3RD TRIENNIAL CONFERENCE

17TH MARCH 2013

AT

HOTEL AJANTHA

22A, MAHATMA GANDHI ROAD

BANGALORE 560 001

VIJAYA BANK RETIREES’ ASSOCIATION(Regd.)

(Affiliated to A.I.B.R.F.)

General Secretary’s Report &

Other Documents

**VIJAYA BANK RETIREES’ ASSOCIATION(Regd.)**

**(Affiliated to A.I.B.R.F.)**

**CENTRAL OFFICE**

**TKV MEMORIAL, P.B.NO.3673, COLLEGE P.O. MAHAKAVI BHARATHIYAR ROAD,**

**NEAR K.S.R.T.C. BUS STAND, KOCHI – 682 035**

**NOTICE**

**Kochi**

**11-02-2013**

Notice is hereby given to All the members of Vijaya Bank Retirees Association that the 3rd General Body Meeting of the Association shall be held on Sunday the 17th March 2013 at Hotel Ajantha, 22-A, Mahatma Gandhi Road, Bangalore – 560 001(Phone No.244844321(5 lines)Grams: “Ajantha”, Fax (080)25584780) to transact the following:-

AGENDA

1. To adopt the report of the General Secretary
2. To adopt the statement of accounts
3. To consider all such Resolutions of which previous notice of 15 days in writing has been given by any member of the union to the General Secretary.
4. To adopt the resolution recommended by the Central Committee.
5. To discuss and adopt the amendment of the Constitution.
6. Any other issues that may be brought forward with the permission of the Chair.
7. To elect Office bearers for the ensuing term.

All members are requested to attend the meeting.

S.G.EMBRAN

General Secretary

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GENERAL SECRETARY’S REPORT PRESENTED FOR ADOPTION BY THE GENERAL BODY MEETING AT ITS 3RD TRIENNIAL CONFERENCE HELD ON MARCH 17TH, 2013 AT BANGALORE

DEAR FRIENDS,

Mr. President, dignitaries in the Dias and dear delegates.

I stand before you to present the report of our activities from 01-06-2009 to 31-12-2012. First let me extend a warm welcome to all of you on behalf of our Central Committee. Our pleasure gets further multiplied with the fact that we are assembling and holding this delegate’s session near to our Head Office.

IN MEMORIUM:-

Since this body met last time in Mangalore on 30th and 31st May 2009. We have lost many of our friends and members:-

1. A.I.Kunjupalu Trichur
2. K.M.Mathen Kototayam
3. C.Radhakrishna Kaimal Sherthala
4. K.M.Rajjamma Tripunithura
5. E.S.K.Namboodiripad Tripunithura
6. Cheriyettan raja Calicut
7. P.M.Surendran Calicut
8. Ajith Panangad Kannur
9. K.Narayanan Kannur
10. Arunkumar Calicut
11. Pushpalatha Udupi
12. K.Seetharama Shetty Mangalore
13. Chandrai gowda Mysore
14. Krishnakumar Shetty Udupi
15. Premavathy Shetty Mangalore
16. V.Padmanabhan Nair Perinthalmanna
17. R.Mani Kottagiri
18. H.Amjad Ali Chennai
19. M.G.Sankarappa Hosdurg
20. Ramalingam Salem
21. Bhanu Prakash Bangalore

Nature had snatched away many great leaders, thinkers, sport persons, artistes, eminent personalities, trade union leaders, Leaders of Retirees’ Movement, members of retirees organizations, their family and several unknown people who became victims of natural calamities, flood and terrorist attacks etc. Some of the prominent among them are as under:-

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M/s.Sri.Sathya Sai Baba, F.M.Hussain, Brijesh Mishra, Sujatha(Actress) Sidharthsankar Ray, M.Eknath Pai, Neil Armstrong, Nawab of Pataudi, Y.R.Chopra, K.C.Pant Dr.Y.S.R.Reddy, Bhimsen Joshi, C.K.Chandrappan, Malaysia Vasudevan, Devanand, Dr.Varghese Kurian, Rajesh Khanna, K.Karunakaran, Bal Thackarey, Dara Singh, Lakshmi Sehgal, R.N.Godbole, S.K.Jain, I.K.Gujral, Jyothi Basu, Vasant Sathe, Arjun Singh, Shammi Kapoor, Elizabeth Taylor, Pandit Ravi Sankar.

We pay our tribute to the departed colleagues, personalities and offer our condolence.

DEVELOPMENTS

GLOBAL ECONOMIC POSITION:-

Several crisis in the financial sector was witnessed during the last three years which resulted in the failure of banks in the west. The Champion of globalization has been advocating that the consolidation of banking sector through merger and acquisition to create bigger corporate entity. This do not hold good. The collapse of the investment bank including several mutual funds was a great set back to the senior citizens. The pension fund all over the west were being used for this speculative operation.

The last few years have been marked by a great global capitalist crisis, the severest since the great depression of the 1930s. The prolonged crisis of capitalism in the 21st century underlines the unsustainability of finance driven capitalist globalization. The impact of the crisis is such that it hit even the people of advanced capitalist countries in Europe. The ruling classes have bailed out the big banks and imposed drastic austerity measures on the people which are nothing but Nationalisation of losses and privatization of profits.

Widespread protests by the working class and other sections of the people emerged in the form of struggles against the nasty attacks on their livelihoods and living standards. The “Occupy Wall Street” movement, the protests in Tahrir Square in Cairo, Green Square in Tripoli and Syntagma Square in Athens and the general strickes in Portugal and Spain are nothing but a clear signal demanding an end to the neo-liberal policies.

NATIONAL ECONOMIC POSITION:-

With an impressive record of 8% to 8.5% growth rate for 4 years, India’s GDP growth slowed down to 6.5 per cent in 2011-12, mainly due to sharp slowdowns in the manufacturing and mining sectors and the impact of the slowing world economy. The agriculture sector grew by 2.8 per cent in 2011-12. Even as economic growth slowed down, annual WPI inflation continued to persist at 7.2 per cent in April 2012, with food inflation touching 10.5 per cent. India’s trade and current account deficit has also been widening in the backdrop of a slowdown in exports and high import demand for oil and gold. The current account deficit increased from 2.7 per cent of GDP in 2010-11 to 4.3 per cent in the third quarter of 2011-12, which is a matter of serious concern.

The UPA Government, in its pursuit of neo liberal policies, is continuing its attack on the common man by heaping loads of burden on the shoulders of working people. The stark reality of the poverty is being pushed back by fixing fraudulent poverty lines with leaders of the ruling elite coming out in open, saying that with a mere twenty rupee note will bring three meals a day. The government instead of strengthening the Public Distribution System is moving ahead with a vengeance to allow speculation in food and essential commodities through future trading.

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The present Government has also set a new record in corruption. The level of corruption and the loot of natural resources under the present regime have no parallel. The removal of subsidies in all areas, the increase in the price of domestic LPG and fuel etc has made the prices of essential commodities to skyrocket. Instead of containing inflation and contain the price rise, the Government says that it does not have any magic wand. Government is unable to properly respond to the situation.

INFLATION:-

Inflation has sky-rocketed in the last 3 years because of global reasons as well as various policy decisions taken by the Central Government in the name of economic reforms. Consumer Price Index which was 3819 at the beginning of 2010 has climbed to 4709 in August 2012 registering an increase of 890 points which was unimaginable a few years back.

On account of increase in the cost of living index, Bank Pensioners are being compensated through increased dearness relief as follows:-

Month & year: Increased dearness relief in slabs:

February 2010 91

August 2010 27

February 2011 61

August 2011 27

February 2012 60

August 2012 48

February 2013 67

Such unprecedented increase in inflation is cause for worry to all of us as it puts serious pressure on our purchasing power despite the fact that bank pensioners are compensated to certain extent with half-yearly review in dearness allowance. We demand from the government to take urgent and effective steps to contain inflation to the tolerance level particularly in essential commodities.

DEARNESS RELIEF ON PENSION GONE UP SINCE ITS INTRODUCTION IN 1993:-

YEAR: AVERAGE PRICE INDEX: INCREASE IN SLABS: DA RATE % IST SLAB(OVER

600 POINTS)

NOVEMBER 1993 1216 -- 103.18

FEBRUARY 1994 1296 20 116.58

FEBRUARY 1995 1480 33 138.69

FEBRUARY 1996 1572 36 162.81

FEBRUARY 1997 1716 36 186.93

FEBRUARY 1998 1812 24 203.01

FEBRUARY 1999 2136 81 257.28

FEBRUARY 2000 2144 2 258.62

FEBRUARY 2001 2208 16 269.34

FEBRUARY 2002 2312 26 272.69

FEBRUARY 2003 2396 21 300.83

FEBRUARY 2004 2476 20 314.23

-: 5 :-

FEBRUARY 2005 2580 26 331.65

FEBRUARY 2006 2712 33 353.76

FEBRUARY 2007 2896 46 384.58

FEBRUARY 2008 3056 40 411.38

FEBRUARY 2009 3368 78 463.64

The DR which was 103.18% in November 1993 when the Pension scheme was introduced has gone upto 463.64. Thus when prices are soaring high, a monthly income linked to cost of living index is the best option.

