

WP (CIVIL) NO.1875/2013 IN THE HON'BLE HIGH COURT OF DELHI
FILED BY FEDERATION OF SBI PENSIONERS' ASSOCIATIONS

This communication is for the information of pensioners / family pensioners about the **FACTS OF THE ABOVE CASE** for the benefit of all concerned.

- ❖ **Year 2000:** The Case No.529/2000 filed by the Federation got dismissed by the Hon'ble Supreme Court under Article 32 of the Constitution of India.
- ❖ **17.03.2011:** In deference to the decision of the Federation in Patna, a case was filed in the Hon'ble Supreme Court.
- ❖ **09.04.2011:** The above case was registered with WP No.184/2011.
- ❖ After long-drawn-out presentation by our legal counsel Sri E.C. Vidyasagar and respondent counsel, the case could not go to regular hearing as **Hon'ble Supreme Court felt that all service matters have to be heard by the High Courts.**
- ❖ **27.02.2013:** The case was dismissed and transferred to **Hon'ble High Court of Delhi directing the High Court to complete the hearing within six months.**
- ❖ Left with no option, the Federation filed its Writ Petition (Civil) No.1875 in the Hon'ble High Court of Delhi, under Article 226 of the Constitution of India, with the fond hope that the SC direction to dispose of the case within a period of six months would be honoured and the judgement will be pronounced positively on all the issues raised in the plaint.
- ❖ **02.04.2013:** The writ petition has been received on transfer from the Hon'ble Supreme Court;
- ❖ **Original Prayers:** Original prayers in the Writ Petition include ***"Direct the respondents to compute and make payment of the pension from the date of retirement, as stipulated in Pension Fund Rule No 23(1), reckoning the entire pensionable service not exceeding 30 years rendered subject to a maximum of ½ or 50% of average monthly salary drawn during the last 12 months pensionable service to all pensioners retired on or after 1-11-1987."***

- ❖ Since 2nd April 2013, in the Hon'ble Court proceedings, out of 91 Orders passed, 58 orders were for adjournment alone for various reasons. There were 31 adjournments on account of the Hon'ble Court, 10 adjournments on the request of the Petitioners, 14 adjournments on the request of the Respondents and 3 adjournments at the joint request of both the parties.
- ❖ The effective arguments of the Petitioner Federation on 9th February 2016 led to the constitution of Committee on Pension matters of SBI under the Chairmanship of Mr. G.C. Murmu, Additional Secretary, Department of Financial Services, Ministry of Finance.
- ❖ **The Murmu Committee submitted its Report on 24 October 2016.**
- ❖ **10.11.2017:** Counsel for the respondent Union of India and State Bank of India state that notification amending the pension regulations was issued on 4th October, 2017 and copy of the said notification has been placed on record.
- ❖ Counsel for the Federation (petitioners), stated that in view of the said notification, writ petitions need to be amended and on oral prayer made by the counsel for the Federation (petitioners), the Hon'ble Court allowed the petitioners to amend the writ petitions and challenge, if required, the amended regulations.
- ❖ **03.04.2019:** Arguments on behalf of the Federation (petitioners) got concluded.
- ❖ **27.05.2019:** In view of the extra-ordinary delay, the Hon'ble Court **looking into the fact that petitions are pending since 2013 and the persons who would be beneficiaries of any order to be passed by this Court are senior citizens and pensioners, directed listing of the matters on 11th July, 2019 before the roster Bench.**
- ❖ During the period from July 2019 to April 2023, the Hon'ble Court could not function on many days and some the proceedings were conducted via Video-conferencing on account of the spread of Covid-19 pandemic all over the world.

- ❖ **13.04.2023:** Learned senior counsel for the Federation (petitioner) submitted that though the Murmu Committee submitted its report in October 2016 and considered the representations of the petitioners, however, there are several discrepancies in the report and the Committee has erred in not considering some of the salient features of their representations. Federation was not given an opportunity to present its case before the Committee.
- ❖ Learned Additional Solicitor General appearing for the respondents disputed the same. He, however, without prejudice submitted that **in case a representation is given by the petitioners, the competent authority of Ministry of Finance shall examine the same without prejudice to their rights and contentions and without admitting any error or lapse on the part of the earlier Committee report.**
- ❖ The Federation submitted its representation on 27.04.2023.
- ❖ **Panel of Experts / Experts Committee under the Chairmanship of Shri M.P. Tangirala, Additional Secretary, Department of Financial Services (DFS) was constituted vide Order F. No. 16/2/3/2011-IR dated 14th June 2023 to deliberate on the issues mentioned in the representation dated 27.4.2023 from the Federation of SBI Pensioners' Associations.**
- ❖ **31.03.2023:** The Hon'ble Court directed the Committee, so constituted by the order dated 14.06.2023, **to give an opportunity of hearing to the Federation of the State Bank of India** prior to submitting its final opinion and the Committee shall thereafter take an independent view of the matter.
- ❖ Pursuant to the order dated 31.7.2023 passed by the Hon'ble High Court of Delhi, the representatives of the Federation (FSBIPA) were invited and the representatives of FSBIPA, **Shri G K Gandhi, the then President and Shri D K Basu, the then General Secretary, attended the meeting of the Committee on 9.8.2023 and presented the views of FSBIPA.**
- ❖ The former Executive Committee Members of All India State Bank of India Staff Federation (AISBISF) viz., **S/Shri P.K. Patnaik, Prakash Gangal, M.V. Murali, former General Secretaries along with S/Shri Ganapathy, former Governing Body member of FSBIPA and N. Radhakrishnan, the present President of FSBIPA submitted a representation, through Shri Sanjeev K Bandlish, the then General Secretary of AISBISF, to the Bank Management seeking early resolution of the issues of Pensioners.**

