



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

Dear Comrade,

Sub: 11th BI-Partite Settlement

Pending issues of Bank Pensioners and Retirees

We like to convey to all our affiliates and members that AIBPARC has sent a detailed representation on above subject to all the constituents of UFBU on 21st August, 2019. A copy of the said representation is reproduced here under for information of members.

With best wishes,

Suprita Sarkar

General secretary

Quote:

**11th BI-Partite Settlement
Pending issues of Bank Pensioners and Retirees**

We are glad to learn that the next meeting with IBA for discussions on impending wage revision is scheduled for 29th August, 2019. We believe that it is an outcome of sustained efforts on the part of UFBU. We are confident that under stewardship of UFBU leaders, the Bank Officers and Pensioners will get a fair settlement and resolution of all pending issues including the ones which found a mention in the Record Note dated 25.5.2015 signed between IBA and the constituents of UFBU.

CBPRO Constituents viz Federation of SBI Pensioners Associations, AIBPARC, RBONC, FORBE and AIRBEA along with AIBRF have been taking up the pending issues of Bank Pensioners and Retirees with the constituents of UFBU, more particularly with AIBOC with a

fond hope that the long pending issues of Bank Pensioners and Retirees shall be resolved amicably at least at the time of signing of ensuing wage revision settlement. To recapitulate, we once again furnish the pending issues of Bank Pensioners and Retirees here under with a request to ensure that the same will get due attention leading to amicable resolution:

1. **Family Pension at Uniform rate of 30%** of last drawn Basic Pay as being paid to Government and RBI Family Pensioners (Regulation 56).
2. **Updation of Basic Pension** as provided in Pension Regulation 35(1) read with 56.
3. **Uniform 100% DA Neutralisation** which found a mention in Record Note with a response from IBA that the matter was then sub-judice but from a humanitarian point of view, IBA might examine feasibility of providing 100% Dearness Relief neutralisation to Pre November – 2002 retirees. Now that the matter is no longer sub-judice, IBA may be requested to consider the same.
4. **Medical Insurance to Retirees:** Government of India vide its letter no:14/7/92-IR(Volume II) dt 24.2.2012 advised to formulate a Medical Insurance scheme both for serving and Retired employees. The said letter did not advise the IBA/Banks to discriminate between serving and retired employees with regard to the Premium. However, the retirees were made to bear the premium while for serving employees it was borne by the Banks. There is urgent need to remove such anomaly more so when the premium for retirees have been increased every year enormously.
5. **Reckoning of Special Allowance for Pension and Gratuity:** It was introduced as an integral component of monthly salary in the last settlement and was not assigned to any special function or duty performed by them. In view of the judgement dated 13.2.2018 the Hon'ble Supreme Court held in Civil Appeal no: 5525 of 2012 that any settlement being arbitrary and repugnant to other provision/regulation like 2(d), 38(1) (2) and 35 was illegal. It may be appreciated that the exclusion clause in special allowance which made it unreckonable for terminal benefits is akin to the explanation(c) to Pension Regulation 2(s) and hence is arbitrary and illegal. It was again held by the Hon'ble Supreme Court on 28.2.2019 in Civil Appeal No:6221 of 2011 that the Special Allowance payable to all the employees without exception and also during their leave period, not being assigned to performance of any specific duty is an essential component of Salary/Pay.

In view of the above Judicial pronouncements by the apex court the exclusion clause in the special allowance with regards to its reckoning for Pension and Gratuity is illegal ab initio. IBA may therefore be requested to reckon the special allowance for the purpose of computing Pension and Gratuity wef 1.11.2012

6. **Additional Stagnation Increment** to those who retired between 1.11.2012 and 30.4.2015: The Joint Note dated 25.5.2015 provided for grant of last/additional increment on completion of two years or more after getting the previous stagnation increment with stipulation that the increment which fell due after completion of two years from the date of grant of previous stagnation increment will be given wef 1.5.2015. It left those officers who were due for additional stagnation increment between 1.11.2012 and 30.4.2015 after having completed two years from the date of previous stagnation increment, disentitled from the respective date as the Joint Note provided its release wef 1.5.2015. This arbitrary denial has adversely affected those officers who retired between 1.5.2015 and 29.2.2016 in terms of reduced Basic Pension and complete loss of arrears on this count. This denial also needs rectification retrospectively.

7. Abolition of New Pension Scheme: The introduction of New Pension Scheme for those who are recruited after April 2010 has deprived them the benefit of Defined Benefit Pension Scheme. In view of the fact that the Pensioners constitute a vanishing pride, it is important to ensure a fair and equitable social security to all employees and also ensure perpetuity of Bank Pension Fund by extending the coverage of Defined Benefit Pension Scheme to all Bank employees and Officers irrespective of their date of recruitment. The New Pension Scheme should consequently be abolished and Justice rendered to new generation of Bank employees and Officers.

It is also pertinent to mention that the Public Sector Banks have been utilised as special purpose vehicle for not only carrying out the Government Schemes and Programmes but also to do odd non banking jobs including crisis management. Even in recent times the Bankers have undertaken the programmes like PM JanDhan Yojana, Mudra loans, Start up India, Stand up India, Direct Benefit Transfer, Digital Banking, MSME loans, Demonetisation and latest being the most ambitious programme of Hon'ble Prime Minister to make India a 5 Trillion Dollar Economy with the active involvement and efforts on the part of Bank Officers and Employees. These extra ordinary initiatives on the part of Bank Officers, Employees and Retirees call for creation of correspondingly rewarding work atmosphere and monetary compensation to serving and retired employees.

We request you to take up the foregoing issues with IBA for amicable resolution in the ensuing meeting.

With Regards,

Yours Comradely,



K V Acharya

Suprita Sarkar

President

General Secretary.