



ALL INDIA RRB OFFICERS' FEDERATION

(AFFILIATED TO AIBOC)

Central Office: JGGP House, Raja Rammohan Roy Road, Hakimpara, Siliguri – 734001
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Circular # 78:2014

28th November 2014

All Affiliates/ Members
(Please re-circulate)

Pension case SLP No.39288/12 -Hon'ble Supreme court passed interim Order on 26th Nov.14. Bilateralism established - Modalities in payment of Pension on par with Nationalized Commercial Banks to be ensured

We reproduce hereunder the circular issued by UFRRBU for your information and record.

QUOTE

After a prolonged hearing of our Pension Case, it has been adjourned with interim order passed by apex court on 26th Nov.2014. The argument in the SLP was initiated by Sri Jayant Bhushan, Sr. Counsel for AIRRBOF and it was going on in right direction. Particularly after day long effective argument of Senior counsel of Pensioner Samity, Dr Rajeev Dhawan, our claim was about to be settled favourably as he categorically refuted any condition of profitability or viability in granting parity of 1993 pension to RRB's staff with retrospective effect by quoting NIT and Hon'ble Supreme court previous findings as follows:

"This conclusion of the Tribunal has become final, the award in question not having been assailed and on the other hand having been implemented. In the aforesaid premises it is the futile attempt on the part of the employer as well as the Union of India to re-agitate the dispute, which has already been resolved and has been given effect to.

In our considered opinion, therefore, the aforesaid contention on behalf of the appellant cant not be sustained and *it would no longer be open, either for the bank or Union of India to raise a contention that in determining the wage structure of the employees of the RRBs ,the financial condition would be a relevant factor.*"

But, on 20th Nov. Shri K.K. Rai, Sr. Counsel on behalf of AIRRBEA argued vainly and Hon'ble bench commented adversely. However, on 26th Nov. Sri C U Singh, Senior counsel on behalf of South Malabar Gramin Bank Employees-Officers' tried his best to repair the loss incurred on 20th Nov.2014. He argued in right direction but unfortunately touched the computation part of affidavit of UOI /working out of pension scheme referring NABARD and financial position of south Malabar (Kerala) Gramin Bank etc which has given the opportunity to Hon'ble Bench to give an interim order as such.



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"In view of the above, parties are permitted to negotiate for an amicable settlement, without any preconditions. The learned Additional Solicitor General representing the Union of India shall inform all learned counsel representing the Federations/Unions the modalities of the negotiation process. So as to ensure an effective and meaningful result, managements of the RRBs and all stake holders be also taken on board during the negotiations.

In case, the Federations/Unions seek any documents in connection with the ongoing negotiations and furnish a list thereof, the same shall be provided to them.

In case parties arrive at a mutual settlement, the same shall be placed on the record of this case within three months from today. List thereafter as part-heard."

Friends, the opportunity for negotiated settlement for pension has arisen. The apex court of our country has paved the way of bilateralism in RRB. We welcome this interim order so as to provide us an opportunity for Bipartite settlement in RRB.

With greetings

Comradely/Friendly yours

Sd/-	Sd/-	Sd/-	Sd/-	Sd/-	Sd/-
(D.N.Trivedi)	(SK Bhattacharjee)	(GG Gandhi)	(K.Rajeev)	(S.Prakash)	(BN Dubey)
Convener	GS.AIRRBOF	GS.AIGBEA	GS.AIGBEC	GS.AIGBOC	GS.NCRRBE
GS.AIGBEA					

UNQUOTE

With greetings,


(S.K. Bhattacharjee)
GENERAL SECRETARY

ALL AFFILIATES ARE REQUESTED TO CLEAR SALARY REVISION LEVY, LEGAL LEVY AND SUBSCRIPTION DUES BEFORE 30TH NOVEMBER, 2014 TO ENSURE PARTICIPATION IN TRIENNIAL CONFERENCE (.) DEFAULTING AFFILIATES MAY NOT BE ALLOWED DELEGATION (.)