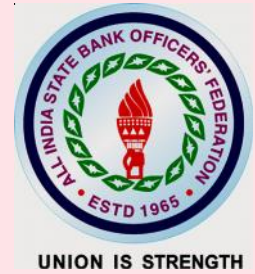




**OFFICERS' CAUSE
NOVEMBER - 2025**



OFFICERS' CAUSE

UFBU STRONGLY REJECTS THE IMPLIED ENDORSEMENT OF BANK PRIVATIZATION IN THE FINANCE MINISTER'S ADDRESS AT DELHI SCHOOL OF ECONOMICS

The United Forum of Bank Unions (UFBU), representing nine trade unions of officers and workmen across all our banks, registers our deep concern and strong protest against the remarks made by the Hon'ble Union Finance Minister during the Diamond Jubilee Valedictory Lecture held on 04 November 2025 at the Delhi School of Economics, University of Delhi.

While responding to a student's apprehension that privatization may restrict banking services to a privileged segment of customers, the Finance Minister appeared to dismiss this fear and instead projected privatization in a positive light. UFBU categorically rejects this narrative and reiterates that public sector banking has been the backbone of India's financial inclusion, social justice lending, rural penetration, and national economic stability.

PUBLIC SECTOR BANKS TRANSFORMED INDIA

Bank nationalization in 1969 was not symbolic, it fundamentally reshaped the socio-economic foundation of the country. Public sector banks became the instrument for inclusive and equitable national development.

Achievements made possible only because banks were public institutions:

- ★ Before nationalization, banking served only industrial houses and elite business groups. Public ownership opened the doors of credit

to farmers, workers, small businesses, women, weaker sections, and rural citizens.

- ★ From a few thousand urban branches, public sector banks expanded to lakhs of villages. Private banks neither attempted nor intend to serve these regions because rural banking is "low profit."
- ★ Priority sector lending, agriculture loans, SC/ST credit schemes, SHGs, rural self-employment, student loans, MSME support, and welfare-linked banking became viable only under public control.
- ★ During recessions, economic shocks, and the COVID-19 pandemic, public sector banks stood firmly with the nation, without fear of collapse or customer exploitation.

THE ILL EFFECTS AND RISKS OF PRIVATIZATION

- ★ Attempts to glorify privatization overlook ground realities and the lessons of history:
- ★ Private banks lend only where profits are high. They close unprofitable branches, increase charges, outsource work, and ignore weaker sections.
- ★ Rural and semi-urban India will suffer financial exclusion. Critical national obligations such as Jan Dhan, DBT

transfers, pensions, and MGNREGA payments are overwhelmingly executed by PSBs, not private banks.

- ★ Privatization leads to downsizing, contractual jobs, erosion of job security, reduction of reservation benefits, and attacks on trade union rights.
- ★ India has repeatedly witnessed private bank collapses: YES Bank, Global Trust Bank, Lakshmi Vilas Bank, and major governance failures in other private entities. In every instance, public sector banks and the Government support rescued depositors. In a fully privatized system, who will protect the people?
- ★ National assets created with public money will ultimately be handed over to private corporate interests, transferring public wealth into private profit.

ADDITIONAL FACTS THAT CANNOT BE IGNORED

- ★ Public Sector Banks are accountable to Parliament, the CAG, and the people of India. Private banks are accountable only to shareholders.
- ★ Financial inclusion did NOT fail because of public ownership, it failed because corporates defaulted, creating the NPA crisis. Massive NPAs arose due to corporate defaulters, not farmers, small borrowers, or individuals.
- ★ The “twin balance sheet problem” emerged from liberalized corporate lending culture, not from public banking ideology. To blame nationalization is historically and economically incorrect.
- ★ Even internationally, after the 2008 financial crisis, several countries restored stronger

public control over banking. India must learn from global experience, not repeat their mistakes.

- ★ Public sector banks are not just commercial banks; they are public utility institutions handling welfare payments, pensions, subsidies, savings and financial safety of ordinary citizens.