BANKING:-

Banks are financial institutions and are like a fulcrum around which the economy of a nation revolves. The present UPA government has undone what the Indira Gandhi Government did. Mrs. Gandhi nationalized the banks in 1969 which were in private control. All these banks were linked to industrial houses. The recent amendment in the banking arena, is turning the wheel to a full circle. The Nationalized Banking industry, ever since the advent of reforms in the country is a constant victim of derision and denigration and private sector is being projected as the only panacea for all ills. The amendments in the banking law coupled with new bank licensing policy to be unleashed by the RBI are clear indicators that a dangerous shift in the policy to be unleashed by the RBI are clear indicators that a dangerous shift in the policy is on the anvil. This will pose a serious threat to the mass banking concept. Worldwide financial system is crumbling and as on date more than 470 banks, big and small have collapsed in United States in a span of 47 months, which means on an average 10 banks collapse in a month. The recent pronouncements by IMF warning India to move ahead with caution and not to give banking licenses to corporate, clearly indicates that Mr. Chidambaram is going in a wrong direction.

It is against this inhumane and anti people approach of the UPA Government, the working class of the country conducted a general strike on 28th February 2012. Cutting across all political lines, ideologies, millions of workers belong to different trade unions struck work. A clear signal was given to the powers that be that the trade union movement would not take the brutal attacks any longer. The working class warned the government that it would fight back. The adamant government instead of taking corrective remedial measures is bent upon in pursuit of the same harmful economic policies. The government instead of entering into a dialogue with the working class is busy placating and pleasing the corporate through various tax concessions, exchanges pleasantries by extending benevolence.

It is in this background, the working class of the people encompassing a greater and wider cross section, forgetting their caste, creed, color, and politics are coming together once again to continue and intensify the resistance and broaden the counter offensive to give a befitting reply to the silence of government. The country witnessed a historic, unprecedented cohesiveness and unity when millions of workers and employees go on strike for 48 hours on 20th and 21st February 2013.

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SENIOR CITIZEN MOVEMENT:-

India is known as nation of young people. Today, 80% of our population is below 30 years. However, simultaneously, with steady flow of income and increasing medical facilities, senior citizens population is also increasing in numbers. There are more than 100 millions citizens above 60 in this country. Hundreds of retirees organizations and senior citizens forums have come up in existence who have been working to protect their interest. As a result of efforts of these organizations and policy decisions of the government, the following benefits/concessions have been extended to senior citizens.

1. Higher income tax exemptions upto Rs.250000 instead of normal slab of Rs.150000/- for male and Rs.190000 for female and exemption limit upto Rs.5 lacs for super senior citizen category.
2. In the last budget, senior citizen age has been reduced from 65 to 60 years benefiting more than 40 lacs assesses
3. Concession of 40% and 50% in railway fare for male and female senior citizen respectively.
4. 50% discount in air fare by air India.
5. Additional interest of half percent in bank deposits
6. Separate lines for senior citizens in railway booking counters
7. Facility of reverse mortgage loans
8. Senior citizens security and maintenance law to provide safety

We are happy to inform you that some nof our comrades based at Mumbai are actively participating in senior citizens’ programmes. One of such programme recently organized was Senior Citizens’ National Protest Day on 16th August 2010 wherein more than 2000 senior citizens including bank retirees have participated. Shri. R.S.Desai, Deputy General Secretary of AIBRF at Mumbai and Sri. C.Gopinathan Nair, Organising Secretary of AIBRF at Thiruvanthapuram are actively associated with this movement. In our association Sri.C.Sudhakaran Nambiar of Udupi is also actively associated in this movement.

But, lot of steps need to be taken in the area of health management and reliable pension benefits in the unorganized sector for senior citizens. Senior citizen movement is likely to gather momentum in coming years. Our units/members must take necessary steps to actively participate in such movements in coming years.

RETIREE MOVEMENT IN BANKING INDUSTRY:-

In early 90’s Bank retirees started organizing themselves mostly as social clubs, initially to maintain contacts with their colleagues in post retirement scenario. But introduction of pension scheme in 1995 and VRS scheme in 2000 in the banking industry brought dramatic changes in the retirees’ movement. More than 1 Lakh employees opted for voluntary retirement in 2000 which brought multiple problems and issues well known to you. Retirees started forming organizations at state level, bank level and at all India level. The following Apex-level bodies are visible in the bank retirees’ movement:-

1. All India Bank Retirees’ Federation(AIBRF) in the year 1994 representing composite organizations, membership of which is open to all retired colleagues irrespective of their past designation and
2. Retired Bank Officers’ National Confederation(RBONC) in the year 2003 representing Officer Cadre Organisations, membership of which is open exclusively for officers community.
3. All India Retired Bank Employees’ Association.

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All these Apex-level organizations have recently come together in a forum known as United Forum of Bank Retirees’ Organisations, to represent the entire bank retirees’ community at Industry level before IBA/Government. This is on similar lines of United Forum of Bank Unions(UFBU) representing – Five workmen employees’ organizations and Four Officers’ Organizations. Today, more than 3 lac bank retirees are members of one or other retirees’ organization.

ALL INDIA BANK RETIREES’ FEDERATION:-

AIBRF was borne about 18 years back in 1994, thanks to the initiative of the veteran trade union leader, Late Sri.Ramesh Chander Chakraborty & Sri.T.M.Mathews to protect the interests of bank retirees. We are happy to report with all pride that AIBRF is marching forward from strength to strength and today it is one of the most credible and biggest retirees’ organizations in the banking industry consisting of 42 affiliates with more than 70000 members.

AIBRF strongly believes in all cadre unity and advocates composite organization consisting of retirees irrespective of past designations while in service. It accords affiliation to those entities which believe in this philosophy and work for it. We believe that composite retirees’ organizations alone are in the best interest of retirees and this is the universal phenomenon in other organized sectors too.

Our National Organization AIBRF is a composite organization consisting of retirees of all cadres. This is our inherent strength. Once an employee retires from the bank the veil of the grade/scale/position is dropped and he will be recognized only as Pensioner/Retiree. Our meeting exhibits this oneness amongst all categories of erstwhile employees. Let us salute our forefathers who could bring about such a harmony and decide to build a common platform for all categories of employees in the banks which would carry forward the movement of the retirees with a sole objective of achieving the common welfare of the retirees in the Bank. We are committed to carry forward this oneness amongst the Pensioners/Retirees and that would be the fitting tribute to the founders of our movement.

However, in view of our movement gathering further momentum, some of the in-service unions have formed retirees’ organizations on the basis of the cadre to which they belonged while in service. We strongly oppose such acts and would take all necessary steps to handle such situations effectively. It is our appeal to all of you to remain vigilant on this count and educate the members by explaining that multiplicity of the retirees’ organizations in the banking industry would harm our cause immensely.

ACHIEVMENTS OF AIBRAF:-

During the period under review, there are many significant achievements to the credit of our AIBRF. Some of them are given below in brief:-

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CONSTITUTION OF GRIEVANCE REDRESSAL CELL:-

It has been our long felt need to have grievance redressal machinery for retirees in banks. With the support from the Parliamentary Standing Committee headed by Dr.Sudarsana Nachiappan, M.P. and further with AIBRF’s continuous persuasion at IBA level, IBA agreed to advise member banks to set up grievance cell and hold half yearly meetings with the representatives of retirees’ organizations to discuss and solve retirees’ issues across the table. We consider this as a great achievement and de-facto recognition of retirees’ organizations at the bank level. Though it is an achievement of non-momentary nature, this will be a useful forum for solving retirees’ issues from time to time. Further it will also be an avenue for exchange of views and to know mindset of bank management towards retirees’ issues.

IBA has advised the Banks to set up Grievance Cell to discuss grievances/complaints of pensioners. While in most of the banks such Cells have been established and discussions are held periodically with Retirees’ organizations, we regret that our repeated request in the matter has not been considered by the bank.

ARREARS TO THOSE OPTED FOR SVRS 2000:-

You are aware that Pension optees who retired under SVRS 2000 were denied weightage of 5 years of notional service as contemplated in Pension Regulations. Aggrieved SVRS retirees in many banks including Canara Bank challenged the decision of banks before various High Courts.

This injustice was rectified by an historic Supreme Court Judgement in Civil Appeal No.1942 to 1957 of 2009 on 27-03-2009. However, the petitioner banks as well as IBA filed Review Petitions. We are happy to inform you that the Apex Court found no merit in the review petitions filed by the IBA and dismissed them on 12-08-2009.

This legal battle was fought by certain retirees’ organizations and individuals with the support of their Federations. Orders and directions passed by Honb’le Supreme Court, apply equally, to all those who are “similarly placed” but who were neither Petitioners nor Respondents in the case concerned before the Hon’ble Supreme Court.

In view of the above, AIBRF took up the matter with IBA for extending benefits of this decision to all other similarly placed bank retirees. Accordingly, IBA issued circular No.CIR/IIR & IR/76/L-43/G2/2009-10/1134 dated 17th August 2009 in this matter. Because of this, about 1 lac VRS optees received pension arrears of Rs.650/-Crores and further increase in pension of about Rs.600/-p.m on an average regularly.

