

STATE BANK OF INDIA OFFICERS' ASSOCIATION

(BENGAL CIRCLE)

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

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Circular No. 179/2023

Date: 24.11.2023

To All Members (Please Circulate)

We reproduce hereunder the Letter No. 14/165 dated 23.11.2023 addressed to the Deputy General Manager & CDO, State Bank of India, Local Head Office, Kolkata, the contents of which are self-explicit.

With greetings,

Shubhajyoti Chattopadhyay
(General Secretary)

The Deputy General Manager & CDO,
State Bank of India,
Local Head Office, Kolkata.

No. 14/165

Date: 23.11.2023

Dear Sir,

LFC
FOREIGN DESTINATION
RECOVERY FROM STAFF ACCOUNTS

We like to draw your kind attention to the fact that deductions/recoveries have been or are being made, either in one slot or from the monthly salaries of some officials in our Circle against the amount paid for their LFC enrouting foreign visits with prior approval/ permission of the Bank.

02. In this regard, we append the para no. 9 contained in the order of the Hon'ble High Court of Madras dated 08.06.2023 (copy enclosed) with respect to Writ Appeal No. 1653 of 2022 and CMP. Nos 11323 and 23230 of 2022 filed by the All India State Bank Officers' Federation and the All India Bank Officers' Confederation.

Accordingly, the impugned order passed by the learned Judge in the writ petition is set aside and consequently, Circular Letter No. CIR/HR & IR/F/2014-15/9195 dated 07.04.2014 issued by the third respondent and e-Circular bearing No.CDO/P&HRD-PM/7/2014-15 dated 15.04.2014 issued by the first respondent are also set aside and the matter is remanded to the respondent authorities for fresh consideration. The respondent authorities are directed to grant opportunity of hearing to the appellants 1 and 2 viz. All India State Bank officers' Federation, Chennai and All India Bank Officers' Confederation, New Delhi, who represent the Bank Officers and thereafter take a decision with respect to grant of LTC to cover foreign travel, on merits and in accordance with law. Such an exercise shall be completed within a period of three months from the date of receipt of a copy of this judgment.

03. We also refer to the stay order dated 28.08.2023 (arising out of impugned final judgment and order dated 08.06.2023 in WA No.1653/2022 passed by the Hon'ble High Court of Judicature at Madras) issued by the Hon'ble Supreme Court wherein it has been stated in para 7 of Item No. 48 of Court No.11 (Section XII) (copy enclosed) that:

7. Till further orders, operation of the impugned judgment shall remain stayed. However, the petitioner-bank shall not make any recoveries from its employees during the pendency of the present petition.

04. The above-mentioned orders of the Hon'ble Courts distinctly prohibited the Bank from taking any decision with respect to grant of LTC to cover foreign travel without granting an opportunity of hearing to AISBOF and AIBOC. It also prohibited from making any recoveries from the employees during the pendency of the said petition filed in the Hon'ble Supreme Court.

05. So, we feel that any action in regard to recovery of the amount of LTC pre-approved by the Bank would tantamount violation of the directives of the Hon'ble Courts. We, therefore, request you to kindly issue an advisory to stop any further recovery and also arrange for refunding the deducted amount on this account to the concerned officers.

With regards,

Yours sincerely,

Sd/-

(Shubhajyoti Chattopadhyay)
General Secretary

Shubhajyoti Chattopadhyay
General Secretary
Mobile : 9434551152