REALITY OF TODAY'S BANKING SUCCESS

- ★ If Indian banking today stands strong, it is because of resilience built under public ownership:
- ★ Jan Dhan Yojana success: Over 90% executed by PSBs
- ★ DBT transfers during COVID-19: Public sector bank infrastructure
- ★ Priority lending & social banking: Almost entirely driven by PSBs
- ★ Rural penetration & financial literacy: Powered by PSBs

No country in the world has achieved universal banking through privatized banks. To say privatization will still ensure inclusion is not supported by any evidence.

PRIVATIZATION IS NOT “PROFESSIONALIZATION”

Professionalization can be achieved through:

- ☛ Capital infusion
- ☛ Better governance
- ☛ Technology
- ☛ Accountability

- ☛ Human resource development
- ☛ But none of these require privatization. Privatization only shifts control of public money into private hands.

UFBU STATES FIRMLY

- ☛ Privatization undermines national and social interest
- ☛ Privatization endangers financial inclusion
- ☛ Privatization threatens job security and public funds
- ☛ Privatization benefits corporates, not citizens Banking is a social and constitutional responsibility, not a business for profiteering

UFBU DEMANDS

- ☛ A categorical assurance from the

Government of India that no public sector bank will be privatized

- ☛ Strengthening of Public Sector Banks through capital support, technological modernization and transparent governance, without privatization.
- ☛ Public consultation and parliamentary debate before any decision impacting the rights of depositors, employees and common citizens

UFBU's COMMITMENT

We stand with citizens, employees, farmers, workers, pensioners and all stakeholders, who believe that banks belong to the people of India, not private profiteers.

Public Sector Banks are National Assets

UFBU MEETING ON 3RD NOV. AND CONCILIATION MEETING ON 4TH NOV. 2025

Text of AIBOC Circular No. 2025/41, dated 04.11.2025, reproduced the text of UFBU Circular No. 2025/14 dated 04.11.2025

Another round of conciliation proceedings was held today at the CLC's office in New Delhi. During the conciliation meeting, the following issues were discussed:

PLI : The gist of discussions between IBA and UFBU was reported to the Dy. CLC and DFS representatives. It was informed by the DFS that the Government is considering ensuring payment of PLI to all the scale 4 and above officers as per Joint Note formula who may not be eligible to get PLI under the Government formula. We pointed out our other views about the Government formula which require reconsideration by the DFS. In view of this, the DY. CLC advised IBA and UFBU to continue the discussion and submit concrete

suggestions to find an amicable solution for consideration by DFS.

5 Days Working per Week: We pointed out that despite the assurance of the Government to expedite their decisions on introduction of 5 Days working per week in Banks, no decision is forthcoming from the Government. Representatives of DFS informed that the issue is under the active consideration of the Government. However, we expressed our disappointment at the undue delay and informed the Dy. CLC that UFBU will be constrained to revive our protest action on this important issue.

Enhancement of ceiling under Gratuity Act : DFS representatives informed that the issue is under regular follow-up with the Ministry of Labour. Hence we requested the Dy CLC to pursue the matter so that the Notification increasing gratuity under the Act is expedited.

SUCCESS AWAITS AT THE DOOR WHERE DILIGENCE IS

Appointment and filling up of posts of Workman Director and Officer Director in PSBs: It was informed that the approval of the recommendations is still awaited from the Appointments Committee.

Recruitments: The IBA and DFS informed that as against the recruitment and filling up of 30,000 posts of employees and officers for the current year, the indent for the next year is around 50,000. They also informed that the sequence of recruitment would be suitably changed next year to avoid attrition and non-joining by candidates. We pointed out that sufficient empaneled list of successful candidates should be maintained by IBPS so that replacement against non-joining is provided to banks.

Other residual issues: It was agreed that discussions between IBA and UFBU would continue.

With this, the conciliation proceedings have been adjourned to 22-12-2025.

UFBU meeting : Preceding the conciliation meeting, the UFBU meeting was held on 3rd November, 2025.

The meeting took note of the developments that have taken place after our last UFBU meeting held in August, 2025. The meeting observed that repeatedly media reports are coming about

Government's proposal for further merger of Banks, increasing FDI in public sector banks up to 49%, increasing instances for foreign investments in the private banks, etc. The meeting also noted the Government's recent decision to appoint private sector Executives as MD/EDs of Public Sector Banks. The meeting decided that all these are part of the Government's agenda of liberalization of banking sector and hence decided to hold meetings at all levels to apprise the rank and file about these moves of the Government and to be in preparedness for agitational programmes that will be decided by UFBU in due course.

