



PROCEEDINGS OF THE MCM OF RBREA, MUMBAI UNIT

The Managing Committee Meeting of the Reserve Bank Retired Employees' Association, Mumbai Unit was held on 6th September 2023 at 2.00 pm in the RBWU Office, Amar Building, Fort, Mumbai.

Shri T G Nair, President, presided over the meeting.

Shri L R Parab, General Secretary, gave a brief introduction about the Managing Committee Meeting being held after the revision of pension and against this background welcomed the Managing Committee Members and invitees and proceeded with the agenda items of the Meeting, as follows:

1. The Minutes of the last Managing Committee held on 5th April 2023 was read and the house unanimously confirmed it and passed it as approved.

2. Homage was paid to all the departed souls of our members, who passed away during the last four months and a minutes' silence was observed.

3. The General Secretary, Shri L R Parab, gave a detailed report on revision of pension on 21st June 2023, and also apprised the house about the status of the revision of family pension along with incidental matters thereto, e.g., covering of certain disadvantaged sections under the ambit of pension. He also touched upon the preparation to fight pension issues on the background of favorable legal developments. Overall, he expressed his confidence that the family pension and matters incidental thereto would be resolved shortly, as the Central Board has approved it during the recently held Central Board Meeting at Indore and the revision of family pension now awaits Gazette Notification for its implementation.

4. On the status of the Bombay High Court Writ Petition No. 2403 of 2009, the General Secretary, apprised the house that the GS and Dy. GS had met the Advocate on Record Ms. Jane Cox and impressed upon her the need to move the Bombay High Court to have the Writ Petition finally disposed, as it is for final disposal, prior to the Bombay High Court Writ Petition No. 2403/2009, GOI, MoF,

DFS has effected two subsequent revision of pensions vide their respective circulars dated 5th March 2019 and 21st June 2023, wherein the revision of pension effected in 2003 has been factored. Ms. Jane Cox readily agreed to move the Bombay High Court. The matter was to come up for hearing on the 6th September 2023, Shri Ulhas Shinde was present on behalf of the RBREA during the hearing of the matter, but due to a heavy backlog of cases, it did not come up for hearing and is posted for hearing on 5th October 2023.

5. Further, on pension matters, the GS informed the house about niceties of the matter of pension revision and the landmark judgments on pension in the Supreme Court, the Manipur Pensioners Case, the pending Shingla Case which is due for final hearing, the applicability of Art.14 of the Constitution of India, where no discrimination is done to pensioners vis-à-vis serving staff, etc. He drew the attention of the house of the efforts taken by Shri S.K. Purohit in calculation of pension, pension arrears, the notional loss over the years and lauded his contribution for making all aware of the loss.

6. The GS once again repeated the matter of the RBI Pension Fund and the RTI queries raised by retired members to various facets of the Pension Fund and the Bank's recent approach, the amendments to mix-up the issue of Gratuity payments and Tax on Gratuity, and gave detailed briefing and explained the sordid affair that was going on these matters. Here the GS, referred to the noting of Shri Amitava Ghosh, DG at the time of formulation of the RBI Pension Scheme in 1990 and the noting, about the need to have a separate account for the Pension Fund.

7. On the issue of donation to the Pension Fighting Fund of RBREA, Mumbai, consequent upon the revision of pension and impending family pension, the house specially lauded the efforts of Smt. Ashwini Phadke and Shri Mangesh Tarambale in collection of donations personally from the retirees. We are extremely pleased to inform about the spontaneous response of our members in

making donation to the RBREA, Mumbai and the enthusiasm of others to make donation, so we have, in order to galvanize the RBREA, Mumbai, and to be in preparedness in the eventuality of having to legally pursue the matter in the Supreme Court, the house after a thoughtful discussion, unanimously resolved to collect a minimum amount of Rs.2,000 as donation from the pensioners and family pensioners.

8. GS, Shri L R Parab sounded the dangers to organizational unity and the need to be vigilant in the days to come.

9. Dy. GS gave a brief report on the Medical Awareness Programme arranged by the Mumbai Regional Office, with the RD, Shri Ajay Michyari presiding it for the last time with the retirees held on 25th May 2023 at the Mumbai Central Staff Quarters, Community Hall and attended by about 100 retirees from the city area. The RBREA, Mumbai Unit used this opportunity to felicitate the RD, Shri Ajay Michyari on the eve of his retirement and placed on record his services towards the retirees, besides the serving staff in all offices in Mumbai and Navi Mumbai.