ANOTHER PENSION OPTION:-

27th April 2010 was a historic day for the bank retirees when UFBU signed Settlement/Joint Note with IBA giving another option for pension to bank employees including past retirees. This has brought smile on the faces of 50000 families of retirees who have now started getting assured monthly pension under time tested defined benefit pension scheme which they missed earlier. As you are aware, UFBU & AIBRF had been relentlessly working for another pension option for serving employees/past retirees for last several years.

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UFBU after prolonged negotiations with the IBA signed the Settlement on 27-04-2010 on Wage Revision and Pension option at 8.30.p.m. This was our finest hour. We have the sense of satisfaction that through our sustained struggle supported and spearheaded by the UFBU, a negotiated Settlement/joint Note on Wages & another Pension option became a reality. In the background of complex and complicated situation arising our of the pension funding/costing and the Central Government’s imposition of New Pension Scheme in an environment of liberalized economic scenario, this Settlement on one more option for pension is indeed a landmark achievement benefitting 3,00,000 employees & retirees.

OTHER ACHIEVEMENTS OF AIBRF:-

1)Introduction of Ex-gratia payments with index based DA to pre 1986 retirees

2)Introduction of Ex-gratia payments to widows of pre 1986 retirees

3)Allocation of funds for welfare of retirees out of staff welfare funds

4)Suply of pension pass book(PPO) to pensioners

5)Improvements in medical schemes in banks run out of welfare funds

6)Higher rate of interest on deposits to pensioners applicable to senior citizens in addition to one percent applicable to ex-staff.

7)Correction of anomaly created in 7th wage settlement in fixing basic pension for those retired between 1998 to 2002.

8)Grant of soft loan to retirees in many banks to those who were eligible for pension option under 9th settlement for payment of 156 percent amount

9)One more pension option to past retiree officers who took normal VRS under regulation No.19 of OSR and left out in 9th settlement. IBA has recently issued circular on it.

10)Grant of credit facility to the pensioners on easy terms.

11)Interest free festival advance in many banks

12)Reverse mortgage facility against mortgage of fixed assets to provide liquidity to meet urgent expenses.

13)Issuence of identy cards to retirees

14)Holiday home facility to retirees

15)Bank services available free of charge to retirees.

16)Interest payment on gratuity amount for delayed period

17)Payment of pension through core banking on fixed date

18)Addition of spouse name in pension account to avoid any administrative complication on death of pensioner

19)Grant of higher ex-gratia amount than prescribed by the government to pre-1986 retirees out of staff welfare funds in many banks.

20)Increase in ex-gratia payment to pre-1986 retirees/spouse – under active consideration of the Government.

21)Getting support of serving employees/officers unions on core issues of retirees like pension updation. 100 percent DA neturlistion to pre-Nov 2002 retirees improvement in family pension etc.

-:10:-

In addition to the monetary benefits received by the retirees, this achievement has brought qualitative change in the retirees’ movement resulting in greater unity amongst bank retirees, increase in membership of retirees’ organizations providing stronger organizational platform for future struggles to achieve long pending demands of pension updation and others. Much better achievements are expected in coming days provided we continue to work unitedly under the banner of AIBRF

3rd TRIENNIAL CONFERENCE OF AIBRF:-

3rd Triennial Conference of AIBRF was held at Kolkata on March 13, 2012. The Conference was historic with attendance of around 1500 bank retirees. During the conference following members were elected

as follows:-

1. C.Gopinathan Nair, Bangalore Vice President
2. S.G.Embran, Cochin Central Committee Member
3. R.Damodharan,Trichur Central Committee Member
4. M.Sudhakar Shetty,Mangalore Central Committee Member
5. K.Vishwanath Naik, Bangalore Central Committee Member

RELATIONSHIP WITH UFBU:-

We all know AIBRF relationship with UFBU and its Constituents is a very crucial factor for success in our future struggle to resolve pending issues and accordingly it has enhanced considerably for better. AIBRF representatives were invited by UFBU to Mumbai to discuss and explain retirees’ issues. Further, AIBRF was given chance to address National Convention of UFBU held in Delhi in May 2011. Continuous efforts on the part of AIBRF have produced certain positive results. Now UFBU and its constituents have passed unanimous Declaration in the National Convention which highlighted retirees’ demands prominently. UFBU also published separate posters on our demands at the time of strike on 05-08-2011. Recently AIBEA has written letter to the Finance Minister on the demands of retirees. In a nut shell, impact of AIBRF has been felt by UFBU & its constituents.

ACTIVITIES OF V.B.R.A:-

As per the Bylaw amendments the following regional units have been formed after the last General Body.

1. South Canara Unit – The following representative stood elected in the Regional Conference.

Sri.M.V.Shetty President

Sri.Krishna Shetty Vice President

Sri.M.Sudhakar Shetty Secretary

Sri.Cyprian Lobo Joint Secretary

Committee Members

1) Laxmi Narayana

2) Shama Shetty

3)Jethanna Gowda

4)Nambiar

5)Gulabi Rai

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1. Regional Unit of Andhra Pradesh:-

The Regional conference of Vijaya Bank Retirees’ Association, Andhra Pradesh held at Prabhath Towers, 4th Floor, Parvana Hall, Gun Foundary, Hyderabad – 500 001 on 31-07-2010 and an ad- hock committee was elected then at final conference held on 07-10-2012 and the following representatives stood elected in the Regional Conference:-

1. Regional President Sri.D.V.R.Reddy
2. Regional Vice President Sri.P.V.Parasuraman
3. Regional Secretary Sri.P.A.K.Prasad
4. Regional organizing secretary Sri.S.A.Ghouse
5. Regional Joint secretary Smt.Priyadarsani
6. Regional joint secretary Mr.K.S.Venugopal
7. Regional joint secretary Sri.Jayaram Bapuji
8. Regional joint secretary Mr.Udaya Bhaskar

Committee Members:-

1. Sri.Sridhar 2) Sri.Pradyumna Sastry 3) Sri.Subbaraju, 4)Sri.Madhusoodana Rao, 5)Sri.Markandeyalu, 6) Sri.S.S.Quadri 7) Sri.Devadasa Reddy, 8)Sri.Vijaya Kumar and 9) Sri.S.Ravi

Special Invites:-

1. Sri.B.Srinivasalu, 2) Sri.G.Gopal, 3) Sri.E.N.Sattiah, 4) Sri.D.V.Seshaiah, 50Sri.Easwariah

Sri.P.A.K.Prasad and Sri.S.A.Ghouse will be our representatives of the State Committee APBRF.

1. Tamilnadu Regional Unit:-

The Regional Conference of Vijaya Bank Retirees’ Association, Tamilandu was held at Hotel Sangeetha Residency, Mylapore, Chennai on 7th July 2012, in a grand manner.

The following representatives stood elected in the Regional Conference:-

President Com.P.C.Valsaraj,Chennai

Vice President Com. M.Ravi,Chennai

General Secretary Com.David Suresh Kumar,Chennai

Organizing Secretary Com.R.Karthikeyan,Chennai

Joint Secretary Com.M.Shyamsundar,Chennai

Committee Members Com.M.K.Nair

Com.R.Rajagopalan,Chennai

Com.V.Dharmaraj,Coimbatore

Com.M.Karthikeyan,Trichy

Com.S.Samson,Ooty

Com.K.Vaitheeswaran,Chennai

Com.V.R.Meyyappan, Karakudi

Com.P.Meena lochani

State Committee Members Com.V.Murali,Chennai

Com.M.Rajendran,Salem

Special Invitees Com.Shyamala Nair,Chennai

Com.B.Jayaprakash,Chennai

Com.R.Manoharan,Chennai

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1. Kerala Regional Unit:-

Regional Conference of Vijaya Bank Retiree’s Association Kerala held at Vinayaka Kalyana Mandapam, Kadavanthara, Cochin on 12-08-2012 in a grand manner.

The following representatives stood elected in the Regional Conference:-

Regional President Sri.P.A.Aziz

Regional Vice President Sri.P.N.Somasekharan Nair & Sri.Antony Palathingal

Regional Secretary Sri.Varghese Vithayathil

Regional Joint Secretary Sri.K.K.Ramachandran

Sri.Chandra Varma & Sri.Devadas Rai.

Committee Members Sri.A.Basheer(Alleppey)

Sri.K.K.Bhaskaran(Payyanoor)

Sri.K.V.Kalyanakrishnan(Trichur)

Sri.P.K.Sasidharan(Kochi)

Sri.Alex Mathew(Kottayam)

Sri.Abdul Karim(Kochi)

Sri.T.P.Sreerakan(Palaghat)

Smt:T.N.prathiba(Trichur)

Sri.Vamana(Kochi)

Sri.K.K.Ramankutty Menon(Kochi) &

Sri.P.C.Jayakrishnan(Palaghat)

Special Invitees Sri.N.A.Abdu

Sri.V.Vijayan Menon

Smt.Geetha Varma & Sri.Ramakrishnan

It is decided to nominate Sri.Varghese Vithayathil Regional Secretary as our representative to be All Kerala Retiree’s Federation.