The meeting reviewed the developments with regard to the various issues and demands raised by UFBU and the conciliation proceedings held so far. While the indents for recruitment of clerical staff have been improved in some of the Banks. Overall, the recruitments have to be further stepped up. Meeting decided to emphasise the recruitment of substaff as there is acute shortage resulting in large engagement of temporary employees.

On implementation of the understandings between IBA and UFBU on introduction of a five-day work week, in view of the inordinate delay by the Government to approve the same, it was decided to revive our protest and give the call for strike on this issue. Date of the strike and other programmes will be finalized and informed shortly.■

**MANDATORY LEARNING & CERTIFICATION: REQUEST FOR CONSULTATIVE REDESIGN, PHASED IMPLEMENTATION, AND SAFEGUARDS
(Ref.: STU e-Circular No. CDO/STU MNDTRY LEAR/2/2025
26, dated 30 Aug 2025)**

Text of AISBOF Letter No. 6180/17/25, Addressed to The Deputy Managing Director (HR) & CDO, State Bank of India Corporate Centre, Mumbai.

The AISBOF aligns with the Bank's objective of strengthening professional standards and line up with the capability building initiative of the Bank

with regulatory expectations. Our members have always engaged in learning with pride and purpose and appreciated quality enhancement that is considered paramount for individual as well as the organisational growth. However, we are deeply concerned about the method of implementation of the initiative which at times turns out to be forcible rather than being

supportive and engaging. This communique thus draws justification to aid our concerns about the manner in which the Mandatory Learning & Certification framework has been introduced through the above-referenced circular. We would therefore, appreciate an immediate and collaborative course correction that protects equity, operational continuity, industrial harmony and at the same time be prolific and purposeful.

The policy stipulations, as can be drawn from the referred communication, calls for completion of one Role-Based Certification (or, where applicable, an RBI-mandated certification course) along with ten specified e-lessons, with no pro-rata credit affiliation. Officers who fail to complete all the courses, by 31 January 2026 are doomed to face forfeiture of the 5-in-1 allowances (non-reversible for the missed months); CDS grades may also be stepped down; and promotion eligibility in 2026-27 is contingent on securing the full five marks from mandatory learning. These are high-stake levers that our members experience as punitive rather than developmental approach, coercive, aiming at rapid test completion rather than genuine capability building and human resources augmentations. The circular also discontinues the earlier two-day training holiday, even when the framework becomes more demanding, which compounds the perception that the system is forcible and not facilitative.

We are equally concerned about the infrastructure and its feasibility. Examinations are on web only in SPARK under AI-based **remote proctoring**, requiring a laptop/desktop (no mobiles or tablets), a functioning webcam and microphone, stable connectivity, full-screen lock, and continuous monitoring with video/image capture and automated flagging. With exam centres withdrawn, many officers, especially in rural and semi-urban branches have been ordained to struggle for finding a quiet space, peripherals, or bandwidth to attempt exams during duty hours. In all practicality such protocols shall surely nudge the staff toward using personal devices and home internet outside working hours, shifting the responsibility entirely to the employees.

Learning flourishes when it is driven by purpose, pride, and professional curiosity, not when it is

compelled under threat of forfeitures or conducted under intrusive surveillance. A system that ties education to punitive outcomes and AI-proctored monitoring risks shifting attention from mastery to mere compliance, undermining psychological safety and eroding trust. Instead, the Bank should cultivate intrinsic motivation by restoring on-duty learning time, recognising effort and improvement, and offering supportive coaching and feedback. Autonomy in choosing learning pathways, clarity on expectations, and fair opportunities to practice and retry will yield far better capability outcomes than high-stakes deterrents. In short, development should be an enabling journey, not an enforcement mechanism; when officers feel respected and supported, they will invest in learning that genuinely strengthens risk culture and customer service.

