwana
9,Shubham Flats,
Bank of India Lane, Ellora Park,
Vadodara – 390 023
Tel. 0265 – 2397380 (M) 9426081995

14th February, 2018

To:

ALL ZONAL SECRETARIES, GOVERNING COUNCIL MEMBERS AND ALL MEMBERS,

Dear Friends,

**SUB: 50% OF PAY AS PENSION (1616 -1684 CONSUMER PRICE INDEX ISSUE)
- C A NO. 5525/2012 BANK OF BARODA & ORS. Vs G. PALANI & ORS, AND
18 BATCHES COMPRISING OF 982 SPECIAL LEAVE PETITIONS
IN RESPECT OF VARIOUS BANKS – FINAL HEARING HELD AT THE
HON'BLE SUPREME COURT OF INDIA ON 13TH FEBRUARY 2018.**

We are happy to inform you that BOBROA after successfully getting favourable orders from Hon'ble Supreme Court in the matter of extending benefit of addition upto five years in qualifying service under Regulation 26 of Bank Employees' Pension Regulation 1995 to Specialists and other Retirees, this is yet another feather in BOBROA's cap alongwith Pensioners / Organization of Canara Bank, State Bank of Mysore and Indian Overseas Bank in a long run and expensive legal battle over a decade.

A BRIEF HISTORY OF THIS CASE:

- The Joint Note dated 14.12.1999 (relatable to 7th Bipartite Settlement signed on 27.3.2000) provided for revision in pay scales of Officers w. e. f. 1.4.1998 with merger of D.A. at -1684-points.
- However, for pension calculation, the merger of D.A. was restricted to -1616-points.
- The anomaly was rectified from 1.5.2005 resulting in to the merger of -1684-points, but the arrears of pension for the blocks 1.4.1998 to 31.10.2002 and 1.11.2002 to 30.4.2005 i.e.in aggregate for 85 months were not paid.
- The Division Bench of the Hon'ble Madras High Court per judgment dated 28.6.2011 had directed for making payment of the arrears finding that the action of the Bank in paying the reduced pension is contrary to the provisions contained in Regulation 2(d) and 35 of Pension Regulations 1995.
- The Bank had challenged the Order passed by Division Bench of Hon'ble Madras High Court.

2. After hearing the arguments/submissions made by the Advocates of both sides in the course of the final hearing, which lasted for about -3- hours, the Hon'ble Supreme Court delivered judgement on 13th February 2018, the effect of which is as under:



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"In respect of Pensioners retired on or after 01.04.1998, pension has to be re-calculated and arrears paid from the date of retirement till 30-04-2005 in terms of Bank Employees' Pension Regulations, 1995 along with simple interest at 9% within four months."

3. We are waiting for the other details of the judgement and we will communicate a copy of the same to you immediately on receipt of it from our Advocate.

4. We heartily congratulate our Advocate Shri Vipin Jai and Sr. Counsel B.B.Sahwney for their effective result oriented submission. We also thank and appreciate efforts of our following members for providing inputs and case laws to our advocates.

- a. Mr.R.K.Salecha, Convenor, Central Legal Committee.
- b. Mr.H.L.Desai, Member, Central Legal Committee
- c. Shri Anil Gupta, Member, Central Legal Committee
- d. Shri K.R.Ganesh Rao, Zonal Secretary, Bengaluru Zone.
- e. Shri G.Palani, First Petitioner and National Vice President, Chennai Zone
- f. Shri R.Rajendra Babu, Governing Council Member
- g. Shri P. Ramamurthy, Advocate & Member Chennai Zone

5. The aforesaid Judgment has come on account of meticulous handling of the matter at various levels, which will bring good financial gains to the concerned retiree colleagues. This Judgement also strengthens our belief and unshaken commitment to fight for the injustice for various issues relating to the BOB's Pensioners community.

6. This achievement is also the outcome of the much efforts put in by all the litigants as well as that of various Retirees' Organizations, which stood firmly with them, all through this litigation journey.

7. We also thank all members for their contribution to Legal Fund which enabled BOBROA to win this legal battle.

We now eagerly await Hon'ble Supreme Court's Judgement in the matter of 100% Neutralization of D.A. which is reserved.

With warm Greetings to all,

Yours Sincerely,

(V. T. Makwana)

GENERAL SECRETARY