1. REGIONAL CONFERTENCE OF MYSORE CITY:-

The Regional Conference of Vijaya Bank Retirees Association was held on 11-11-2012 at

M.S.Hall Ideal Jave Rotary School,JLB Road,Mysore.

The following representatives stood elected in the Regional Conference:-

Regional President Sri.Gundappa Gowda.L.N.

Vice President Sri.T.Sudhakar Shetty & Sri.Mari Gowda.M.A.

Secretary Sri.N.S.Somanath

Joint Secretary Sri.S.Jayarama Prasad

Sri.Bala Sundara

Sri.G.P.Diwakar

Treasurer Sri.Ramachandra Urs

Committee Members Smt.C.P.Vijayalakshmi

Sri.M.N.Jayaprakash

Sri.V.S.N.Aradhya

Sri.H.P.Damodhar

Sri.B.A.Puttaswamy

Sri.K.S.Pritham Nayak and

Sri.V.R.Krishna Kumar

Special Invitees Sri.Neemiraja Shetty

Sri.Gopal Shetty

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GET TOGETHER MEETINGS:-

We organized the following periodical meetings to discuss, decide and review various issues from time to time:-

1. Ajantha Hotel, Bangalore 21-02-2010
2. Mangalore Stock Exchange hall,Mangalore 28-02-2010
3. Kediyoor Hotel, Udipi 18-07-2010
4. Parvana hall, Hyderabad 31-07-2010
5. Bharat Scout Hall,Sadhasivapet, Pune 06-03-2011
6. Taj Mahal Hotel, Mangalore 04-06-2011
7. Kdiyoor Hotel, Udipi 27-03-2012
8. Institute of Engg:Hall, Mysore 28-03-2012
9. Ajantha Hotel,Bangalore 29-03-2012
10. Ayyappa Swamy Temple Hall,Bangalaore 30-03-2012

We have hosted Central Committee Meeting of AIBRF at Mangalore on 17th & 18th September 2011 at Karnataka Bank Employees Association’s Auditorium, Bajai, Mangalore – 575 004 followed with public session on 18th September 2011.

Details of the delegates attended 3rd Triennial Delegate Session of AIBRF on 1st,2nd & 3rd March 2012 at Kolkata:-

1 C.GOPINATHAN NAIR

2 S.GOPALAKRISHNAN EMBRAN

3 R.DAMODARAN

4 T.K.VENKITACHALAM

5 K.VISWANATHA NAYAK

6 D.VENKITARAMANA REDDY

7 D.C.SIDDAGANGAIAH

8 S.ABDUL RAHMAN

9 P.A.AZIZ

10 VARGHESE VITHAYATHIL

11 K.HARISH ADYANTHAYA

12 M.P.RAMESH

13 K.J.VIJAYADEV

14 DILIP MOHAN BANERJI

15 ELAHI DAD KHAN

16 SAMIR KANTI DAS GUPTA

17 AJAY PRADAN

18 MRS.RUBY SARANGI

19 AKSHAY KUMAR PACHAL

20 RANJAN DEV

21 SMARAN DEV MUKERJEE

22 PRANAB SEN GUPTA

23 SUBRATA CHAUDHURI

24 ASHISH KUMAR BISWAS

-:14:-

5 YEARS NOTIONAL WEIGHTGE:-

You are aware that Pension optees who retired under SVRS 2000 were denied weightage of 5 years of notional service in our bank.

In this case we have made several representations to the Management to re-fix the Basic Pension of those who retired from the services of the bank under VRS 2000 as per the terms of the Scheme. The denial of the additional notional service for the purpose of determining the basic pension by all the banks were challenged by the retirees of almost all banks. Hon’ble High Courts have upheld the pleas of the petitioners. However banks challenged the judgments of the Hon’ble High Court in Hon’ble Supreme Court. However the Hon’ble Supreme Court dismissed the appeal by the Banks in respect of which SLPs have reached and heard in the Hon’ble Supreme Court. The review Petitions were also dismissed. As there were similar cases in several High Courts and having realized that the denial of weightage was illegal the IBA advised all the member banks to go by the verdict of Hon’ble Supreme Court. Unfortunately two Public Sector Banks including our Bank chose to ignore the advice of the IBA and filed SLP against the judgment of Hon’ble Bombay High Court.

In the meanwhile Hon’ble High Court of Karnataka also passed judgment in favour of the petitioner retirees of our Bank. Instead of implementing the judgments of Hon’ble High Courts of Bombay and Karnataka, unfortunately our Bank preferred to appeal before the Divisional bench of Hon’ble High Court of Karnataka. As you are aware the Hon’ble High Court of Karnataka has also dismissed the appeal of the Bank on 08-03-2012.

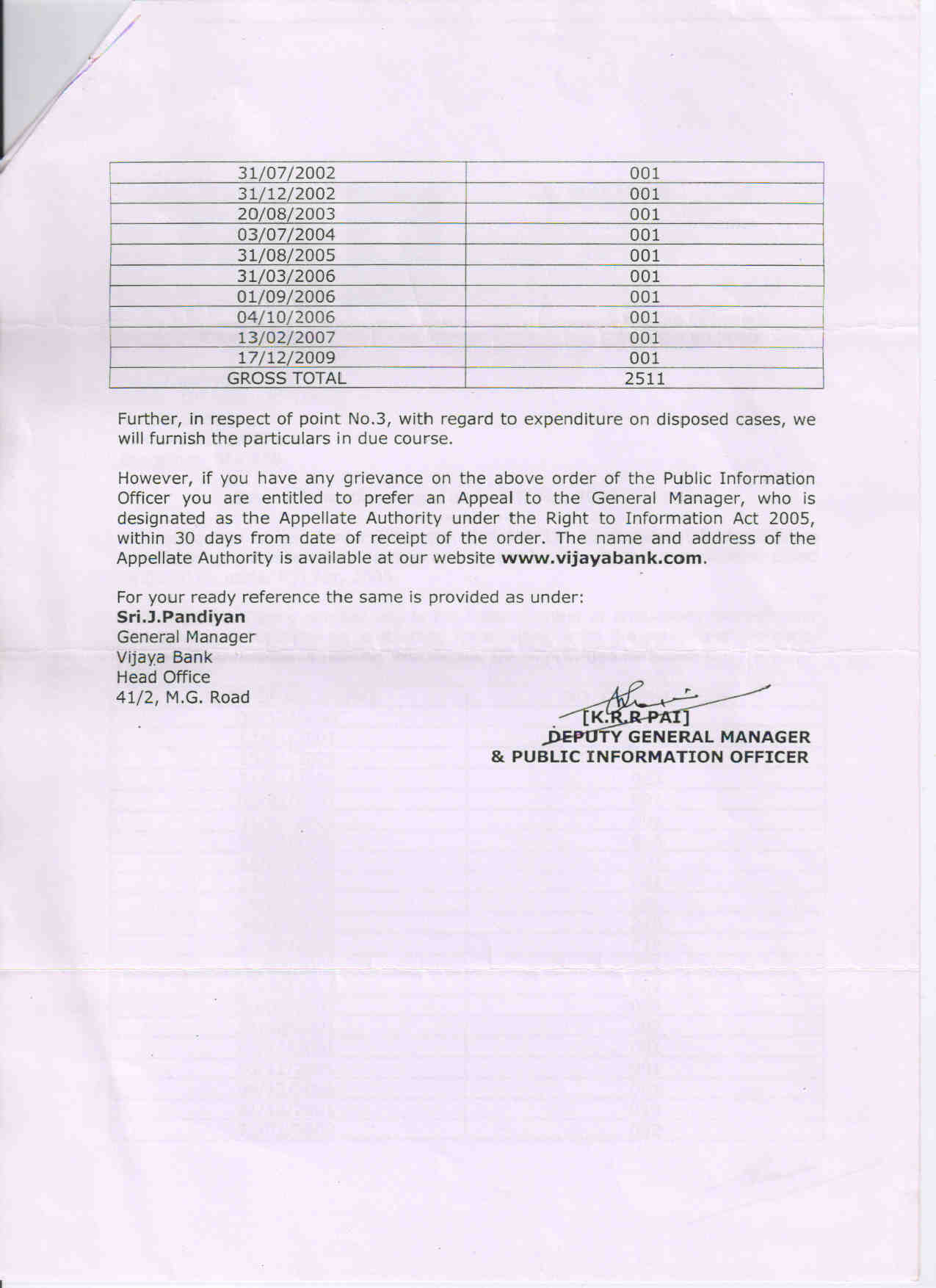
The Bank is consciously aware that as the source of VRS 2000 Scheme and the illegal instruction to deny the weightage of service is one and the same and as the Hon’ble Supreme Court has dismissed the review petitions of the banks, our bank also has to re-fix the basic pension of the retirees as per the terms of the Scheme. It is all the more so as only in our Bank in respect of those relieved on 30th December 2000 the denial was intimated in the relieving orders. Despite the fact that in several banks VRS optees were relieved after issuing Circulars intimating illegal withdrawal of the clause relating to weightage of service the Hon’ble Supreme Court has passed judgment in favour of retirees. Further in our bank withdrawal of options were not allowed and those who withdraw the options were relieved retrospectively when they finally lost the cases in the Court.