The calendar further intensifies these constraints. A hard stop of 31st January 2026 for officers, with the peril of allowance forfeiture triggered thereafter, coincides with the Q3 closing which considered to be the most happening quarter with audits, festival-season workloads, business augmentation, making it as the busiest period for the branch network. Further, removing on-duty training time and in contrary imposing AI-proctored testing in this window risks stress, service disruption, and an end-of-cycle rush that undermines learning quality and genuine quality enrichment for the staff.

Accessibility and equity gaps also require an immediate attention. Annexure-I describe certain groups as **"completely exempted,"** yet concurrently insists that the same category of officials in RBI-mandated roles complete the relevant certification within the same timelines, with proviso of disincentives applying on non-completion. This contradiction disproportionately affects officials with disabilities or those on long medical or maternity leave and creates ambiguity for colleagues close to retirement. The circular is silent on bilingual/assistive formats, additional time, screen-reader compatibility, captioned content, or human-proctor alternatives, despite **"Communicating, Persons with Disabilities"** and the DPDP Act featuring among the ten e-lessons.

Concerns of natural justice and data protection arise from the malpractice clause and surveillance model. "Use of unfair means" can lead to deletion of results from HRMS/SPARK, debarment from further attempts, disciplinary action, downgrading of CDS grades, and even **reversion of promotion** if established post-facto, yet the circular does not define clear thresholds, spell out an appeal path, or guarantee human review before adverse action where AI flags are involved. Annexure K confirms continuous monitoring with snapshots and object detection, but the circular offers no DPDP-compliant notice covering purpose limitation, retention, storage location, or user rights.

We must also point out that issues related to Mandatory Learning & Certification and linked entitlements are sub judice before the Hon'ble Calcutta High Court. Proceeding with tight deadlines and disincentives during ongoing litigation risks eroding trust and disturbing industrial harmony. Our request is to keep punitive elements in abeyance pending judicial clarity, while we work jointly on improvements that uphold regulatory intent.

Constructively, we propose a collaborative reset.

- (1) The management may constitute a joint Working Group (STU, HR, Operations, and AISBOF) to agree on timelines, infrastructure standards, inclusion and accessibility norms, malpractice definitions with a two-stage appeal, and a DPDP compliant privacy framework.
- (2) To adopt a **readiness-first** approach: Complete circle-wise audits of infrastructure (exam pods, webcams/headsets, bandwidth, backup internet), access (on-duty learning slots), and inclusion (accommodations fulfilled) before linking Mandatory Learning & Certification to CDS marks, allowances, or promotion, activating such linkages only after a circle evidences readiness.
- (3) To re-time the learning cycle: Create 90–120-day windows that **avoid quarter-ends**, and restore **on-duty learning** so

that capability building does not come at the cost of customer service.

- (4) To provide **infrastructure and alternatives**: Exam pods at SBILDs/RBOs/LHOs with human-proctored options where AI-proctoring is unstable; SPARK pre-checks for bandwidth.
- (5) To ensure **fair attempts and remediation**: Three free attempts, do not count attempts lost to verified technical failures, and embed coaching before retakes.
- (6) **To make exemptions meaningful**: No penalties should apply to exempted categories, including those in RBI mandated roles, until reasonable accommodations and revised timelines are provided, with bilingual and assistive materials available across modalities.

As immediate steps, we request that Management convene the joint Working Group; **suspend punitive linkages** (5-in-1 allowance forfeiture, CDS grade step-down, and promotion ineligibility) and readiness audits are completed and revised timelines arrived at; issue an advisory clarifying that officers will not be compelled to use personal devices or home internet and that centre-based/human-proctored alternatives will be available where needed; and publish a DPDP-compliant privacy notice alongside a clear, time-bound appeals process before further AI-proctored examinations are conducted.

