



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 23A,
NETAJI SUBHAS ROAD, KOLKATA - 700 001
Mobile: 9674188524, E-mail : aibparc2@gmail.com

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Senior Office Bearers
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GENERAL SECRETARY SHRI S. SARKAR MOB - 9674188524
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2. SHRI P.S. PATKI MOB - 8805607239
3. SHRI S.B.C. KARUNAKARAN, MOB - 9444772016
4. SHRI A.N. KRISHNAMURTHY, MOB NO. 9845697198
5. SHRI S. KUPPUSWAMI MOB- 9444315928
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9. SHRI N.K. PAREEK MOB - 9829015773
10. SHRI S. NAGARAJ MOB - 9986644118
11. SHRI PRAKASH KAROTYA MOB- 9818821395
TREASURER: =====
SHRI TARUNESH CHATTERJEE, MOB -9051601591

For circulation among members of the Governing Council, State Secretaries, Special Invitees, Advisors, Affiliates, Constituents of CBPRO and Members.

Dear Comrade,

Sub: "They" have acted on predictable lines – relevant Regulation of BEPR (1995) completely ignored –RBI formula of Pension Updation thrown away in the air – decide to pay ex gratia in the form of alms to Pensioners reducing their stature to beggars – MOU between IBA and UFBU arrived dashing the hopes of their Elders on the Midnight of 7th December, 2023 – our demand for pension updation gets stronger than ever and struggle is on.

1. We quote hereunder point number 5 of the referred MOU signed on 7th December, 2023. The paragraph is self-explanatory.

"Without prejudice to the demand of unions/associations for updation of pension for all retirees, it is also agreed that as a one-time measure applicable for the current bipartite/ Joint Note period, monthly ex-gratia amount will be considered along with pension by PSBs to pensioners, who were drawing pension as on 31/10/2022. The applicability of the said ex-gratia for the retirees of the current settlement period will be discussed further. The said ex-gratia amount will not attract any other allowance including dearness allowance."

2. The word "ex-gratia" means a payment given as a favour rather than because of any legal requirement. It is a payment by virtue of grace. This is a voluntary payment which is not a part of an Institution's legal liability. In our opinion, it has the following connotations:

*The parties to the MOU have understood that the present quantum of pension given to a retired individual is not sufficient and that is why some "mercy" is to be shown to them. Though the attitude is obnoxious, the belated perception is at least a forward movement in the negative sense of the term. Whatever may be the formula to be decided for payment of ex-gratia, it will create gross discrimination in the entire community of Retirees.

*The parties to the MOU should have understood and appreciated that there is no such provision of payment of ex-gratia to Pensioners in the Pension



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Regulations who have retired after 01.01.1986. There was only one Regulation (the oft-quoted 35.1-Appendix 1 with amendment in 2003) by which the position could have been set right. The IBA was required to declare the updation formula in respect of each Bipartite Settlement and the implementation was needed in the pattern of RBI. This has also been very unfortunate for us to note that UFBU never made a demand for declaration of the updation formula although relevant provisions of law have been made available to them at different points of time. The shyness and obstinacy on the part of the constituents of UFBU emboldened the defence mechanism of IBA to make a stubborn denial of the valid demand of Pension Updation. It is unfortunate that IBA--UFBU Combine are attempting to reduce the very well-articulated Pension Regulations into Ex-gratia mess and we wonder to see the alarming signals of converting Periodical Wage Settlements for Serving Employees and Officers also into Ex-gratia in future.

It is appalling that the UFBU Constituents have either not understood or ignorant of the fact that Bank Pension Scheme is a defined Pension scheme where the entitlement of Pension including Updation are well defined as per Pension Regulations which are Statutory Provisions with force of law. Continuously the IBA -- UFBU have distorted Pension Regulations, be it different DA index merger for Serving Workforce vis a vis Pensioners in the 7th Bipartite Settlement, Denial of Additional years Benefit to Special VRS optees, Denial of Pension option to CRS and Resignees, Denial of Regulation 26 for Specialist Officers and most strikingly Denial of 100 Percent DA Neutralization to Pre-November 2002 Retirees. Fortunately, Judiciary came to the rescue of Retirees. And so far as 100 percent DA, due to the persuasion by Pensioners Organisations. Sadly, the herculean efforts put in by the then Visionary Leaders Comrades R N Godbole of AIBOC, Tarakeshwar Chakraborty of AIBEA, and Lakshminarasiah of NCBE bringing out the Pension Scheme and Pension Regulations for Bankers are being diluted and distorted in a planned way. At the same time some Leaders of UFBU are lauding themselves of realizing the dreams of Pensioners for Ex-gratia/ Improvement in Pension is reprehensible and showing callous disregard to the legal entitlements of Bank Pensioners.

***Through the clouded sky, the ray of Sunshine is sometimes seen. This is good to see the use of the words: "without prejudice to the demand of unions/associations for updation of pension for all retirees"- it is, therefore, clear that our demand is just and legitimate and its force is in no way diminished by the alms given or proposed to be given in the MOU.**

*After almost a year- long battle of conceptual struggle, we have been able to make "them" forget at least for the time being the use of the group of words "Past Retirees". The Retirees have now been taken as a single and homogeneous community. Our letters written to Hon'ble Union Finance Minister, DFS, and IBA have created this impact that the artificial bifurcation would not stand the test of law.

3. Members will have to understand that the demand for Pension Updation remains in the canvas with greater force of law. We are to continue our struggle with religious dedication till we achieve the desired goal. We are once again to remind you of the tasks ahead.

*Make all- out efforts to see that the entire membership and even beyond it (the other willing Retirees) join the campaign of on-line memorandum and make their feeling of grievances known to IBA and GOI. The success of this campaign has a larger significance that members demand updation in real sense and not the disrespectful ex-gratia. It has been noted with displeasure that some of the constituents of UFBU have described the decision to pay ex-gratia as an



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improvement in pension for all pensioners. This is unfortunate to see the perceptual bankruptcy.

*Once the current campaign is over by the end of the year, the organization will take stock of the events and decide further course of action. Our legal fight in Judiciary, our physical demonstration of strength in streets and our persistent follow up with all concerned will continue with still Greater Zeal, Vigour and with all force at our command.

*Members stationed in different parts of the country have been making telephone calls to the principal office bearers for the very natural reason of knowing the updates. We, therefore, request the General Secretaries of all affiliates and constituents of CBPRO to give largest publicity to this particular communication.

With best wishes and regards,

Comradely Yours,

K V Acharya
President, AIBPARC
& Jt. Convener, CBPRO

Suprita Sarkar,
General Secretary