



UCOBANK RETIREES' ASSOCIATION KARNATAKA (Regd)

(Regd as S.No: 699/97-98 Dated 20/01/1998 with the
Registrar of Societies, Karnataka)

Regd Office: C/o UCOBank, 3rd Floor, 13/22, K.G Road, Bangalore-560009

Website: www.urakar.com



UBRA-KAR/CIR/61/2014-2017

29/09/2016

To All Members of our Unit.

Dear Comrades,

Sub: 100% Neutralisation of DA - Judgement of Hon.Kolkata High Court

Please find our Federation Circular No 83/2015-18 dated 29/09/2016 being a judgement given by the Hon High Court of Kolkata with regard to 100% neutralisation of DA for Pre 2002 retirees. The original order is attached by way of a Pdf file for your information

Yours faithfully,

Ravindra Krishna
Honorary Secretary



All India Uco Bank Pensioners' Federation (Affiliated to All India Bank Pensioners' & retirees confederation & All India Uco Bank Officers' Federation)

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No.cir.83/2015-2018

Dated 29th September, 2016

To All units,

Dear comrades,

Re. Writ Petition No 507 of 2012 in Kolkata High Court Judgment
in the matter of 100 percent Dearness Allowance Case .

We enclose herewith copy of Kolkata High Court Judgement dated 26/09/2016 on the captioned subject. We are requesting our confederation to take up the matter with IBA.

The relevant important para of the order are as under-

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16. There is no dispute that the Bank Pension Regulations, 1995 have not been amended. These Regulations have been framed in consonance and under the powers conferred on the Bank under the Banking Companies Act. They have a statutory force of law. Clause 6 of the Pension Regulations mandates that the dearness relief will be paid to the employees of the member banks in consonance with that paid by the Reserve Bank of India to its employees. Therefore a joint note cannot take away the right of employees to that dearness relief. Furthermore, when the post-2002 retirees have been granted the benefit of pension at a certain rate, there is no reasonable and logical object for which the classification has been introduced to divide the retiree community.

17. In our opinion, therefore, the observations of the learned Single Judge with respect to the invidious classification introduced by the Bank are correct. As a consequence, the learned Single Judge ought to have directed the Bank to pay the dearness relief to all pensioners at the same rate, rather than directing the RBI to pass appropriate orders.



A Unit of All India UCOBank Pensioners' Federation, Kolkata
Affiliated to All India Banks' Pensioners' and Retirees' Confederation



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18. We find that the distinction, between the pre-November, 2002 retirees and post-November, 2002 retirees, is unreasonable, arbitrary and discriminatory. There is no justification for the same. Though each bank which is a member of the Indian Banks Association has a separate identity, the mandate of the Pension Regulations which have a statutory force of law, cannot be altered by a joint note. Therefore, we direct the Bank to comply with Regulation 6 of the Pension Regulations and to pay pension to the pre-2002 retirees at the same rate as enjoyed by the post-2002 retirees, as has been paid to the retired employees of the Reserve Bank of India. The judgment of the learned Single Judge is modified to that extent.

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Yours comradely,

A handwritten signature in black ink, appearing to read 'RAM PAL', with a horizontal line underneath.

(RAM PAL)
General secretary