AISBOF reiterates its commitment to partnering with the Bank to deliver genuine learning that strengthens risk culture and customer trust. We believe that a dialogue-led, phased, and readiness-first implementation, paired with on-duty learning, accessible design, privacy safeguards, and due process, will achieve the regulatory objective without compromising fairness or operational stability. We seek an early meeting to finalize the path forward. ■

181st PROGRAMME OF NATURE WORKSHOP ON DISCIPLINARY PROCEEDINGS

With reference to our Circular No. 48 dated 30.08.2025 regarding the conduct of workshops on Disciplinary Proceedings by NATURE, we are pleased to inform you that the 181st Programme will be held from 07/12/2025 to 09/12/2025 for Affiliates of AISBOF as per the following details:

1. Date & Time of Workshop: From 9.00 a.m. on 07.12.2025 to late evening of 09.12.2025

2. Venue: Gandhi Nilaya, No.10, SBI Officers' Colony, Basaveshwarnagar, Bengaluru – 560 079

Nomination & Registration

Each affiliate may nominate up to three members.

Accommodation will be arranged in hotels near Gandhi Nilaya at negotiated rates. Participants will pay the hotel charges directly.

A fee of ₹4,500/- per participant (covering registration, course material, lunch, snacks, and miscellaneous expenses for the entire programme) should be remitted to the account of AISBOF.

ACCOUNT DETAILS

Account No : 10169995001

Name :All India State Bank Officers' Federation (AISBOF) **Branch:**Basaveswara Nagar Branch (Bengaluru) **IFSC Code:** SBIN0009049

Nominations, along with the registration fee, must reach this office on or before 15.11.2025. In case any affiliate is unable to utilize its quota of nominations, the opportunity will be extended to other affiliates. Affiliates are requested to advise participants to plan their return journey only after the late evening of 09.12.2025, as the sessions will continue till late hours and the faculty will be available for interaction throughout the evenings.

CONTACT PERSONS

- (1) **Com. Channabasava Tadkal,**
Treasurer, AISBOF – Mobile: 9448993835
- (2) **Com. K.N. Giriraja,** Joint General Secretary,
AISBOF – Mobile: 8197285817
- (3) **Shri H. Gangadhar,** Caretaker,
Gandhi Nilaya – Mobile: 9449671082

RBI DIRECTS BANKS TO OFFER NOMINATION FACILITY; CUSTOMERS CAN OPT OUT

New rules effective November 1 require banks to offer nomination at account opening; refusal allowed only with written declaration, says RBI

In addition, banks must educate customers on the benefits of nomination, ensuring wider awareness and smoother claim settlements

Banks must offer a nomination facility to customers at the time of account opening, according to the Reserve Bank of India's (RBI) new directions regarding deposit accounts, safe deposit lockers, and articles kept in safe custody. While customers can choose to opt out, they must provide a written declaration to that effect, or the bank must record their refusal in its records. The directions will come into effect from November 1.

According to the central bank, lenders cannot deny or delay account opening solely because a customer

chooses not to nominate anyone. Banks must acknowledge all nomination-related requests—whether for registration, cancellation, or variation—within three working days. They are also required to display the nominee's name on the customer's passbook, statement of account, or term deposit receipt (TDR).

"Under no circumstances shall a prospective customer be denied or delayed in opening an account solely on the ground of refusal to make a nomination, provided all other requirements for account opening are satisfactorily met," the RBI stated.

In addition, banks must educate customers on the benefits of nomination, ensuring wider awareness and smoother claim settlements.

OPERATIONAL PROCESS

To implement these directions, banks must establish systems to register, cancel, or vary nominations as requested by customers, and provide an acknowledgement within three working days of receiving duly completed forms.

If a nomination request is rejected for non-compliance with relevant laws or rules, the bank must inform the customer in writing within three working days, citing the reasons for rejection.

In cases involving simultaneous nominations, if a nominee dies before receiving the deposit, the nomination for that person alone will become ineffective.

BACKGROUND

Earlier, the RBI had revised norms for settlement of claims on deceased customers' accounts and lockers, directing banks to complete settlements within 15 days and to compensate nominees for delays.

A deposit account with a valid nomination or survivorship clause allows the bank to discharge liability by paying the outstanding balance to the nominee or survivor upon the depositor's death, as per RBI norms. ■

Source: Business Standard, Dt:05/11/2025

**[2025 (185) FLR 566]
(SUPREME COURT)**

DIPANKAR DATTA and MANMOHAN, JJ.