10. Dy. GS gave a brief report on the Meeting with the Mumbai Regional Office, CGM, Shri Pankaj Kumar on Medical Issues held on 17th July 2023, he covered in brief the various issues raised and the responses from the MRO and the matters taken up with the Central Office by MRO. The house in one voice demanded that the Annual Health Check-up amount to be doubled.

11. On the need to continue to have permanent data of the retirees and the efforts being made by Ms. TSM Mulla and Smt. Ashwini Phadke was appreciated and it was strongly felt that it should be vigorously continued. It was felt that the permanent data would help in contacting our retirees especially, for submission of Life Certificates and for any emergencies.

12. The house unanimously passed the resolution to pursue collection of funds for the Pension Fighting Fund and appealed to the AIRBREA to impress upon the other units undecided, as yet, to start collecting funds to be in preparedness to pursue the matter with the Supreme Court. It was also

>> Page No.2

PROCEEDINGS OF THE MCM OF RBREA, MUMBAI UNIT

Continued from Page No.1

decided to forward the resolution to the AIRBREA for further action.

13. During the meeting the RBREA, Mumbai felicitated the newly elected Office-bearers of the Reserve Bank Workers' Union, Mumbai. President, Shri Ravindra Thakur; Chief Secretary, Shri Ramesh Pitale; Election Chairman, Shri Prakash Gangan; and the outgoing President, Shri Ramchandra Palande and for the remarkable manner in which the elections were held and concluded unopposed and, in this manner, a befitting tribute was made to the memory of the legendary leader Shri Suryakant Mahadik. The meeting ended with thanking the chair.



T G Nair felicitating Ravindra Thakur, President



L R Parab and T G Nair felicitating Prakash Gangan, Election Chairman



L R Parab and C M Paulsil felicitating Ramesh Pitale, Chief Secretary



T G Nair felicitating Ramchandra Palande, Outgoing President

RESOLUTIONS PASSED IN THE M C MEETING

On the basis of the GOI, MoF, DFS letters dated 5th March 2019 and 21st June 2023, the Reserve Bank of India has revised the pensions based on the advices of the GOI, MoF, DFS. However, due justice has not been meted out to the pensioners of the RBI on matters of the ratio applied for revision and the date of effect, skirting the issue of retrospective effect. The Hon'ble Supreme Court has given verdict, time and again, that the date of revision of pension has to be necessarily that of revision of wages and no discrimination be made in homogenous group of pensioners. As on both the accounts we have been deprived of, by the DFS, MoF, GOI, we suffer heavy financial losses. The magnitude of severe total losses across the board as also in monthly pension in RBI as on May 2023 have been duly published in Hitguj of 15 July 2023 as also in the letter to units by AIRBREA.

We further add that in the Conference of AIRBREA held in 2017 at Mumbai, it was resolved that to get true justice in the pension matters, the matter need to be pursued with the Supreme Court and we have to raise fighting fund to fight our own battle for justice. Now with the revision of pension in June 2023 by the Bank, as per advice of Ministry of Finance it is amply clear that injustice is perpetuated on ongoing basis and we have not been granted due and legitimate revised pension, and also no retrospective effect has been granted in the last two revisions of pension, in spite of repeated appeals to the Bank by our AIRBREA. We may also state that the then Hon'ble Governor Dr Bimal Jalan in

his authority had granted legitimate revision of pension to pre-November 1997 pensioners of the Bank.

Further, we, as the disciplined unit of AIRBREA, have already implemented the resolution passed in the AIRBREA Conference 2017 i.e. to collect the fighting fund for legal remedies in the matter of revision of pension. We also understand that many units have given their consent to take legal recourse keeping in view the said resolution and a few units have yet to follow the said resolution. This unit, therefore, earnestly appeal to a few units who have not so far given their consent as per the said resolution passed in AIRBREA Conference 2017 and have not joined the mainstream, to abide by the said decision of the AIRBREA Conference 2017.

