



# 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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Circular no. 68-22

Date: November 03, 2022.

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

Dear Comrades,

**Sub: Discussion held between IBA and AIBPARC on 11<sup>th</sup> October, 2022.**

We are reproducing hereunder the text of our letter written to The Chairman, IBA on date on the above-referred subject. This is for information of members.

With best wishes and regards,

Comradely Yours,

Suprita Sarkar  
General Secretary.

Encl: :As stated.

**AIBPARC/IBA/Retirees Issues/EMAIL/2022. DATE 3<sup>rd</sup> November, 2022**

**Shri A.K. Goel Ji,  
Chairman,  
Indian Banks' Association,  
Mumbai**

**Sub: Discussions held between IBA and AIBPARC on 11.10.22.**

We wish to invite a kind reference to the discussions we had with the top level IBA officials on 11.10.2022 at the Office of IBA at Mumbai on the long pending demands of the Bank Pensioners and Retirees. We have been escalating all the issues to different layers of authorities on an on-going basis. The rationale, justification, legitimacy, Government Guidelines, copies of Subordinate Legislation, Gazette Notifications, and the historical background of the issues along with the supporting documents like Bank-wise Calculations of the Updation Costs have already been submitted by us to IBA and DFS. The entire proceedings of the discussion in the meeting have been reported to IBA by us.



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

There is no gainsaying on our part to say that the meeting was hurriedly called by IBA at the kind intervention of the Hon'ble Union Finance Minister with whom we had a meaningful meeting on 4.10.2022 at her Office at North Block, New Delhi. She was kind enough to not only give us a patient hearing but also assured us that IBA would be advised to look into the pending Grievances

Accordingly, meeting was convened by IBA. WE appreciate that You gave us a patient hearing for more than three hours in a mutually cultivated courteous climate. We are thankful to you for that. But that alone is not adequate. We are eagerly looking forward to amicable resolution of our long pending grievances. But it is disheartening to note that despite a lapse of three weeks, there is no indication to us from IBA on any of the issues discussed in the meeting. We, therefore rest our hopes on the leadership of IBA under your able guidance and request for an early and favourable response.

**We wish to mention the issues discussed in the meeting with Hon'ble FM and IBA for a ready reference hereunder:**

**1) Pension Updation**

**2) 100% DA neutralization for pre–November 2002 Retirees**

**3) Group Medical Insurance Scheme for Retirees for the period 01.11.2022 to 31.10.2023**

**4) Reckoning of Special Allowance for superannuation benefits**

**5) Improvement in Ex-gratia for pre 1986 Retirees**

**6) Extending Pension Option to Resignees who completed Pensionable Service in the Bank and**

**7) Granting Consultative Status to the Retirees' Organisations.**

**We would like to share our perception and the impression gained after discussions with IBA on various issues.**

\* We noticed a reluctance on the part of IBA in respect of two issues -

i) Reckoning of special allowance for the purpose of calculation of superannuation benefits on the ground that it was decided in two consecutive Bipartite Settlements/Joint Notes by and between IBA and Constituents of UFBU.

We had mentioned that it is not a functional allowance and is reckoned for leave encashment and is payable even during the period of leave. It also attracts Dearness Allowance at the same rates as payable on the Basic Pay. Hence be considered for the purposes of superannuation benefits viz, pension and gratuity.

ii) The issue of Resignees on the ground that though IBA would like to go by Court Verdicts but at the same time it was the considered view of IBA that they would not reopen the chapter as Retirees were fully aware of the consequences of resignation. But suggested to us that the issue could still be reopened and further discussed.

We had requested IBA that a group of people in Vijaya Bank had been extended the benefit of Pension Option as they got a favourable judgement from the Hon'ble Supreme Court and also in cases of few individual Petitioners and that being a judgement of the Apex Court, the benefit should be extended to all similarly placed persons. The number of such members is not large.

\* We noticed that IBA was quite favourably inclined, responsive and sensitive in respect of the issues of **100 per cent DA neutralization for pre–November, 2002 Retirees and improvement of Ex-gratia to pre 1986**



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**Retirees.** We had a very reasonable expectation that some forward movement would be visible at a quicker pace and IBA would send its reasoned recommendations to MOF/GOI.

We are disheartened again, after seeing the characteristic silence on the part of IBA. In as much as these two issues pertain to Super Senior Citizens of the industry, we had requested for immediate resolution and relief. We appeal to the Collective Conscience of all in IBA & Government not to further delay the Justice to those Respected Elders of You and Us as they are in the evening of their life.