Civil Appeal No. 3829 of 2025

March 18, 2025

Between

BANK OF INDIA and other

And

MUTHYALA SAIBABA SURYANARAYANA MURTHY and another

Voluntary Retirement-First respondent relieved on 30.12.2000-Pension claimed-First respondent had not exercised the option within in the stipulated time, hence claim was rejected-Learned Single Judge dismissed writ petition-However, appeal by first respondent was allowed-Hence, Instant appeal by bank-Held, first respondent was not diligent enough t make himself aware of the developments touching his interest wile he was abroad -The proposed benefits could not be availed beyond he stipulated period and at anytime in future suiting his convenience-Order of Division Bench quashed-judgment of learned Single Judge affirmed-Appeal allowed. [Paras 17 to 22]

In the present case, after the first respondent did not avail the opportunity to exercise option by 30th October, 2010, there was no occasion for denial or deprivation of a legal right of the first respondent by the appellants. The harm r loss arising out of failure of the first respondent to opt for the pension scheme was not wrongful in the eye of law since it is he who had to e blamed for the situation where he found himself. The first respondent had neither sustained any injury to any legally protected interest nor had he been subjected to a legal wrong. He did not suffer a legal grievance and had no legal peg for a justiciable claim to hand on. Thus, not having a legally protected right which could have been judicially enforced by seeking a mandamus, the writ petition of the first respondent was plainly not maintainable and, thus, the Single Judge rightly dismissed the same.

The Division Bench should have also done well to remember that considerations of sympathy, grace, charity, or compassion do not have any place where a subject s called upon to exercise hid option upon a settlement executed by and between the parties, one of which represents the subject himself, and such settlement is binding on the parties during its validity. If belated options are to be accepted, it would bring in its train chaos, confusion and public inconvenience without there being any end in sight and unsettle the very settlement reached by and between the parties which is the foundation of the rights of the subjects.

Since it had not been shown to the High Court that the said circular was not widely published and, therefore, opening up a window o opportunity for

submission of options between 1st September and 30th October, 2010 was nothing more than a mere lip service, no case for interference had been set up by the first respondent either.

Constitution of India, 1950-Articles 136 and 226-Exercise of jurisdiction by High Court under Article 226 of Constitution of India, 1950-Should not come to the aid of the tardy, the indolent and the lethargic-Exercise of jurisdiction should not unnecessarily be coloured by considerations of sympathy or grace or compassion or charity. [Para 18]

DIPANKAR DATTA, J.

1. Leave granted.
2. The appellants call in question the judgment and order dated 7 th March, 2024 passed by a Division Bench of the High Court for the High Court respondent from the judgment and order dated 22nd November, 2023 of dismissal of his writ petition³ by a Single Judge of the same court.
3. The solitary question arising for decision on this appeal is whether the Division Bench was justified in its interference with the order of dismissal of the writ petition.
4. After serving the first appellant⁴ for about 25 years, the first respondent opted for voluntary retirement and was relieved from the service of Bol on 30th December, 2000.
5. On 24th August, 2010, Bol published Circular No. 104/645 inviting options from retired employees between 1st September, 2010 and 30th October, 2010 to join the Bank of India (Employees') Pension Scheme, 1995. The said circular recorded that the option to join the pension scheme was being extended in terms of an agreement / joint note dated 27th April, 2010 signed between the Indian Banks Association⁶ and various Officers' Associations/ Workmen Unions (United Forum of Bank Unions). The option was available to be exercised inter alia by employees of Bol who were in service prior to 29th September, 1995 and retired prior to the date of settlement, i.e., 27th April, 2010.
6. The first respondent had travelled to the United States of America in March, 2010. He returned to

India a week after the said circular was Writ Petition No. 29659 of 2011 Bol said circular IBA issued but much prior to the last date for exercise of option. He claimed that he had to undergo a surgery in the 1st week of October, 2010. He also claimed that not being aware of the opportunity extended by Bol to exercise option within 30th October, 2010 and despite being eligible, he missed such opportunity. It was only on 19th March, 2011, i.e., 4 (four) months beyond the stipulated date, that the first respondent proceeded to express his interest to opt for the pension scheme by submitting a representation on that day itself by filling up the requisite forms claiming that he derived knowledge of the said circular from two erstwhile employees of Bol.