The RBREA, Mumbai Unit also place on record that we had spearheaded legal battle in Bombay High Court which benefitted almost 3,900 pre-November 1997 pensioners all over India. Now the leftover time to achieve our legitimate pension is very short and we have to move speedily as far as possible to seek justice to almost 28,000 pensioners and family pensioners spread all over India. At this critical juncture neither any quarter nor any dogma would help us to resolve

our burning issue of revision of pension. Let there be clarity on the part of functionaries of AIRBREA that the situation arisen is 'now or never'. Our members have given enough indications to fight for the justice at any cost. Now it is the turn of the leadership to gather courage and fight fearlessly for the justice.

Keeping in view the above, Mumbai Unit earnestly appeals to all India to move ahead as per the said resolution, in the larger interest. If necessary, without waiting further for cent percent consents. Let wisdom dawn on them subsequently. Hopefully, we may not forget that those who approach the court are alone eligible for verdict given by the court. This unit also assures that, if need be, we would shoulder higher responsibility as welfare of our membership is our prime duty.

RBREA, Mumbai, therefore, salutes the units which have abided by the decision of AIRBREA Conference 2017 and hereby resolves that even if any unit do not abide by the decision of the said conference, AIRBREA may please pursue the matter directly with the Supreme Court, as the Fundamental Right assured under the Article 14 of the Constitution of India is not trampled at the instance of the Ministry of Finance, GOI.

Enrol at least one new member as a part of your duty to strengthen the Association. Remember Unity is our Strength.

आपल्या असोशिएशनला बळकटी आणण्यासाठी कर्तव्य म्हणून किमान एका निवृत्ताला सभासद करून घ्या. लक्षात ठेवा ऐक्य हीच आपली ताकद !

रिझर्व बँक रिटायर्ड असोसिएशनचे सर चिटणीस श्री एल. आर. परब आपल्याला पेन्शन अद्ययावत करण्याच्या प्रयत्नात माहिती देत असताना नकारा केस व मणिपूर केसचा उल्लेख वारंवार करीत असतात. त्याच प्रमाणे भारतीय संविधान 14 चा संदर्भ देत असतात. तरीही काही सदस्य त्याबाबत अनभिज्ञच आहेत. सद्यपरिस्थितीत पेन्शन थकबाकी वसूल करणे व दरमहा पेन्शन वाढ संविधाना प्रमाणे असणे आपले प्रमुख उद्दिष्ट आहे. केंद्र सरकारने दोन वेळा महागाईभत्ता निर्देशांक पेन्शनमध्ये विलीन करून पेन्शन वाढ दिल्यामुळे पेन्शन (अपडेशन) अद्ययावत करणे हा विषय दुय्यम झाला असून अत्यंत महत्त्वाचा ठरत आहे, कारण पेन्शनर्सचे प्रचंड नुकसान होत असल्यामुळे सरचिटणीस आपल्यासमोर थकबाकी न मिळाल्यामुळे झालेल्या नुकसानाची आकडेवारी सतत मांडत आहेत. मात्र त्याचा आपल्याला अचंबा वाटतो. पण ते खरे आहेत व ते मिळवणे आपले कर्तव्य आहे. वास्तविकतः पेन्शनवाढ ही सरकारी पेन्शनर्स प्रमाणे रिझर्व बँकेमधिल पेन्शनर्सना देखील कार्यरत कर्मचाऱ्यांच्या वेतनवाढीनुसार तात्काळ देणे क्रमप्राप्त आहे. पण तसे न होता ती मागील दोन वेळा केंद्रीय सरकारच्या हस्तक्षेपामुळे कायद्याला बगल देऊन झाली आहे. केंद्रीय वित्त मंत्रालय आपल्या मर्जेने पेन्शनवाढ ठरवतात व स्वतःच्या अखत्यारीत नसतानाही आदेश काढतात. शिवाय रिझर्व बँकेला त्याकरिता सतत सरकारची मनधरणी करावी लागते. आणि नंतरच सरकार (अर्थ मंत्रालय) बराच कालावधी हेतुपुरस्करपणे वाया घालवून आदेश काढतात व ही वाढ (प्रोस्पेक्टिवली) म्हणजे आदेश काढल्याच्या तारखेपासून लागू करावी असे स्पष्ट नमूद करतात. त्याकरिता अर्थमंत्रालयाने आदेशाच्या नमुन्यात ही फरक केला नाही. यावरून हे स्पष्ट होते कि पेन्शनर्सना वाढी व पेन्शनपासून जास्तीत जास्त काळ वंचित ठेऊन थकबाकी नाकारणे हा सरकारचा मानस असावा. तसे असल्यास ही परिस्थिती कायम राहिल. परिणामतः सर्व पेन्शनर्स एका पेन्शनवाढीहून अधिक रकमेला कायमचे मुकतील हे लक्षात घ्या. नीट विचार केल्यास ही वस्तुस्थिती आहे ह्याची प्रचिती येईल.

