

STATE BANK OF INDIA OFFICERS' ASSOCIATION

(BENGAL CIRCLE)

(Registered under Trade Unions Act 1926-Regd. No. 6908)

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Circular No. 102/2023

Date : 11.07.2023

To All Members (Please Circulate)

We reproduce hereunder the Circular No. 47 dated 11.07.2023 issued by the General Secretary, All India State Bank Officers' Federation, the contents of which are self-explicit.

With revolutionary greetings,

Shubhajyoti Chattopadhyay
(General Secretary)

LEAVE TRAVEL CONCESSION (LTC) FACILITY FOR FOREIGN TRAVEL

We are pleased to inform our members about the recent favorable decision in the writ appeal filed by the All India State Bank Officers' Federation (AISBOF) and All India Bank Officers' Confederation (AIBOC) regarding the Leave Travel Concession (LTC) facility for foreign travel. The Hon'ble High Court, Madras, has passed an order in our favor, setting aside the earlier withdrawal of the overseas travel facility and directing the respondent authorities to reconsider the matter.

(a) Background:

- (i) As our members are aware, the LTC/HTC facility is provided to permanent employees of banks for rest and recuperation, allowing them to travel with their family to any place in India or their place of domicile. In 1982, the Indian Bank Association, in consultation with Officers' associations, permitted the LTC facility to cover foreign travel as well, provided the employee's designated place is anywhere in India and he actually visits the place as designated. Bank pays the travel cost eligible to travel within the country only. This facility was implemented by all Public Sector Banks, scheduled Commercial Banks, and the State Bank of India.
- (ii) However, in 2014, IBA as well as our bank withdrew the LTC covering overseas travel facilities with immediate effect. Despite representations submitted by AISBOF and AIBOC, the withdrawal remained in effect. In response, both the federation and Confederation filed a writ petition seeking to set aside the withdrawal and reinstate the facility for officers.

(b) Court Decision:

- (i) On 25.04.2014, the learned judge granted an interim stay order, which was later modified on 16.02.2015. The officers continued to travel to the destination within the country and enroute they could visit foreign countries. The final hearing of the writ petition took place, and on 24.06.2022, the petition was ultimately dismissed. Aggrieved by this decision, AISBOF and AIBOC filed an intra-court appeal in the Hon'ble High Court, Madras.
- (ii) After careful consideration, the Hon'ble Court observed that the LTC facility for foreign travel had been provided to bank officers since 1982, based on bilateral negotiations and industry-level settlements. The court also noted that the benefit was incorporated into the Service Rules and HR manuals, making it a statutory provision. The withdrawal of the facility which has been implemented for nearly 30 years without providing an opportunity for representation was deemed a violation of the principles of natural justice.

(c) Final Outcome:

- (i) In light of the legal arguments and the violation of natural justice, the Hon'ble Court set aside the earlier order and directed the respondent authorities to reconsider the matter. The respondent authorities are now required to grant a hearing to AISBOF and AIBOC and make a decision on the grant of LTC for foreign travel within three months from the date of receipt of the judgment.

2. We will continue to update our members on further developments in this matter. It is essential to note that the bank has been directed to reconsider the provision of LTC for foreign travel on its merits and in accordance with the law, after granting an opportunity of hearing to our federation & confederation.

3. Your support and patience throughout this legal process have been greatly appreciated. We are hopeful that the reconsideration will result in a positive outcome for all officers, allowing them to avail themselves of the LTC facility for foreign travel once again.

Together we can! Our Unity Zindabad!

Yours Comradely,

Sd/-

(Deepak Kumar Sharma)
General Secretary

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