- ❖ Based on the request dated 25.8.2023 made by the All India State Bank Officers' Federation (AISBOF), a meeting of the Expert Committee was held on 14.9.2023 to hear the views/ suggestions of the representatives of AISBOF. Sri. Rupam Roy, the then President, Sri. Deepak Sharma the then General Secretary, **Shri Sai Prasad the then Chairman AISBOF** and Shri.G.D. Nadaf attended the meeting. **Shri G.D. Nadaf, present General Secretary, FSBIPA, in the capacity of former General Secretary, presented the views of AISBOF effectively on behalf of the Officers' Federation. Shri G.D. Nadaf, in his presentation, while covering the historical background of the Pension Policy in SBI, has referred to few new issues, and clarified number of doubts raised by the committee Members.**
- ❖ As desired by the Committee, supporting documents on new issues were submitted to the committee by the AISBOF.
- ❖ Apart from the Bank, FSBIPA and AISBOF no other person/organisation made presentation before the committee.
- ❖ The Expert Committee submitted its Report to the Court on 25th October 2023 with its conclusion and recommendations that ***"In view of the extensive deliberations held during the meetings of the committee and based on the facts presented, the Committee is of the opinion the anomaly of calculation of pension at dual rate with an organisation (SBI), needs to be rectified and original position be restored. Accordingly, the Committee is of Unanimous view that the pension in SBI may be calculated at uniform rate of 50% for all the pensioners and this opinion of the committee may be placed before the competent authority for taking a final decision of the same."***
- ❖ **02.05.2024:** Mr. Chetan Sharma, learned Additional Solicitor General of India, informed that in pursuance of the DoFS, Ministry of Finance, Order, the respondent No.1 has issued a notification dated March 18, 2024, and resultantly, the grievance of the petitioner in these petitions has been answered.

- ❖ This submission was contested by Mr. P. N. Mishra, learned Senior Counsel for appearing for the Federation (petitioner) in W.P.(C) No. 1875/2013 by stating that the benefit sought to be given is prospective w.e.f. November 10, 2023, and in that sense, the benefits are not being granted from the dates of retirement of the employees.
- ❖ When Mr. Mishra and other counsels stated that the petitioners shall not challenge the notification dated March 18, 2024, but would argue the petitions on the prayers as sought in these petitions, the Hon'ble Court opined that in the circumstances, it would be appropriate for counsel for the parties to file the written submissions along with the judgments they want to rely upon on the issue which arises for consideration.
- ❖ Hon'ble Court proceedings on 6.8.2024, 3.12.2024, 17.12.2024, 23.4.2025, 29.4.2025, 14.5.2025, 20.8.2025, 25.9.2025, 18.11.2025, 28.2.2026, 11.3.2026 include several adjournments for various reasons and filing of Amendment Petition by the Counsel for the Federation (Petitioners).
- ❖ **23.03.2026:** The Federation filed CM APPL. 25173/2025 in W.P.(C) 1875/2013 seeking to amend the writ petition to introduce challenges to notifications dated 18 March 2024 and 4th November 2024 which were issued by the respondents during the currency of the writ petition, making certain changes in the State Bank of India Employees' Pension Fund Regulation, 2014. Despite objections by the Respondents, the Hon'ble Court opined that the prayer for amendment cannot be rejected inasmuch as the amendment dated 4 November 2024 is a development which had taken place after the order dated 2 May 2024 passed by this Court, and the amendment seeks to challenge both the notifications.

The amended Writ Petition/CM Appeal filed by the learned Counsel for the Federation (Petitioners) have been allowed and the legal process in the Hon'ble High Court of Delhi has already commenced. Let's hope to get favourable verdict shortly.

- ❖ President and General Secretary of FSBIPA are providing additional inputs to the Advocates and following up the case effectively. We are confident that, justice delayed may not be denied.
- ❖ Request our members to ignore false messages spread by vested interests and to seek factual position from the FSBIPA, office bearers.

The journey, seeking justification, still continues.....

N.B. The detailed version will be published soon

With regards,



**(N. RADHAKRISHNAN)
PRESIDENT**



**(G D NADAF)
GENERAL SECRETARY**

Date: 11.08.2026