अशा या सद्यपरिस्थितीचा विचार करता जुनी थकबाकी मिळवणे व पुढेही थकबाकी नियमितपणे मिळत रहावी व दरमहा पेन्शनवाढ कायद्याप्रमाणे मिळावी यासाठी प्रयत्न करणे हे रिझर्व बँक रिटायर्ड एम्प्लॉईज असोसिएशनचे आद्य कर्तव्य ठरते व त्याकरिता सर्वोच्च न्यायालयाकडे न्याय मागणे या शिवाय पर्याय उरत नाही. सरचिटणीस थकबाकी मिळवणे व पेन्शनसंबंधी न्याय्य वाढ करणे याकरिता अविरत प्रयत्न करीत आहेत.

मात्र मुंबई उच्चन्यायालयातील पेन्शन विषयक केस अजूनही अनिर्णयित असल्यामुळे नवीन दावा दाखल करण्या विषयक सर्वोच्च न्यायालय (सुप्रीम कोर्ट) काय आदेश/निर्णय देईल हे अनिश्चित आहे. तरीही त्याकरिता लवकरात लवकर ठोस पाऊल उचलणे क्रमप्राप्त आहे. रिझर्व बँक रिटायर्ड एम्प्लॉईज असोसिएशन (मुंबई) थकबाकी मिळविण्यासाठी सर्वोच्च न्यायालयात दावा दाखल करण्याबाबत ठाम आहे व त्यासाठी होणाऱ्या खर्चाचा विचार करता देशातील इतर सर्व युनिट्सचा पाठींबा व आर्थिक सहाय्य आवश्यक असल्याने सरचिटणीस सर्व युनिट्सचा व सभासदांना समजावण्याच्या दृष्टीतून प्रबोधन करीत असतात. हे करीत असताना नकारा केस आणि वर उल्लेखित बाबींचा संदर्भ सतत देत असतात. थकबाकी मिळविण्यासाठी नकारा केसचा संबंध असावा या बाबत काही जण साशंक आहेत व म्हणून मी येथे त्याबाबत थोडे स्पष्टीकरण करण्याचा प्रयत्न करीत आहे.

सेंट्रल सिव्हिल पेन्शन नियम 1972 आणि त्यानुसार सेनादलाच्या व्यक्तित्ना लागू असलेले नियम 31.03.1979 पूर्वीचे पेन्शन भोगी व 31.03.1979 नंतरचे पेन्शन भोगी असे वर्गीकरण करून भिन्नप्रकारे लागू केले होते.

नकारांनी भारतीय संविधान कलम (आर्टिकल) 32 नुसार हे नियम अवैध असल्याचा दावा केला.

मुख्य न्यायमूर्ती (चीफ जस्टिस) श्री वाई. व्ही. चंद्रचूड यांच्या अध्यक्षतेखाली सहा न्यायाधीशांच्या कमिटीने हे कायदे रद्द केले व त्याकरिता पुढील गोष्टी विचारात घेतल्या गेल्या.

i) पेन्शन हा हक्क आहे आणि पेन्शन बाबतचे पेमेंट सरकारच्या मर्जीवर अवलंबून

नाही. म्हणजेच ते सरकार ठरवू शकत नाही. ते फक्त कायदानुसारच असायला हवे. ह्या नियमामुळे पेन्शनर्सना पेमेंट कायद्यानेच लागू होते.

ii) भारतीय संविधानातील मूलभूत हक्क कलम 14 भारतीय नागरिकाला समान हक्क प्रस्थापित करते. त्यानुसार समान काम करणाऱ्या पेन्शनर्सना निवृत्तीच्या तारखेनुसार अलग करून त्यांचे वेगळे गट करणे हे पूर्णतः अन्यायकारक आहे.

iii) ह्या अधिकाराची अंमलबजावणी करण्याकरिता कलम 32 द्वारा सर्वोच्च न्यायालयाला त्याबाबत सुयोग्य विश्लेषणासह निर्णय देण्याचे अधिकारही प्रदान केले आहेत. नकारा केसमध्ये अर्जदारांची भूमिका अशी होती की

1) सर्व पेन्शनभोगींची निवृत्तीची तारीख सोडल्यास, त्यांनी समान काम केले आहे म्हणून त्यांचा दर्जा समान (एकच) आहे.