\*On Medical Insurance Scheme for Bank Retirees, the views of both the sides went in tandem. IBA was of the view that the reduction of premium was possible only when certain clippings/ceilings are agreed upon on reimbursement of cost of certain diseases and some other compromises are to be done in respect of different conditionalities. Everything appeared to us to be the proposal for the coming years. As against this, we demanded absorption of the premium by Banks in line with the serving employees since GOI guidelines dated 24.02.2012 never stipulated that the premium was to be borne by the Retirees. It rather advised to evolve a Medical Insurance Scheme both for serving and retired employees. It is unfortunate that IBA while signing a settlement, treated the retirees arbitrarily in a discriminatory manner. However, we were assured by the IBA Officials that the Management Committee of the IBA and also all MDs of the Banks are very keen to help solve this issue and ameliorate the plight of the Retirees in respect of Medical Insurance Premium and IBA is totally seized of the issue to work out a good relief for the Retirees this year itself.

\* On consultative status to all the affiliate-based Organisations of the Retirees', we insisted that the Apex Retiree Organisations are the only homogeneous group for the Pensioners and Retirees and they are the competent representatives to discuss the issues of the Bank Pensioners and Retirees. The serving organisations cannot represent the interest of Retirees in the truest sense of the term since their aims and objects are bound to be heterogeneous in nature and their claim to be the representatives of both the serving and the retired employees is fraught with conflict of interest. Moreover, they do not carry any mandate from the pensioners as they are not elected by the pensioners and retirees. IBA mentioned their oft-repeated contention that they act as per the desire and mandate of the authorities of different Banks. It is beyond comprehension that IBA deals with UFBU without obtaining the mandate from the Pensioners and Retirees. We once again emphasized the urgency to discuss the Bank Pensioners and Retirees issues with the Pensioners and Retirees Organisations and for that they may call all Apex level affiliate-based Organisations collectively or individually as IBA did with AIBPARC by calling for discussion. We reiterate that the authorities of Banks take resolutions in boards as per the covert/overt advice of IBA/GOI and they should support grant of consultative status by IBA to the organisations of the Bank Pensioners and Retirees.

\* The most important issue on which both the sides spent a longer time is Updation of Pension. We submitted documents one after another which are relevant to the issue. We also asked IBA officials if there was any lack of clarity on our part and also if IBA had any hesitation in respect of the authenticity of documents placed. We also requested that if IBA could find any anomaly in the calculation sheet on cost of pension updation submitted by us, we are agreeable to appear before the officials to clarify the doubts. The reply of IBA was that they had been seized with the issue. There is no doubt that IBA has placed its feet on a board which is anomalous by itself. While it is opposing Pension Updation lock, stock, and barrel in the Supreme Court by filing an affidavit wrongfully denying provision for Updation of Pension in the Bank Employees Pension Regulations, the same body is telling in negotiation that they are seized with the issue. With all honour and respect for the views expressed by IBA, we feel that IBA should come out with the truth and notify the periodical Updation formulae as per Appendix-I to Regulation 35 (1). We are constrained to have an impression that it is aimed at a time killing exercise so that the number of affected persons perish at a faster rate with the passage of time and law of nature.

\*In the context of submission of the charter of demands by different Serving Organisation's, we are extremely hurt and have serious reservations and apprehensions about their perceptions and understanding of Pension Regulations in general and about Regulation 35 (1) as amended in 2003 in particular. Unfortunately, they have missed the point that Bank Pension Scheme is on the lines of Government and RBI Pension Scheme with added advantage of being Statutory Provisions in so far as Bank Pension Regulations are concerned



# ALL INDIA BANK PENSIONERS' & RETIREES' CONFEDERATION



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

and hence a Statutory obligation to update pension as already provided in Regulation 35(1) amended in March 2003 and dully published in the Gazette of the Union of India. Bank Employees Pension Scheme is also a Defined Benefit Pension Scheme. We would like to make it categorically clear that the Updation of Pension is a Statutory obligation of the Banks as per Regulation 35(1) of the BEPR, 1995 but its implementation is being kept in abeyance or denied because IBA is not notifying the updation formulae as done in case of RBI Pensioners wef 01.03.2019 in respect of each Bipartite Settlement/Joint Note. It is not an issue of negotiation to bring Pension Updation on surface but the real issue is the implementation of the Regulation which is already there in the BEPR (1995). It will not be out of place to mention here that all the Regulations of BEPR (1995) including the most retrograde ones for the retirees have been implemented except Regulation 35(1) which details about the modalities of Updation of Pension.

Sir, we do not like to see that the current negotiation which has already started with AIBPARC turns to be mere ritual. We like that IBA should come out of its age-old inhibitions in regard to certain issues in the changed context and have a transparent view on the arguments and documents placed by us in course of discussion. We once again assure that we are under obligation to explain if any further clarification is required in our presentation. We conclude with the demand that the forum for structured discussions at periodical intervals be opened for the Bank Pensioners and Retirees Organisations and that the issues are taken forward towards logical conclusions. We expect immediate implementation of Regulation 35 (1) with declaration of Pension Updation Formulae in respect of all the wage settlements since 1992 in line with Government/RBI Formulae with the same date of effect.

We will highly appreciate Your very positive response to the above issues.

With Kind Regards,

(K.V. ACHARYA)  
PRESIDENT, AIBPARC  
& JOINT CONVENOR, CBPRO

(SUPRITA SARKAR )  
GENERAL SECRETARY