The Hon’ble Supreme Court has also directed the Banks to extend the weightage of service to all those who were affected by the illegal action of the Bank managements. The IBA also advised the Banks accordingly.

It is needless to state that while the management has enormous resources to pursue the litigation even when it is aware of the legal position the retirees have to spend their hard earned money and even by borrowing.

We have received the Judgment copy of transfer petition (civil) No.1291 of 2012 against VBRA from Hon’ble Supreme Court. Since the said petition was dismissed by the Hon’ble Supreme Court we have now filed a petition for direction to the bank to allow 5 years weightage of service to the pensioners on 03-01-2013 at Hon’ble High Court of Kerala. The case is now posted for hearing on 28-01-2013 and it is further adjourned. The SLP filed by the bank at Hon’ble Supreme Court is not yet posted for hearing.





-:17:-

OTHER DEVELOPMENTS:-

100% DA NEUTRALIZATION:-

Many of our comrades/state level unit have been fighting legal cases in respect of 100% DA neutralization in different courts. In view of non existence of direct negotiation platform for retirees gross injustice done in previous wage settlement and very rigid and hostile attitude of IBA/Government, the action taken by the above entities are understandable and appreciated.

CASE NO.1 – Honb’le Madras High Court W.P.No.50000/2006 A.B.Kasturi Rangan Vs Canara Bank.

CASE No.,2 – W.P.No.50001/2006 T.V.Alwin and others Vs Canara Bank in Honb’le Madras High Court.

CASE No.3 – W.P.No.50002/2006 N.Rama Moorthy and others Vs Canara Bank in Hon’ble Madras High Court.

Honab’le Madras High Court delivered the judgment in favour of 81 petitioners on 14-12-2012 ordering the respondent Banks to pay dearness relief to pre November 2002 retirees at 100% DA neutralization on the endearing basis pension with effect from 01-02-2005 as paid to those who retired on or after

01-11-2002.

MADRAS HIGH COURT DECISION IN 100% DA NEUTRALISTION:-

We reproduce Central Office Circular No.2012/1105 dated 31-12-2012 which itself expanatory.

The Chairman,

Indian Bank Association,

Mumbai

Dear Sir,

Re:Madras High Court Decision on 100% DA Neutralisation to Pre November 2002 Retirees:-

We with to invite your kind attention on Madras High Court decision dated 14-12-12 on Writ Petition No.5000 of 2006 and other W.Ps filed by 81 retirees of Canara Bank,Indian Overseas Bank and Bank of Baroda in the matter of payment of 100% DA neutralisation to pre-November 2002. While delivering the judgement, the Court has directed the respondent banks to pay the dearness allowance at the revised rates as per the provisions of 8th wage settlement to pre-November 2002 retirees with payment of arrear in this regard from the date fixed in the settlement. The court has also stated in the judgement that this benefit should be made available to all similarly placed retirees.

On going through the contents of the judgement, you will find that the court has pronounced the judgement on the following principles laid down by the Supreme Court in the matter of defined benefit pension scheme.

1. In famous case of Nakara V/s Union Bank of India, the constitutional bench of Supreme Court has laid down the principle that any inprovement made in the existing pension scheme, the benefits have to extended to the existing retirees too.
2. Inflation data as measured by All India Consumer Price Index affects all retirees alike. Therefore benefit of improved formula can not be restricted to a section of retirees. It will amount to creation of class within the class and such artificial division is not permissible under the law.

-:18:-

You will kindly observe the Madras High Court Decision is based on sound principles of law as laid down by the Supreme Court in the past. We therefore request you to advise member banks to implement the decision and pass on the benefits to all affected retirees.

At this juncture we may mention that in the year 2009, Supreme Court had delivered judgement on the writ peition filed by retirees of 5 banks, asking banks to pass on benefit of notional service under regulations no 29 of the pension regulations. IBA had taken very pragmatic view on this judgement and asked member banks to pass on the benefit to all affected retirees. We are sure that IBA would take similar stand on Madras High Court decision and give similar nature of advice to member banks.

Here we would also like to draw your kind attention on Litigation policy of Government of India which stipulates that if decisions are based on certain laid down principles of law laid down by the Supreme Court, appeal against the judgement should be avoided. In this case the affected people are senior citizens of the country. We are sure IBA would take pragmatic view and avoid harship to senior citizens.

With respectful regards,

Yours faithfully

Sd/-

(S.C.JAIN)

GENERAL SECRETARY

1616-1684 Case Pending in the Supreme Court:-

The above case is pending in the Supreme Court for final disposal. As you know this case relates to payment of arrear of pension difference and payment of commutation difference to above 1 lakh retirees who retired between 1998 to 2002. 7th wage settlement fixed pension of those retired after 1998 on index of 1616 while pay of employees were fixed on index of 1684. This resulted in fixation of pension at about 42 percent of pay instead of 50% provided in the pension regulations. This position was corrected under 8th settlement and the pension was restored to 50%. However the arrears were paid with effect from 01-05-2005 instead from the date of retirement. The amount involved in arrear payment on this issue is fairly large running into several crores.

In view of huge financial interest of retirees involved and government/IBA decision was ab-initio illegal and contrary to the provisions of settlement many individuals and organisations approached to the courts for justice. High Court have given decision in favour of retirees. But the bank management/IBA have filed SLPs in the Supreme Court. SLP filled by Bank of Baroda Management and subsequently joined by IBA is likely to be heard in the coming days. Many other petitions filed by retirees of other bank like Canara Bank, SBM etc are getting tagged with Bank of Baroda case for final hearing. We understand that about 750 petitioners are involved in this case.

Considering the huge financial benefits involved to large number of retirees and it is decided by AIBRF to coordinate the legal handling of the case at Supreme Court and pledge all support to our comrades who are fighting the case for the benefit of large number of retirees. Any individual who want to join the SLP may contact us for guideance and support.

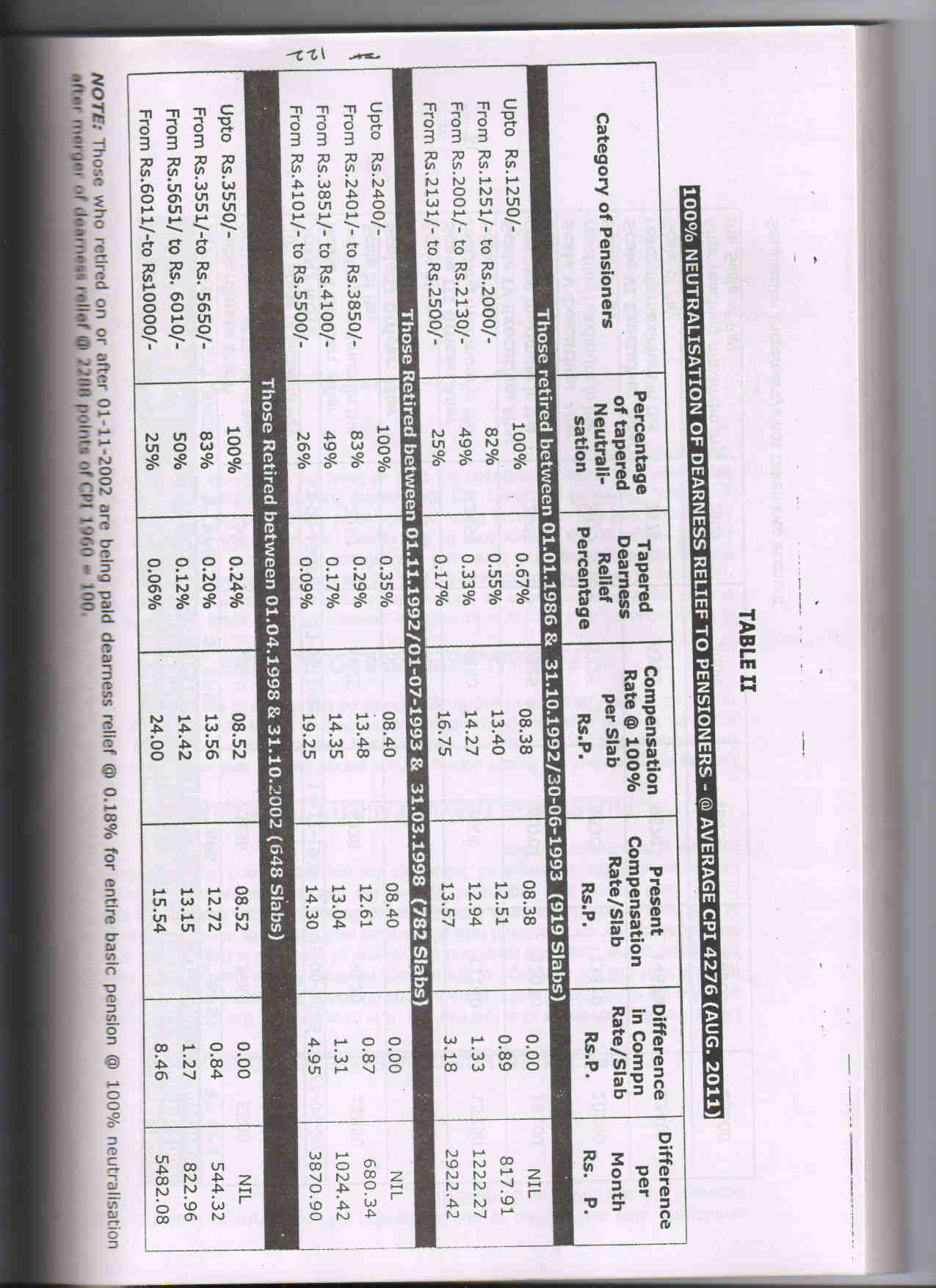
Thanking you,

Yours Sincerely,

Sd/-

(S.C.JAIN)

