

STATE BANK OF HYDERABAD

Retired Employees' Association

(Reg. No. 1051 of 1986)

Behind Gym, S.B.I. Local Head Office, Amaravati, Gunfoundry, Hyderabad – 500 001

Website: www.sbhrea.org

eMail: sbhrea@gmail.com

Circular No. 1/21

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Dear members

Sub: Legal matters - WP's filed

We reproduce the detailed note on legal issues taken up by SBRA. As promised in October 2019, State Bank Retirees Association, our federation has proceeded with filing relevant suit for DA calculation as per Reg 37. Many other issues are also taken up in courts and directly with SBI management vide several letters.

We enclose 'AB Tak' issued by Sri C. N. Prasad, General Secretary, SBRA for your perusal, which details the progress of filing.

We have opened a new window 'SBRA' in our website 'sbhrea.org'. We are uploading all circulars, letters of SBRA in the new window. Please browse website to have comprehensive view of all the issues taken up by our federation.

We accord our special thanks to Dr. A. Anantakrishna Rao, President, Sri C. N. Prasad, GS and Sri V. Sombabu, DGS and other team members of SBRA for the tremendous work done in past 1 year 3 months, despite pandemic hampering the office work, meetings and mobility of office bearers.

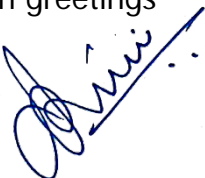
We wish to inform that two writ petitions were filed in High Court of Telangana by SBHREA.

1. Old Pensioners ie retirees prior to 1986 case on DA payment.
2. Restoration of funeral expenses to eSBH retirees.

Developments in cases will be informed once they come to a logical end. The numbers of writ petitions are not being disclosed to safeguard the core points of our presentation and future defence. This shall protect our interest and chances of winning our petitions.

For information of all members

With greetings



K. Rohini Rao
General Secretary

Encl: "AB Tak" Dec 2020 Issue



Regulation 37 benefit – SBRA has Initiated necessary legal actions

State Bank Retirees Association has undertaken an initiative to secure benefit of payment of Dearness Relief in terms of Pension Regulations. It is pleasure to note that a large number of members of affiliates are participating in this struggle. Functionaries of State Bank Retirees' Association immensely thank members for their trust and faith. All possible actions such as filing of cases and/or required actions for covering this issue of payment of Dearness Relief in terms of Regulation 37 in respect of all those who retired on or after 01.04.1998, have been initiated/launched. All the Bipartite Period retirees are covered. Legal recourse is being pursued in Hon'ble Supreme Court and also in several High Courts including Ahmedabad High Court, Rajasthan High Court (Jodhpur Bench), Karnataka High Court, Chennai High Court and Telangana High Court. For abundant clarification, it is reiterated that necessary legal actions have already been initiated to cover all Bipartite Settlement periods starting from 7th Bipartite Settlement, but also include those who retired/retire during current Bipartite Settlement period. Unfortunately, including Contempt Petitions and cases in Hon'ble Supreme Court and various High Courts have not been listed for hearing on account of situation created by COVID – 19. Members are requested to tell doubting Thomasus that State Bank Retirees' Association has undertaken all required legal action.

It is reiterated that information relating to Writ Petition/Writ Appeal/Civil Appeals/Special Leave Petitions such as numbers of these Petitions/Appeals, Court/s, copies of the Petition, grounds, names of the parties, etc., would be disclosed once the cases reach a position, wherein no one could damage. This is because of past experience. The example of 100% DA case is staring at us. This is also on account of several unscrupulous individuals/ Organisations who may seek to share the glory of delivery of benefits or waiting to undermine the efforts. Members of State Bank Retirees' Association cannot suffer the damage by these unscrupulous individuals/Organisations. Delivery of benefits to its members is more important than sharing information with regard to the legal struggle.

Struggle is huge and enormous. This struggle is against the largest Bank in the Country and its track record in such legal struggles is well known. The Bank takes every such case to the highest Court in the Country, Hon'ble Supreme Court. Best legal brains are engaged. Resources are huge and the Bank does not hesitate to expend resources in pursuing court cases with an intention to avoid payment of even legitimate benefits, ordered by Courts, including Hon'ble Supreme Court. Securing benefits through legal battle is akin to a War. Several strategies need to be adopted in any battle or war. In a War, all strategies are not disclosed

to the soldiers. In such a situation, sharing of any information is not in the interest of those who trust and believe the organization. **In any case delivery of benefits to these members is more important than convincing doubting Thomasus.**

Members are requested to have faith and patience. They are also requested not to lend eyes and ears to motivated campaigns, if any,

through social media.

It is promise, assurance and commitment of State Bank Retirees' Association to secure all these benefits at an early date.

Members are requested to trust. If they trust their organization, their organization would deliver benefits. Whatever that is being done now is only in the interest of its members.

