



**ALL INDIA BANK PENSIONERS' & RETIREES' CONFEDERATION  
(A.I.B.P.A.R.C.)**

**C/O BANK OF INDIA OFFICERS' ASSOCIATION  
(EASTERN INDIA BRANCHES)**

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Date: 28.11.2020

Circular no 112--20.

**For circulation among members of Governing Council, Special Invitees, State Secretaries and Advisors.**

Dear Comrade,

**Sub: Implementation of Organisational programmes - Submission of memorandum by each Affiliate to MD &CEO of respective Banks within 15th December,2020.**

As decided in the meeting of the Governing Council of AIBPARC on 24th November,2020 , We are sending herewith a draft memorandum which is to be submitted by all Affiliates under the joint signatures of President and General Secretary to the MD&CEO of respective Banks within 15th December 2020.The Affiliates of Merging Banks (where integration is yet to take place) will also submit the memorandum to the head of the Anchor Bank. On submission of the memorandum, a confirmation mail may please be sent to the office of AIBPARC.

As there was some difficulty in the manual noting of the proceeding of the virtual meeting, there had been a few errors which are corrected as under:

- (a) **Com. N.K. Pareek** (Central Bank), our Vice President took part in deliberations, but his name was not mentioned.
- (b) **Com. M.R. Gopinath Rao** (IOB) our senior Vice President took in deliberations, but his name was reported as Com. G. N. Rao.

**Members are requested to please take note of the above.**

With best wishes and regards,

Comradely yours,

Suprita Sarkar  
General Secretary

Encl: As stated.

**The Chairman,  
Indian Banks Association,  
Mumbai.**

Through: **The MD&CEO,..... Bank**

The Retirees of the Banking Industry are a long--neglected community. Although the **Hon'ble Union Finance Minister** told her mind clearly to The Chairman, SBI and your goodself (as IBA Chairman) **to attend to the Retirees Issues and also to treat them as the Members of the same family, no tangible results have forthcome in the desired direction.** The recently concluded 11th BPS has come as a Great Disappointment to Bank Pensioners that too after an unequivocal assertion by the Hon'ble Finance Minister to the Annual General Meeting of Indian Banks Association on the previous day only to take care of the issues of the Bank Pensioners and Retirees with a sense of urgency and concern .

Although AIBPARC/CBPRO have repeatedly brought the issues in detail, we once again narrate hereunder the areas of deprivation and make an earnest request to you to kindly redress our grievances immediately and without any further delay as the same is costly for many Retirees since they are over-aged and quite a many have already left this world with a Deep Sense of hurt of being deprived of their just entitlements .

### **1.Updation of Pension:**

Pension of Bank Retirees has not been revised since 1992 although successive wage revision has taken place for serving Employees and Officers. There have been several judgements of Hon'ble Supreme Court that wage revision and Pension revision are inseparable and that **Pension is not a bounty but a deferred wage.**

**\*\*Bank Pension Regulations are modelled on the patterns of RBI and Central Government employees.** In both the cases, Updation of Pension takes place **whereas it is denied to bank employees. The provisions of Updation have been clearly spelt out in Regulation no 35(1) and duly supported by Regulation no 56.**

**\*\*Updation of Pension is a statutory obligation on the part of the Bank since Bank Employees Pension Regulations are duly notified in the gazette of Government of India after placing the same in parliament. In Government Gazette Notification no 9 dated 1st March,2003, it has been clearly written:**

**"Basic Pension and additional Pension, wherever applicable, shall be updated as per the formula given in Appendix no 1".**

### **2.Family Pension**

We convey our thanks and gratitude to you for resolving the long pending issue of improvement of Family Pension in line with the employees of GOI and RBI. This is within our knowledge that the original recommendation of IBA in this regard was made nearly 18 months back from now, Still the mention of the condition of **"subject to Government approval"** is quite disappointing to the retirees. we shall request you to kindly use your good Offices to obtain the clearance and implement the same along with revised wage revision agreement for serving Employees and Officers.

### **3.100pc DA neutralization to Retirees of Pre--November,2002:**

Following the patterns prevalent in GOI/RBI, Banks introduced uniform 100,pc DA neutralization in place of tapering DA from 8th Bipartite Settlement. The settlement never excluded those who retired prior to November,2002 but it is most unfortunate that a small segment of Retirees of older age group were discriminated against. Such action flouted the spirit of standardization and also the basic

spirit of the verdict of the oft--quoted Nakara case **he Record Note of 2015 was sympathetic to the issue but it was not attended to at that point of time because of its being Sub-judice. Now it can be settled as there is no legal obstacle.**

#### **4 .Ex Gratia to Pre 1st January 1986 Retirees.**

The survivors are hardly less than hundred and the surviving Women Spouses of such deceased Bank Staff are also handful .Those were the Retirees who lost the Benefit of Pension due to the cut off date need relief substantially by way of good increase in their Ex Gratia payment.