2) निवृत्तीच्या तारखेप्रमाणे केलेल्या विभाजनामुळे केलेला फरक संविधानाच्या कलम 14 नुसार अयोग्य आहे.

या नकारा केसचा निर्णय मणिपूर सरकारविरुद्ध केसमध्येही फार महत्त्वाचा ठरला की ज्यामुळे पेन्शनर्सना वीस वर्षांनंतरही थकबाकी मिळाली. यावरून असा निष्कर्ष निघतो की पेन्शनर्सना समान काम करणाऱ्या कर्मचाऱ्यांच्या वेतनानुसार लागू होणाऱ्या पेन्शन इतकी पेन्शन त्याच दिवसापासून मिळाली पाहिजे.

एस. जी. केळुसकर
सेक्रेटरी, आर. बी. आर. इ. ए. मुंबई

APPEAL FOR DONATION

We are extremely pleased to inform about the spontaneous response of our members in making donation to the RBREA, Mumbai. In order to galvanize the RBREA, Mumbai, and to be in preparedness in the eventuality of having to legally pursue the matter in the Supreme Court, the Managing Committee, after a thoughtful discussion, unanimously resolved to collect a minimum amount of **Rs. 2,000** as donation from the pensioners and family pensioners.

- Shri N S Vishwanathan (**Rs. 15,000**), Mangesh Tarambale (**Rs. 11,111**);
- Smt. K Sitalakshmi, Suhas Chitnis, Smt. Vijaya Mainkar, Smt. Vidya Aras, Smt. Sharada Dighe, C M Paulsil, Smt. Madhuri Pradhan (**Rs. 10,000/- each**);
- Smt. Sujata Reelkar (**Rs. 7,000**);
- Smt. Sheetal Deshpande (**Rs. 5,500**);
- Smt. Ganga Patel, A D Aroskar, Smt. Shama Mhatre, Smt. Neeta Kasture, Smt. Vrinda Hathi, Smt. Surekha Prabhu, Smt. Sucheta Sawant, Vinayak Karekar, Smt. Vaishali Karekar, Smt. Neela Shete, Sukhdeb Bandyopadhyay, Smt. Saroj Bahadkar, Smt. Kamala Varlani, Smt. Hemal Chavan, Smt. Sunanda Darne, Smt. Vaishali Datar, C L Lokhande (**Rs. 5,000/- each**);
- Smt. Neena Suvarna, Alex Pereira (**Rs. 4,500 each**);
- Smt. Sulekha Birje (**Rs. 3,000**);
- Smt. Pushpa Potdar (**Rs. 2,500**);
- Sudhir Desai, Smt. Nirza Talpade, Smt. Pratima Shenoi, N Ramkrishnan (**Rs. 2,000/- each**);
- Smt. Jyoti Panemangalore, M Y Bhat (**Rs. 1,501 each**);
- LD Shirsat, Shantaram Pawar (**Rs. 1,500/- each**);
- Smt. Suyasha Chaubal, Smt. Kshipra Sardesai, N Venkataramani, Manas Ranjan Mohanty, V V Kurdukar, Anant Kulkarni (**Rs. 1,000/- each**).

TRIBUTES

TRIBUTE TO A Viswanatha Menon



I deeply regret to advise you of the sad demise of Shri A Viswanatha Menon (86), Retd. AGM, DBOD, on 15th August 2023 in Mumbai. He was not well for some time and succumbed to a heart attack. Shri Viswanatha was a Post Graduate in Economics and an LL.M from Mumbai University. For a number of years, he was a

Member of Faculty at Zonal Training Centre. He had served in Mumbai, Kolkata and Chennai.