GENERAL SECRETARY



-:20:-

NOTE ON 100 PERCENT DEARNESS ALLOWANCE TO PRE-NOVEMBNER 2002 RETIREES ANLAYSIS OF THE ISSUE

The concept of 100 percent dearness neutralization to all categories bank employees and retirees was introduced in the 8th wage settlement effective from 01-11-2002. It was historical achievement for the employee and retirees and provided significant financial cover to them in the environment of rising inflation.

2- However it is highly unfortunate that the benefit of 100 percent DA neutralization was not extended to those retirees who retired prior to November 2002. This was highly discriminatory and against the basic tenor and concept of the pension scheme. It is also against the spirit of Article 14 of the Constitution of India The Pension scheme was offered to the bank employees in 1995 with the three guaranteed payments viz(a) Basic Pension to be determined in terms of Regulations No.35 of pension Regulations 1995 to be payable on monthly basis(b) Dearness Allowance to be calculated on the basis pension in terms of Regulation No.37 of the Pension Regulations 1995 and be reviewed and revised on 6 monthly basis and payable on monthly basis along with the basic pension(c) Option to the retiree to commute maximum 1/3rd pension and receive lump sum payment refundable in next 15 years.

Because of these features of the guaranteed payments, the pension scheme applicable to the bank employees is known as DEFINED BENEFIT PENSION SCHEME. Keeping these attractive features of the guaranteed returns in mind large number of employees joined the scheme in 1995 and handed over the Bank’s contribution, along with up to date interest to the trustees of the pension fund, for created of the fund to ensure timely and smooth payment of guaranteed amount periodically. These funds are to be periodically supplemented by the employer in the manner specified in the various provisions of the pension regulations. Members of the pension scheme will have equitable rights on the pension fund as per the provision of the regulation. However the 8th wage settlement made provisions to pay dearness in the scheme and at lower rates to the another category of retirees. This tantamount to higher withdrawal of funds from the pension funds for one specific section of retirees affecting rights of the another categories of retirees and contrary to the equitable assurance given while extending offer to the employees to join the scheme.

The another serious violation was done by the employers and trustees of funds by extending pension benefits to the premature retired employees, along with the simultaneous payment of salary for the period without matching contribution to the pension funds making serious dilution in pension funds and endangering smooth and timely payment of pension fund. In order to comprnsate these wrong the Banks introduced the concept of Notional Pay, for the purpose of deciding basic pension of those who retired on or after 01-04-98 which reduced basic Pension of the retirees those retirees, from 50 percent to above 42 percent of their actual average emoluments; violating the assurance of guaranteed payment of basic pension at the certain specified rates while accepting the PF contribution from the employees. However, it was rectified partially in the 8th settlement.

3. The discrimination of payment of lower dearness allowance to pre-November 2002 retirees have been going on for last 10 years, though this situation is completely discriminative and voilative to the provisions and sprit of the pension regulations/Constitution of India. The position categories. When on the one side substantial increase was given in basis pay to the employees under 9th wage settlement ensuring much higher basic pension coupled with 100 percent dearness allowance at the tine of retirement, followed by one more pension option to these employees with better DA formula and on

-:21:-

other side keeping issue of 100 percent DA to pre Nov.2002 retirees (necessitating allocation of very modest fund) pending.

4. In certain quarters the impression is prevailing that grant of 100 percent substantial funds and it could be as high as 30 percent of pension bill. However, it may be pointed out that this presumption is far away from the facts and figures available in this regard. The additional cost would be very modest and limited. The following facts are worth noting tin this context.

1. The number of pre-2002 retirees is presently 115000 approximately.
2. The retirees from this group have already completed 10 or more years of their retirement.
3. Considering life expectancy of about 70 years available in this country, the mortality ratio is on increase in this group and therefore pension number is on decrease every day. Once the pensioner dies there is considerable decrease in pension liability. Hence, the liability reduction is likely to be much higher than the additional financial burden likely to come because of grant of 100 percent dearness allowance.
4. The certain categories of retirees from this group, particularly those retired from sub staff or clerical grade, are already getting DA at the rate of 100 percent. Such number according to our information is 19500, out of total 115000 belonging to pre-November 2002 retirees. Therefore affected retirees for this purpose remains only 94500.
5. The post-Nov ember 2002 retirees are at present about 125000. In case 19500 pre-November 2002 retirees who are already getting 100 DA are added, total 125000 + 144500 retirees are, already getting 100 DA compensation. The left over are only 94500 out of total 240000 pensioners with reducing tendency.
6. **The total annual addition burden for granting 100 percent DA to about 94500 pensioners comes to Rs.175.90 Crores which is about 5.1 percent of total pension bill of Rs.3000 Crores annually. We present detail calculations to arrive these figures in the enclosed Annexure taking into account the number of retirees under the different settlements and rate of merger of index in the basic pension.**
7. Reserve Bank of India has already sanctioned 100 percent DA to pre-2002 retirees. Public Sector Banks’ pension schemes are agreed to formulate on the lines of RBI pension scheme, consequently the benefit extended to RBI retires should automatically be given to the retirees of Public Sector Banks.
8. **It is also noticed that the Government is quite liberal in granting benefits to retirees as seen from the recent developments that the pension benefits have been granted to RRB employees, family pension has been enhanced in RBI and granting of one more pension option to VRS optee under OSR etc. Then the question arises why our 100% DA neutralization demand which is more than 10 years old, is kept pending.**

-:22:-

5. This was pending issue/demands in the 8th wage settlements as well as 9th wage settlement and needs to resolved on priority basis before the commencement of the negotiations on next wage settlement, which will give very positive feelings to this group of retirees.

6. We are of the firm view that it is not at all difficult for the banks/government to meet this demand which has very modes cost and highly discriminative in nature.

7. Therefore, it is our humble request to the UFBU constituents and its leaders to take this issue with government/IBA for immediate resolution, before the commencement of negotiation for next settlement.

(S.C. JAIN)

GENERAL SECRETARY

Sri. Venkataramanayya, Ex-Executive of our bank who has provided the under mentioned paper cutting appeared in the The Hindu dated 27th Jan. 2013 for information of all our members.

BANGALORE

16 NATIONAL THE HINDU \* SUNDAY, JANUARY 27, 2013

DIFFERENTIAL TREATMENT IN FIXING PENSION UNFAIR, RULES SC:-

Tamil Nadu GO classifying pensioners into those who retired before and after June 1, 1988 struck down.

\*Inflation would have same effect on all pensioners : Bench

\* GO is violative of Articles 14 and 16 of the Constitution

J. Venkatesan

NEW DELHI: In fixing pension, no differential treatment can be made among government employees who retired in different periods while taking into consideration their ‘dearness pay’ the Supreme Court has held.

In a ruling that will benefit thousands of employees, a Bench of Justices D.K. Jain (who has since taken over as Law Commission Chairmen) and J.S. Khehar quashed an August 9, 1989 Tamil Nadu Government Order to the extent that it extended to employees who retired on or after June 1, 1988 a lower component of ‘dearness pay’ as against those who had retired prior to June 1, 1988, holding that the GO was violative of Articles 14 (equality before law) and 16 (equality in matters of public employment) of the Constitution.

-:23:-

The Bench said there was no valid justification for the government “to have classified pensioners similarly situated as the appellants – the Kallakurichi Taluk Retired Official Association, etc. (who retired after 1.6.1988) – from those who had retired prior thereto.”

Writing the judgment Just ice Khehar said inflation would have the same effect on all pensioners, whether they retired prior to or after June 1, 1988.

“The purpose of adding the component of ‘dearness pay’ to wages for calculating pension is to offset the effect of inflation.. Therefore, the classification in the impugned GO placing employees who retired after 1.6.1988 at a disadvantage, vis-à-vis the employees who retired prior thereto, by allowing them a lower component of ‘dearness pay’ is clearly arbitrary and discriminatory.”

The Bench said: “ In a situation where the State government had chosen that a particular component of ‘dearness allowance’ would be treated as ‘dearness pay’ it could not discriminate between one set of pensioners and another, while calculating the pension payable to them.”