#### **5.Group Medical Insurance Scheme for Bank Retirees:**

**DFS by letter dated 24.02.12 advised IBA to evolve a medical insurance scheme for serving Employees and Retirees. There was no advice from Government that Retirees would have to bear the premium by themselves.** Most unfortunately, at the instruction of IBA, the Banks made it a point that the Employer would not bear any financial burden for Retirees. The yearly premium escalated at the time of each renewal and presently it reached an unbearable proportion. we are not going for details of increase each year as full records are available with IBA. **Our logical demand is that the Banks in recognition of our past services will have to bear full portion of the annual premium as designed for the Serving Employees and Officers.**

#### **6. Reckoning of Special allowance for the purpose of calculation of superannuation benefits:**

From 10th Bipartite Settlement onwards, the concept of Special allowance came into existence which is paid not for doing any special duty or assignment but paid to award staff/Officers of all scales irrespective of the jobs handled attracting Dearness allowance but it does not count for superannuation benefits. we are of the view that it is not a legally tenable situation. **Our demand is that the special allowance component should be reckoned for superannuation benefits.**

#### **7 Wrongful recovery made from Pensioners on account of payment of consequential Commutation arrears arising out of the SC judgement in Pension Civil Appeal No 5525 of 2012.**

As IBA did not issue any uniform guideline to Banks as regards calculation of payment of arrears of commutation and left it upon Banks to take legal opinion of their own, the Banks took divergent course of action resulting in wrongful recovery from Pensioners and created a large scale dissatisfaction among the elder citizens. **Most of the Banks have violated Regulation 41(6) of Bank Pension Regulations and Rule 6 of Central Civil Service (Commutation & Pension) Rules,1981by which we are protected as per Regulation 56 of Bank Pension Regulations. The problem created by most of the Banks have the answer in clearly spelt Rule 10A of Central Civil Service Rules referred above which states: "when the commutation amount was paid on more than one occasion on account of upward revision of Pension, the respective commuted amount of Pension shall be restored on completion of 15 years from the respective date."**

**We call upon IBA to issue uniform guidelines to all the Banks immediately and ask them to re-visit the calculation & rectify the anomaly. Another remarkable area of deprivation to the Retirees of Associate Banks (barring one) is that no arrear of commutation has been paid to them in spite of repeated demands. The issue may please be taken up with SBI authorities.**

## 8. Other important issues:

(A) There are a few left outs in the Industry who could not opt for Pension Scheme. As RBI allowed the same in pursuance of Government instruction, **the said facility may please be extended to the similarity affected persons in Banks.**

(B) There are a limited number of Resignees in the Industry who Offered services for an adequate number of years to make them eligible to opt for Pension, but they were denied to do so on the ground of resignation. **we request you to follow the spirit of honest Litigation policy and allow a few numbers of Resignees to opt for Pension.**

(C) Allowing stagnation increment to Retirees between 01.12.12 and 30.04.15

The officers who were due for stagnation increments between the above dates after having completed 2 years from the date of previous increment should have been allowed to earn their last stagnation increment from the date on which it fell due any time after 01.11.12. The benefit was, however, denied to the officers by a stipulation that 4th/5th stagnation increment will be given w e f 01.05.15 in MMG II & III. **This is an arbitrary provision without any logic .It should be set right immediately.**

## 9. Consultative status for Retirees Organisations:

Sir, you would agree that we have various different important issues to discuss pertaining to Retirees on an on-going basis. we must have a structured forum to consult. IBA's argument that Banks have not given it any authority to discuss Retirees issues does not have any force in it since it has been very often a party to the negotiation on Retirees issues. **By no standard of civilization, the right to talk of Retirees on issues affecting their interests can be taken away by any authority.** Bank Retirees are more than 7 lakhs as on now and the numbers will further go up with retirements in the offing. This big group of Senior Citizens of the Banking Industry cannot be ignored and **denied the right of discussing their issues with IBA to resolve their Issues and Demands**

**. We earnestly appeal to you to consider this demand of Bank Pensioners and Retirees to give them a sense of dignity and fair play during the evening of their life.**

With kind regards,

Yours faithfully,

President..... General Secretary.