

In The Matter Of Pension Updating Clauses

Clause – 12 Of MOS Dated 29.10.1993 and Regulation - 56 Of Pension Regulations 1995.

As is perceived by Bank Pensioners that above Clause -12 & Reg.56 provides for pension updation, some pensioners filed Writ Petitions and result of that is that-

The Division Bench of Punjab & Haryana High Court has already passed an order on above two points and the plea of the Bank Pensioners have been dismissed on 9-9-2015 in the following cases:-

1. Letters Patent Appeal No. 789 of 2013

P.C. Jain ---Appellant

Versus

Union of India and others ---Respondents

2. Letters Patent Appeal No. 71 of 2013

M.C. Singla ---Appellant

Versus

Union of India and others ---Respondents

3. Letters Patent Appeal No. 80 of 2013

L.R. Singla ---Appellant

Versus

Union of India and others ---Respondents

4. Letters Patent Appeal No. 109 of 2013

The Oriental Bank Retired Officers Association (Regd.) ---Appellant

Versus

Union of India and others ---Respondents

5. Letters Patent Appeal No. 110 of 2013

The Punjab & Sind Bank Retired Employees Welfare Association ---Appellant

Versus

Union of India and others ---Respondents

LPA No.789 of 2012, 71, 80, 109, 110 & 388 of 2013 2

6. Letters Patent Appeal No. 388 of 2013

The Punjab & Sind Bank Retired Officers Association (Regd.) ---Appellant

Versus

Union of India and others ---Respondents

In the above case not only some individual had filed the petitions, but three Associations of Bank Retirees had also filed the petitions.

The high court decided that

1. Clause 12 of the settlement makes it abundantly clear that it only provides for further negotiations as regards "applicability, qualifying service, amounts of pension, payment of pension, commutation of pension, family pension, updating and other general conditions etc." and cannot be read to provide for updation of pension.
2. Similarly, Regulation 56 deals with a situation where a doubt arises in the matter of application of the pension scheme and mandates to clear that doubt by referring to the "corresponding provisions of Central Civil Services Rules 1972 or Central Civil Services (Commutation of Pension) Rules, 1981 applicable for Central Government employees

with such exceptions and modifications as the Bank, with the previous sanction of the Central Government, may from time to time determine.”

The pensioners have files appeals in Supreme Court and now Following Appeals by Pensioners are pending in Supreme Court

- a. Special Leave Petition (Civil) 5561 of 2016 by M.C.Singla and Ors. Petitioner(S) Versus Union of India and Ors. Respondent(S)
- b. Special Leave Petition (Civil) 8455 of 2016 By Punjab And Sind Bank Retired Employees Welfare Association Petitioner(S) Versus Union Of India And Ors Respondent(S) - Against the denial order on Clause - 12 of MOS dated 29-10-1993 and on Reg.56 of Pension Regulations 1995 to Pensioners.

Both Cases are pending in Supreme Court.