In the instant appears, a single judge of the Madras High Court granted relief to the pensioners but a Di vision Bench reversed the order. The present batch of appeals was directed against that judgment.

We have submitted the following representation to the bank management and same is re-produced herein below:-

The Chairman & MD Date: 27-12-2012

Vijaya Bank,

Head Office,

Bangalore

Dear Sir , For personal attention

Payment of Gratuity:

We bring the following to your kind attention.

Punishments of Dismissal or Compulsory retirement were imposed on some officials for regrettable reasons on the conclusion of domestic enquiries. They lost their job and face very difficult situation.

However the bank denied them their Statutory right of Gratuity. Payment of Gratuity is governed by The Payment of Gratuity Act, 1972. The Bank is required to strictly adhere to the said Act. Any administrative decision can not be in violation of a Statute.

Our Bank has denied Gratuity to several officials on the ground that by their negligence Bank has been exposed to huge financial risk. The Bank is aware that Gratuity cannot be denied unless the actual loss is alleged and quantified by due process. Exposure to loss or likely loss cannot be reason for denial of gratuity under the Act.

-:24:-

The records would reveal that Bank was ordered pay gratuity by the Controlling Authority under the Payment of Gratuity Act, 1972 and Assistant Labour Commissioners (Central) where ever the aggrieved officials filed cases. Those who were ignorant of their Statutory Rights or could not afford to file cases did not approach the Controlling Authorities. But in the cases the Bank filed Appeals to the Higher Authorities and finally lost. In some cases Bank went up to Divisional Benches of High Courts. Finally Bank was forced to pay gratuity to them with interest.

But even after such verdicts Bank denied gratuity to eligible persons subsequently also. The Bank never followed the procedures before denying gratuity, such as Show Cause Notices, intimation to the Controlling Authorities etc.

It is very unfortunate those who lost the job and lost their lively hood are made to spend money for seeking justice. The Officials who take illegal decisions and decide to fight the cases against the already suffering victims are not made accountable nor to spend from their pockets for taking such cruel and wrongful decisions.

Sir, shall we request you to consider whether deliberate violation of the Gratuity Act bringing further misery to the already suffering persons is correct. We are confident that you would agree that Statutory rights cannot be denied to any one, You are aware that Laws are framed after considering all the aspects and no individual or institution can misuse their power and money to deny what is Statutory due to any official.

We request you to be kind enough to call for records of the Bank and instruct the concerned to release the gratuity with interest to those who have been denied their right of gratuity. In several cases Bank was ordered to pay interest @10% and Bank paid the same.

We are sure that you will treat this not only as legal issue but also a humanitarian issue.

Yours faithfully,

Sd/-

C. Gopinathan Nair,

President

PAYMENT OF GRATUITY TO THE EMPLOYEES WHO RETIRED BETWEEN THE PERIOD 01.07.1993 TO 01.11.1994 UNDER 6th BI PARTITE SETTLEMENT

The Hon’ble High Court of Karnataka at Bangalore has delivered a land mark Judgment in favour of the petitioners vide W.A. Nos. 1758-1785/2003 (S-RES) and 214e5-2174/2003, wherein the Court has ordered that :

-:25:-

“Payment of Gratuity on revised salary only to persons who retired post 01-11-1994 is arbitrary and illegal as retired employees, all of whom are within the purview of the subject wage negotiations and settlement forms a single class and cannot be fragmented. It is certainly clear that all retiral benefits including pension and gratuity must be given to all employees evenhandedly.

These benefits are meant not only as a recompense for past loyal service, but also as a means to tide over the time when old age makes it practically impossible to earn a living.

We do not live in a utopia where the retired or aged members of society enjoy purchasing power frozen to the date on which they had retired. Ever escalating and increasing prices take their tol on society as a whole, indeed it is relentlessly ore cruel to the aged to whom the vicissitudes of failing health are unwanted and unwelcome company which has to be endured.

Arrears of Gratuity must be paid to the petitioners within four weeks failing which these dues shall earn interest at the rate of six percent per annum with effect from 23-06-1995.”

2. In view of this judgement all the officers who retired during the period 01-07-1993 to 31-10-1994 are entitled for payment of Gratuity on the revised salary which was given effect from 01-07-1993.

3. As the judgement has been delivered by the Hon’ble Bench comprising justice Vikramjith Sen, Chief Justice and Mrs. Justice B.V. Nagarathna, as per the National litigation policy, any further Appeal in the Supreme Court will not be entertained. Therefore, we request you to instruct all the Member Banks to extend the Benefit of differential Gratuity taking into account the revised salary with effect from 01-07-1993.

All eligible retirees who have not received the benefits arising out of this rate of above judgment shall apply in writing to the Personnel Department Head Office quoting the above judgment, with a copy to the Association for follow up.

-:26:-

THE LATEST REPRESSENTATION SUBMITTED TO THE CHAIRMAN REPRODUCED HEREBELOW:

The Chairman &MD Date: 27-12-2012

Vijaya Bank,

Head Office,

Bangalore

Dear Sir,

We have been representing to the Management to consider several issues relating to the pensioners. The facilities we have sought for pensioners are available in most of the Public sector banks. However except Identity cards for those who retired under VRS no other issue has been considered so far. We request the management to be considerate and compassionate to those who retired from the Bank after serving the Bank for years. While all other banks are considerate to pensioners and recognize their service to the banks unfortunately our Bank is yet to show such consideration to them.

1. Medical Aid – our Bank is extending Rs.1500/-per annum to the pensioners who retired on superannuation. Most of the banks increased the same to Rs.2000/-and more. Further the facility is available to those retired before attaining superannuation, when they reach the age of 60. Several bank have evolved scheme for reimbursement of medical expenses under certain scheme. We request you to evolve a reasonable and respectable Medical Scheme for all Pensioners.
2. Holiday Homes – In many banks pensioners are entitled to stay in holiday homes as in the case of serving employees. We request you to consider the same to pensioners also.
3. Allocation of funds for welfare of retirees out of staff welfare fund – In many banks substantial amount is allotted to welfare of retirees as per the direction of Government/IBA. In our bank substantial fund is available in the staff welfare fund. We request the bank to allot substantial amount for the welfare of the pensioners so that bank can extend increased medical aid/facilities to the retirees.
4. Grievance Cell – IBA has advised the Banks to set up Grievance Cell to discuss grievances/complaints of pensioners. While in most the banks such Cells have been established and discussions are held periodically with Retirees’ organisation, we regret that our repeated request in the matter has not been considered by the Bank.
5. In certain banks pensioners are extended festival advances and also credit facilities to pensioners on easy terms. We request the bank to consider the facilities to pensioners of our bank.
6. Pension Pass Books – We request the bank to supply Pension Pass Book to pensioners as in the case of other banks.

-:27:-

1. In the past our Bank was enrolling Legal practitioners after retiring/resigning from the Bank in the panel of advocates. Sometime back Bank took a decision to withdraw all the files from them and stopped including such persons in the panel. In fact the Bank was in an advantageous position which utilizing their services as they have knowledge and commitment to the Bank. We request the Management to reconsider the issue.

Sir, we have not requested for facilities that are not available in other banks. We believe that the contribution of the employees of our Bank have not been inferior to that in the other banks. Yet our bank has not been considerate to them when they retire. We request the Management to be magnanimous and humanitarian towards the retirees as in the case of other banks.

We sincerely hope that the Management will consider our request at an early date.

Yours faithfully,

Sd/-

C.Gopinathan Nair,

President

CONCLUSION

Today when I read the last part of my report I am fully satisfied that I have completed about 11 years of service to the Retirees of our bank and the banking industry. Now VBRA is a vibrant unit of AIBRF. I owe very much to Sri. Gopinathan Nair and Sri. R. Damodaran who made it possible. I also thank all other representatives and members who have supported in discharging my duties as General Secretary. When I have presented the report during the last General Body the financial position of the Association was very bad i.e. liabilities to the extent of Rs. One Lakh. Only due to the help of members, the Association could able to reach this position. Thank you very much for allowing me to serve you in these years.

I also suggest a proposal to change the Head Quarters from Cochin to Bangalore. (The Head Quarters of the bank) for better functioning of the Association. I hope that the new Executive Committee will take all necessary steps to improve the function of the association. I assure all of you that I will continue to work for the betterment by bringing more members to the Association.

On behalf of the Central Committee my sincere thanks to Shri. S.C. Jain, our beloved General Secretary of AIBRF. Only due to the help of him we could able to make significant progress in the retirees movement in Karnataka State.

-:28:-

Before I conclude this report I express my sincere thanks to Shri. Muddanna Shetty, Shri Vijayakumar, Shri Mallikarjuna Madinur, Shri Sudhakara Shetty, Shri. N.S. Somanath and Shri. Puttu Swamy. I also thank Shri. K Viswanath Nayak General Secretary AIBRF Karnataka State Committee for all his support and guidance extended to me. I thank all CC members and delegates for their active participation in the meeting.

