



Human Resources Department, Salary Section
Union Bank Bhavan, 239, Vidhan Bhavan Marg, Nariman Point, Mumbai - 400 021.

STAFF CIRCULAR NO.7860

December 12, 2022

To: All Branches/ Offices

Reversal of amount kept in Sundry Deposit A/c on account of disposal of W.P in Hon'ble High Court of Madras.

Attention is invited to Central Office Circular no.5747 dated 05th April 2011, wherein, it was informed that on account of Injunction orders issued by Kerala and Madras High Courts, Branches / Offices were advised to control the TDS equivalent to tax element on contribution to Pension Fund by the new Pension optees in Sundry Deposit account with an instruction not to refund the amount to such optees of Pension scheme.

Now, we are in receipt of order dated 18.07.2022, passed by the Hon'ble High Court of Madras disposing the Writ Petition No. 8102 of 2011. The said writ petition has been disposed off by the Hon'ble High Court on similar lines with the order passed in WP No.8101 of 2011 (filed by All India Indian Overseas Bank employees Union) dated 06.09.2019, having identical facts and circumstances.

It may be noted that while issuing the Form-16 for F.Y. 2010-11, an Annexure was provided to each employee, detailing the amount that was held in Sundry due to the above-mentioned Writ Petitions.

As the TDS amount which was held in Sundry has to be remitted to the Tax Authorities, the following aspects are to be considered and complied scrupulously.

1. Branches/Offices shall send a letter to those pension optees (both Active and retired employees) whose TDS is kept in sundry of the respective branches/offices, seeking confirmation from such pension optees within 15 days from the receipt of the letter, for remittance of TDS amount to tax authorities.
2. In case of employees who have remitted the amount of TDS to the Tax Authorities on receipt of notice from Tax authorities, the TDS which has been kept in Sundry

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should not be remitted as it amounts to double taxation. In such cases, the amount held in Sundry account be refunded to the employees account after complying with the following:

- a. A letter should be obtained from such employees confirming that they have remitted the relevant Income Tax to the Tax authorities and requesting the Bank to refund the amount held in Sundry account.
 - b. Obtain the duly verified copy of documentary proof for having remitted the TDS amount equivalent or more in respect of Tax to be paid for FY 2010-11 (AY 2011-12).
3. After compliance of point no.1 and 2, the branches/offices shall keep ready the details such as PF Number, Name of the employee, PAN number of employee, TDS amount, Sol-ID, TAN Number etc., with duly reconciled. A detailed circular with regard to payment/remittance of the TDS will be issued by Taxation Cell, Finance and Accounts Department, Central Office, which can be used as a guide for remittance.
 4. In case the Branch has transferred the amount lying in their Sundry to Central Accounts Department earlier, then the same has to be informed to Central Accounts Department with employee wise details, who in turn will reverse such entries.
 5. In case of SOL merger, the amounts that were specifically parked in Sundry in above case of the merging branch needs to be transferred to the new SOL, along with details of the employee and corresponding amount related to each employee.

All are advised to make a careful note of the above as also convey the same to all those who are likely to be affected by the disposal of the writ.


Chief General Manager (HR)