Issues that are being pursued with State Bank of India management

Some of the issues that are being pursued with management of State Bank of India, either through intervention of Court Cases or with the appropriate authorities in the Bank. This list is not exhaustive, but includes only some of them. If some issue is not included does not mean it is not being pursued. Several other industry level issues are also being pursued by affiliates or functionaries of State Bank Retirees' Association with its active support, financially or otherwise.

- a. Payment of benefit under Regulation 29(5) to those who retired under VRS – 2001 and Exit Policy 2005 - 2007
- b. Payment of arrears and differential Commutation to all those who have retired between 01.04.1998 and 30.04.2005 (included in Contempt Petition filed by All India Retired Bank Employees' Association. Some of affiliates of State Bank Retirees' Association are also affiliates of AIRBEA) ;
- c. Recognition of and discussion with SBRA (included in Contempt Petition filed by AIRBEA);
- d. Payment of differential Commutation
- e. Extension of/continuation of benefits which were available in erstwhile Associate Banks such as, Shradhaanjali Scheme, etc.,
- f. Inclusion five new ailments included in the list of eligible ailments under Retired Employees' Medical Benefit Scheme ;
- g. Allowing erstwhile Associate Bank retirees also to claim reimbursement of expenditure incurred for Critical Illnesses under State Welfare Fund Scheme, which is being restricted to only those who retired from State Bank of India ;
- h. Another option to join Retired Employees' Medical Benefit Scheme, by collecting not more than what is contributed earlier ;
- i. Payment of Pension to those who are Compulsorily Retired, Removed from Service or Discharged from service (succeeded in respect of Compulsorily Retired employees) ;
- j. Payment of pension taking into account full length of service in respect of part-time employees ;
- k. Payment of pension to those who retired on or before 1.1.1986, as being paid in State Bank of India to those who retired from erstwhile Associate Banks, including State Bank of Hyderabad, where such benefit is extended to some of the retirees ;
- l. Differential Commutation for various sections of retirees retired earlier ;
- m. Anomalies in IBA Medical Insurance Scheme (through AIRBEA) ;
- n. Sweet packets to Staff pensioners/retirees, whenever it is given to Employees/Officers of the Bank

Achievements of SBRA in 17 months

In last one year and five months, which is a short period of time, following are the achievements of State Bank Retirees' Association :

- a. Extention of State Bank of India Medical Insurance Scheme, with subsidy to retirees of erstwhile Associate Bank Retirees also ;
- b. Removal of discrimination in respect of payment of 1% additional interest to those who retired from erstwhile Associate Bank retirees who retired voluntarily ;
- c. Introduction of Identity Card with some changes ;
- d. Correct payment of arrears to those who retired under 7th Bipartite retirees in respect of 1616 – 1684 issue, which was paid erroneously ;
- e. Option for joining Medical Insurance for the period from 01.11.2020 to 15.01.2021 and payment of subsidy in respect of those who joined now ;
- f. Payment of benefit under Regulation 26 to specialist officers, who were denied of this benefit post merger ;
- g. Payment of pension to those Compulsorily Retired employees whose service was less than 20 years, but more than 10 years.

A lot more needs to be achieved. But it is a short period of time to establish and secure benefits from a management which does not want to treat erstwhile Associate Bank retirees, as it treats its own pensioners. The culture and attitude of the Bank and pandemic from the of month of March, 2020 have crippled efforts of State Bank Retirees' Association.

All India issues are not taken by State Bank Retirees' Association

The role and function of State Bank Retirees' Association is restricted to taking up the issues of erstwhile Associate Banks, co-ordinating with Corporate Centre of State Bank of India, pursuing legal issues to be taken up with State Bank of India only. State Bank Retirees' Association does not take up all India issues, as its affiliates are affiliated to All India organisations, such as AIBPARC, AIBRF, RBONC, AIRBEA, etc. Therefore, opinion, views and information provided in any circular, magazines, brochures, social media, website, or in any other material by any of the affiliate of State Bank Retirees' Association or any of its functionaries in respect of any industry level or All India issues are the opinion or views of organisations/affiliates of State Bank Retirees' Association and it is not necessary that State Bank Retirees' Association concurs/differs/agrees/disagrees with such views/information. Therefore, members of affiliates of State Bank Retirees' Association need to go by information provided/directions given by their organisations only and not by opinion/directions of other Banks' Retirees' organisations. Any comment or criticism of views of any other organization shall not made by members of other affiliates with regard to All India issues, as they do not belong to that organization. These organisations reserve their right to take any action in respect of any such comments. Therefore, it is reiterated that members of any other affiliate shall not base information provided by any other affiliate of State Bank Retirees' Association, as such information is provided to its members, but not to members of other affiliates. They need to go by information/directions of their organization.

Mr.Dinesh Kumar Khara is the new Chairman of State Bank of India