7. Option not having been exercised by the first respondent within the stipulated time, obviously, Bol did not accept such option. This triggered the writ petition, which the Single Judge dismissed. It was held that the period for exercise of option having expired by the time the first respondent exercised his option, the decision not to entertain the option was neither unreasonable nor arbitrary; hence, no interference was called for.
8. Aggrieved thereby, the first respondent appealed. It is such appeal that has succeeded by reason of the impugned judgment and order of the Division Bench.
9. We have heard learned counsel appearing for the parties and perused the impugned judgment and order. The only reason that can be traced in the impugned judgment and order for the writ appeal to be allowed is found in paragraph 6 thereof, reading as follows:

"6. This Court, having considered the rival submissions made by the learned counsel on either side, is of the view that the respondent-bank has issued Circular dated 24.08.2010 wherein a policy was taken to extend pension to all the retired employees. When such policy is beneficial in nature, the respondent-bank ought to have considered the application submitted by the appellant; though it was submitted belatedly after expiry of the deadline prescribed in the Circular 24.08.2010. As the appellant has undergone surgery during the relevant period of time, the lapse on his part can be condoned. Therefore, the learned Single

Judge was not justified in dismissing the writ petition and hence, the same is liable to be set aside."

10. We have no hesitation to hold that the Division Bench was entirely wrong in interfering with the dismissal of the writ petition, as ordered by the Single Judge.

11. It is noted from the judgment and order of the Single Judge that wide publicity had been given by IBA as well as by Bol through local and national newspapers and also through its branches that employees, who are otherwise eligible, may opt for the pension scheme by 30th October, 2010. Such recording was made on perusal of the counter affidavit of Bol to the writ petition of the first appellant. It has not been shown by the first respondent that the contents of the counter affidavit, filed by Bol, either did not contain any such material or that even if it did contain such material, the same did not amount to wide publicity.

12. Our attention has been invited by learned counsel appearing for the appellants to a decision of this Court in *Calcutta Port Trust and Ors. vs. Anadi Kumar Das (Captain) and Ors.*⁷, in particular to paragraph 23 thereof, reading as follows:

"23. We would like to observe that whenever an employer introduces the pension scheme or makes the same applicable to retired employees and gives them opportunity to exercise option, the circulars/instructions issued for that purpose should either be communicated to the retirees or made known to them by some reasonable mode. Mere display of such notice/instructions on the noticeboard of the head office cannot be treated as an intimation thereof to the retired employees/officers. The employer cannot presume that all the retirees have settled in the city where the head office is located. If the employees belong to the services of the Central Government or its agencies/instrumentalities, they are likely to settle in their native places which may be far away from the seat of the Government or head office of the establishment or organisation. The retirees are not expected to frequently

travel from their native places to the seat of the Government or head office to know about additional benefits, if any, extended by the Government or their establishment/organisation and it is the duty of the employer to adopt a suitable mechanism for communicating the decision to the retired employees so as to enable them to exercise option. This could be done either by publishing a notice in the newspaper about which the retirees are told at the time of their retirement or by sending copies of the circulars/instructions to the retirees or by sending a copy thereof to the association of the employees and/or officers with a direction to them to circulate the same among the retirees concerned. By taking advantage of the modern technology, the employer can also display the circulars/instructions on a designated website about which prior information is made available to the employees at the time of their retirement. If one of these modes is not adopted, the retired employees can legitimately complain that they have been denied right to exercise the option and can seek intervention of the court."

13. In the absence of the first respondent proving to the contrary, we are left with no option but to hold that Bol did observe the aforesaid (2014) 3 SCC 617 directions in letter and spirit and spared no effort to make it known to all the retired employees, eligible to opt for the pension scheme, that they would be having the window of opportunity to so opt by submitting the requisite forms by 30th October, 2010.

14. It is the admitted case of the first respondent that he had returned to India from the United States of America on 1st September, 2010. However, he was not diligent enough to make himself aware of the developments touching his interest while he was abroad. The bogey of hospitalisation raised by the first respondent, and that too for a short period of four days between 3rd October and 7th October, 2010, was not such so as to overlook his recalcitrance in not acting with intent and purpose within the period made available by the said circular.

