



ALL INDIA BANK PENSIONERS' & RETIREES' CONFEDERATION

(A.I.B.P.A.R.C.)

C/O BANK OF INDIA OFFICERS' ASSOCIATION

(EASTERN INDIA BRANCHES)

BANK OF INDIA, KOLKATA MAIN BRANCH

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Circular No.18-19

Date 08.03.2019

**(For circulation among members of the governing council of AIBPARC,
State Secretaries, Special Invitees and Advisors.)**

Dear Comrade,

**Sub : (i) Updation of pension
(ii) Computation of special allowance in calculation of superannuation benefits.**

We reproduce hereunder the text of our letter dated 07.03.2019 on above subjects written to the Chief Executive officer, IBA

This is for information of members.

With best wishes,

(SUPRITA SARKAR)
GENERALSECRETARY

AIBPARC/IBA/CORRESPONDENCE/E-MAIL/2019

07.03. 2019.

**The Chief Executive Officer,
Indian Banks Association,
World trade Centre, 6th Floor,
Center 1 Building,
World Trade Center Complex,
Cuff Parade,
Mumbai – 400005.**

Respected Sir,

**Sub : (i) Updation of pension
(ii) Computation of special allowance in calculation of superannuation benefits.**

We, the retirees of the Banking Industry, are deeply enthused to note the contents of memo no. F/11/5/2001-IR dated 05.03.2019 signed by Shri Sanjay Kumar Mishra, Under Secretary to Govt. of India, DOFS, Ministry of Finance addressed to the Governor of RBI in terms of which RBI has been allowed to amend its Pension Regulations with regard to revision of pension and the mode of calculation has also been suggested.

Before taking up the issue with Government of India, we consider it prudent to write to you for the simple reason that most of the relevant documents are lying in your office. Much before Bank Pension Regulation came into existence, there had been series of meetings between top officials of IBA and representatives of workmen and officers' organisations. All such discussions are duly minuted. We are quoting from some such documents to show that Bank Pension Regulation is based on RBI/Central Govt. patterns.

Memorandum dated 29.10.1993 signed by IBA and leaders of workmen :

“ The pension scheme agreed on to be broadly on Central Govt./RBI pattern and details of the scheme will be worked out.”

Minutes of the meeting of small committee on pension held on 26.03.1994 signed by RN Godbole and others with top officials of IBA.

“This (formulation of Regulations) was to be done on similar lines as Reserve Bank of India Pensioners and Central Civil Service (Pension) Rules applicable to Central Govt. employees by making suitable modifications in relation to its applicability in the banking industry.”

There is a common clause in both the minutes which says “Provisions will be made by a scheme to be negotiated and settled between the parties to the agreement for applicability, qualifying service, amount of pension, payment of pension, commutation of pension, family pension, updating and general conditions.”

From the above quotations, it is clear that Bank Pension Regulations was formulated on the pattern of RBI/Central Govt. When Govt. has already approved updation of pension in case of employees and officers of RBI, we call upon all concerned to apply their mind once again on this long-neglected demand of bank pensioners and act fast in a pro-active manner. It would be our earnest request to you to please forward all the referred documents to Govt. of India with necessary recommendations.

2. Reckoning special allowance for terminal benefits :

Your kind attention is drawn to the judgement of Supreme Court delivered on 28th February, 2019 where it has been held that when a special allowance is paid to all employees, whether on duty or on leave, it is nothing but basic wages and has therefore to be reckoned for computation and contribution to Provident Funds of employees by employer. Applying the same judgement, special allowance introduced in 10th Bipartite settlement has to be reckoned for payment of gratuity and pension. This judgement bears reference no. Civil appeal 6221 of 2011 filed by Regional Provident Commissioner (ii), West Bengal and various other companies. This is our earnest request to you to examine the referred judgement in its true spirit and by following an honest litigation policy, the issue may please be resolved through bilateral negotiations.

Considering the urgency, we are sending the letter by email and the hard copy will go by speed post.

With kind regards,

(SUPRITA SARKAR)
GENERAL SECRETARY