Viswam, as we called him, was from his fledgling years in the D R S always immaculately attired. He used to sport a tie which earned him the sobriquet "Born Officer". His wife Smt. Sulochana, who was also an Officer in RBI, passed away one year ago.

TRIBUTE TO P R H Sarma

I deeply regret to advise you of the sad demise of Shri P R H Sarma on 5th September 2023 in Houston, where he was staying with his son. Sarma was 94 years old and worked in the Bank from 1950 to 1987. He joined in the Department of Research and Statistics in 1950 as a typist - graduated into a Stenographer and eventually a Personal Secretary. He was an exemplary disciple of Isaac Pitman. Sarma was always seen wearing the "Badge of Pitman" - white pant and white shirt. Having had enough of Isaac Pitman, Sarma got himself transferred to the General Side and retired as Grade 'C' officer.



Sarma was an avid reader of books and an active member of the Ramakrishna Mission Library in Khar. Even in his Nineties he used to visit the library walking from his residence in Santacruz to Khar.

We offer our condolences to the Sarma family and pray that his soul rests in peace.

- P P Ramachandran, Pune

OBITUARY

We regret to inform our members about the sad demises of our following ex-RBI colleagues.

- **Shri B B Shivatarkar (91)**, Retd. Subedar, on 25th August 2023. Shri Shivatarkar was an ardent fan of Hitguj.



It has been gathered from the Centralized Pension Cell that the following pensioners have left for their heavenly abode on the dates mentioned against their names.

- **Smt. Shirish Ranadive** (08 June 2023), **Shri M G Sutar** (08 June), **Shri S M Satare** (11 June), **Smt. Jayashree Thakur** (22 June), **Shri S K Karande** (23 June), **Shri Suhas Kulkarni** (26 June), **Shri S D Bandkar** (07 July), **Shri P T Nadar** (09 July), **Shri Janardan Ghag** (09 July 2023), **Smt. P S Santoskar** (09 July), **Shri K B Thakur** (19 July), **Shri R P Shirsat** (19 July), **Smt Prema Kamat** (22 July), **Shri M R Rane** (23 July), **Shri R B Devadiga** (25 July), **Shri R B Ghadi** (27 July), **Shri Arvind Ranade** (13 Aug).

We send our heartfelt condolences to the members of the bereaved families. May the departed souls rest in peace.

HEARTY WELCOME TO NEW MEMBERS



| | |
|----------------------------------|-----------------|
| Lifetime Membership Subscription | Rs. 500 |
| Hitguj Subscription | Rs. 500* |
| Pension Fighting Fund | Rs.1,000 |
| Total: | Rs.2,000 |

**(Hitguj Subscription is for a 5-year block starting from November 2019 to October 2024)*

NEW MEMBERS

Krishna Tare

HITGUJ SUBSCRIBERS

Smt. Suyasha Choubal, Smt. Sujata Reelkar, Sudhir Desai, L D Shirsat, Smt. Neena Suvarna, Alex Pereira

DONATION

Smt. Sujata Reelkar (Rs. 1,500)

EDITORIAL COMMITTEE

Editor - T P Kunhiraman - editor.hitguj@gmail.com

MEMBERS

| | |
|------------------------|-------------|
| M B Talekar | 93232 05016 |
| Ramesh Deval | 99207 25969 |
| C M Paulsil | 98690 36466 |
| Ulhas Shinde | 93222 54305 |
| Mangesh Tarambale | 98608 33330 |
| Smt. Madhuri A Vaidya | 98208 50514 |
| A P Kale | 98194 92184 |
| Smt. Ashwini Phadke | 88797 42527 |
| Sambhaji More | 98927 10727 |
| Datta G Kadam | 99690 40918 |
| L R Parab - Ex Officio | 98690 21624 |

Printed and published by Shri Mohan Bhaskar Talekar on behalf of Reserve Bank Retired Employees' Association, Mumbai, 1, Dhanishtha, Gulmohar Marg, Chunabhatti, Mumbai - 400 022 and printed by him at Lokmitra Sahakari Mudran Prakashan Sanshtha Maryadit, A-18, Shiram Industrial Estate, 13, G D Ambekar Marg, Wadala, Mumbai - 400 031. Tel. No. 2414 7082

From
M B Talekar
1, Dhanishtha, Gulmohar Marg,
Chunabhatti, Mumbai - 400 022