15. The Division Bench referred to the beneficial nature of the policy to grant relief to the first respondent.

Whenever a policy is formulated, which is beneficial in nature for the subjects to be governed thereby but, at the same time, prescribes a time limit for the subjects to act, it is not and cannot be the law that the proposed benefits can be availed of by a subject beyond the stipulated period and at any time in future suiting his convenience.

16. Almost half a century back, this Court in *Mani Subrat Jain v. State of Haryana*⁸ had sounded a word of caution as follows:

“9. ... It is elementary though it is to be restated that no one can ask for a mandamus without a legal right. There must be (1977) 1 SCC 486 a judicially enforceable right as well as a legally protected right before one suffering a legal grievance can ask for a mandamus. A person can be said to be aggrieved only when a person is denied a legal right by someone who has a legal duty to do something or to abstain from doing something. ...”

17. In the present case, after the first respondent did not avail the opportunity to exercise option by 30th October, 2010, there was no occasion for denial or deprivation of a legal right of the first respondent by the appellants. The harm or loss arising out of failure of the first respondent to opt for the pension scheme was not wrongful in the eye of law since it is he who had to be blamed for the situation where he found himself. The first respondent had neither sustained any injury to any legally protected interest nor had he been subjected to a legal wrong. He did not suffer a legal grievance and had no legal peg for a justiciable claim to hang on. Thus, not having a legally protected right which could have been judicially enforced by seeking a mandamus, the writ petition of the first respondent was plainly not maintainable and, thus, the Single Judge rightly dismissed the same.

18. The Division Bench, in course of its interference with the order dismissing the writ petition, failed to realise that in exercise of writ powers under Article 226 of the Constitution, the high courts of the country do not come to the aid of the tardy, the indolent, and the lethargic. This golden truth has to

borne in mind by all courts exercising high prerogative writ jurisdiction. While mandamus will issue to reach injustice, wherever found, it is equally true that exercise of discretion should not unnecessarily be coloured by considerations of sympathy or grace or compassion or charity. These are beyond the scope of the high courts' writ powers. In cases such as these, where acceptable justification for the failure to act with expedition is not proffered, the high courts should stay at a distance.

19. The Division Bench should have also done well to remember that considerations of sympathy, grace, charity, or compassion do not have any place where a subject is called upon to exercise his option upon a settlement executed by and between the parties, one of which represents the subject himself, and such settlement is binding on the parties during its validity. If belated options are to be accepted, it would bring in its train chaos, confusion and public inconvenience without there being any end in sight and unsettle the very settlement reached by and between the parties which is the foundation of the rights of the subjects.

20. Since it had not been shown to the High Court that the said circular was not widely published and, therefore, opening up a window of opportunity for submission of options between 1st September and 30th October, 2010 was nothing more than a mere lip service, no case for interference had been set up by the first respondent either.

21. Also, there being no unreasonableness or arbitrariness in the process of decision making adopted by the appellants, the writ petition rightly came to be dismissed and there was absolutely no occasion for the Division Bench to interfere and allow the writ appeal of the first respondent.

22. For the foregoing reasons, the appeal succeeds. The impugned judgment and order dated 7th March, 2024 is set aside and the judgment and order of the Single Judge dated 22nd November, 2023 affirmed, with the result that the writ petition of the first respondent on the file of the ***High Court shall stand dismissed.*** ■

DEARNESS ALLOWANCE – NOVEMBER 2025 TO JANUARY 2026

The Index Numbers for the quarter ended upto September 2025 are as under:

DA Payable for the months - Nov 25 to Jan 26

Index for Months	Index as per 2016 series
July 25	146.50
Aug 25	147.10
Sept 25	147.30
Average	146.96
New DA Rate (over 123.03)	23.93%
DA Rate for Previous Quarter	21.13%
Increase	2.80%

Accordingly, Dearness Allowance is payable to Officers is **23.93%** slabs with effect from 01.11.2025. The rates worked out are as per the industry level scales up to Scale VII including SBI. ■

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