KOCHI S G EMBRAN

07-03-2013 GENERAL SECRETARY

BANK RETIREES’ UNITY LONG LIVE LONG LIVE

ALL INDIA BANK RETIREES’ FEDERATION LONG LIVE LONG LIVE

VIJAYA BANK RETIREES’ ASSOCIATION LONG LIVE LONG LIVE

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-:29:-

OUR CHARTER OF DEMANDS:-

As per the decision taken at AIBRF Office Bearers meeting held at Lonawala on 03-03-2011, a Sub-committee was constituted in March 2011 under the Convenorship of Shri. P.S.L.M. Haragopal and Sarva Shri. M.V.G. Nair, S.V.Srinivasan and Pratap Shukla as members to formulate Bank Retirees’ Charter of Demands. In this process, our Federation AICBRF, made humble contribution to the collective understanding on longstanding issues affecting the bank retirees. After fruitful deliberations in Sub-Committee Meetings held at Bengaluru and Hyderabad, a report was submitted for consideration by the Central Committee of AIBRF at its meeting held at Mangalore on 17th & 18th September 2011 and the Charter of Demands was approved unanimously.

9th Bipartite Settlement expires on 31-10-2012 and with a view to securing reasonable share for the bank retiree’s in the forthcoming settlement, our charter of demands was handed over to all constituents of UFBU in a delegation of AIBRF office Bearers/Central Committee Members with a request to UFBU to include them in their final Common Charter of Demands to be submitted to the IBA.

COMBINED CHARTER OF DEMAND:-

SUBBMITTED BY ALL INDIA BANK OFFICERS’ CONFEDERATION (AIBOC) ALL INDIA BANK OFFICERS’ ASSOCIATION(AIBOA) INDIAN NATIONAL BANK OFFICERS’ CONGRESS (INBOC) NATIONAL ORGANISATION OF BANK OFFICERS (NOBO):-

SUPERANNUATION BENEFITS:-

Page:5

One of the salutary impacts of the 6th pay Commission is the comprehensive improvements in the case of Pensioners and Family Pensioners in the Central Government. The improvements made in the Pension scheme in the areas like updation and up gradation of the Pension, the rationalization of Dearness Allowance, Family Pension etc., needs to be implemented in the banking industry as our pension scheme amply speaks of being in the lines of central Govt: pension scheme.

Page:26

Part IV – SUPERANNUATION BENEFITS:-

The employer has an obligation to ensure that the employees having served the institution almost life time are provided adequate superannuation benefits so that they are able to live a life of dignity, honour and above all a comfortable life for having given their blood and sweat to the institution.

The superannuation expenditure cannot be considered as a cost and be made subject matter of negotiations. The compensation paid in the form of superannuation have been described by the highest court of the country as deferred wages paid to all those who served the institution with devotion and conviction for ensuring the prosperity not only for the institution but the national as well.

At present, the Banking industry has provided for the benefit of Gratuity, the Provident Fund or Pension, Leave Encashment at the time or retirement Medical facilities, and several other welfare facilities.

-:29:-

-:29:-

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We strong feel that there has to be an exclusive and a comprehensive dialogue between the Officers Organisations and IBA as to the improvements that are required to be made in the present superannuation benefits.

PENSION:-

The Banking industry has introduced the Pension Scheme with effect from 01-01-1986 after protracted discussions and negotiations between the Officers’ Organizations/unions and the Indian Banks Association in the year 1993. The Pension Scheme has remained as such since the beginning of the scheme in the Banking industry.

The Government servants have seen two pay commissions during this period and if we consider the date of implementation as 01-01-1986 there have been 3 Pay Commission reports providing very comprehensive improvements in the superannuation benefits to the civil servants in the Government.

The Pay Commissions have taken a very pragmatic view in the last 3 Pay Commission Reports and have made very substantial changes in the scheme. There is a need to take the some view as regards the Pensioners in the Banking industry as well.

The periodical review of Pension scheme is the responsibility of the Management of the Banks. It cannot be tagged to bipartite settlements which has adversely affected the pensioners and ultimately the pension scheme remain as an archaic one in the Banking industry. As and when there are improvements in the central Govt: pension scheme, the IBA should invite the negotiating unions and implement the same.

Pension consists of the following Parts:-

1. Basic Pension
2. Commutation
3. Dearness Allowance

The basic Pension is calculated on the basic of the last drawn 10 months average pay by the retirees or the last pay drawn whichever is beneficial to the retiree. The formula has remained the same.

The Government servants have been provided the benefit of updating of pension at periodical intervals to provide sufficient cushion against inflation and cost of living.

Dearness Allowance be converted as Basic Pension as and when the cost of living index increases by about 50%. The Pensioner will therefore have the benefit of enhanced Dearness Allowance and it provides a small cushion against the inflation.

The other method adopted by the Government is to bring all the pensioners on a uniform scale by merging the Dearness Allowance at the time of revision as recommended by the Pay Commission. The facility of upgradation of pension above the age of 80 years be made available to Bank Officers as prevalent in Government. We therefore suggest as follows:-

BASIC PENSION:-

Improve the present Basic Pension in respect of all the earlier retirees on the basis of the merger of Dearness Allowance at a level to be decided by mutual understanding between the IBA and the Officers’ Organizations and union

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COMMUTATION:-

The present rate of Commutation has to be revised to 40% with the existing conversion factor. The full pension be restored after 10 years.

DEARNESS ALLOWANCE:-

The DA formula and neutralization should be at par with serving officers.

GENERAL:-

The voluntary retirement provided in the Officers Service Rules should be incorporated in the Pension rules and they should also be made eligible for Pension without any discrimination.

Pension scheme should be extended to all those who have been denied earlier on the basis of the misinterpretation of the understandings reached with IBA in particular those who retired under voluntary retirement scheme as per the service regulations/resigned after completing 20 years.

The officers who joined the bank between 01-11-1993 and 26-01-1996 have to be covered under the pension regulations.

Provision of additional service as per the Pension Regulations to the extent of 5 years should be extended to each and every retirees in the banking industry.

Those having relaxation of age at the time of recruitment on account of disability etc., also to be extended additional period of 5 years to his/her service qualifying for pension.

Also for Ex-servicemen their past services rendered in the Armed Force should be added to his/her service for qualifying for pension.

FAMILY PENSION:-

The Family Pension should be on par with the Government and be at 30% of last drawn pay by the officer across the board to everyone. The regular family pension will be payable for 10 years or till the 70th year of notional age of the deceased.

Page 30

ENCASHMENT OF LEAVE:-

Encashment of entire leave at credit should also be permitted on resignation removal and compulsory retirement.

A comprehensive medical scheme for pensioners/retirees should be framed and introduced in all the banks as available now in the case of executive directors and CMDs of the Banks.

WELFARE ACTIVITIES:-

A separate allocation of funds for improvements to welfare of the pensioners should be made every year. The facilities like Holiday Home, clinics, Transit House etc., should be made eligible for pensioners also.

LFC/HTC FACILITY:-

LFC/HTC facility should be extended to the retirees also at par with serving employees.

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Page 16

Broad Summary of Demands:-

Improvement in pension scheme and other retirement benefits

Cost of retirement benefits and hospitalization expenses to be excluded from the negotiated cost.

08.MEDICAL AID/HOSPITALISATION

Page 28

RETIREES:-

Retired employees should be covered by a hospitalization expenses reimbursement scheme.

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12.SUPERANNUATION BENEFITS:-

Pension Related issues:-

Permanent Part-time employees on Consolidated Wages prior to 01-05-2010 and made 1/3rd wage from 01-05-2010 should be covered by Pension Regulations.

Refund of contribution to pension fund to the employees who jointed between 01-11-1993 but before Pension Regulation came in force in 1995/1996.

Periodical pension updation along with wage revision of service employees.

Basic pension of all existing pensioners to be updated at the same index level like basic pay of service employees viz july-sept 2012 average.

DA on pension to be on monthly basis.

Same DA at 100% compensation for all pensioners and removal of slab system.

Extending 2nd option facility to employees who resigned between 1995 and 27-04-2010.

Qualifying service for full pension should be 20 years like in Govt/RBI

Average of 10 months or last drawn “pay” “whichever is higher” should be considered for calculation of basic pension.

Service rendered in Defence, if not counted for Defence pension should be added in bank service for payment of pension.

Actual service of part time employees should be counted for pension and not on pro rata basis.

Incorporation of provision in Pension Regulation in synergy with Clause 6(b)6(c) and 6(d) of settlement dated 10-04-2002.

Extension of Para 368(17) of Sastry Award to Pension Optees.

FAMILY PENSION:-

To be improved at par with RBI/Government pension scheme.

-:33:-

Full Pension as family pension for seven years or upon the age of 67 years instead of 65 years.

Payment of Family Pension to unmarried/widowed daughters for life and is spouse and daughters are not available then to parents.

Page 32:-

Encashment of leave:-

Privilege leave encashment to be permitted in case of loss of job due to punishments/resignations.

Cost on superannuation benefits should be outside and over and above the negotiated wage cost.

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20.VOLUNTARY CESSATION FROM SERVICE:-

This Chapter needs to be deleted in view of court judgments.

Those who were removed from service under this clause to be extended a chance to appeal.

Those who have been treated under this provision to be covered under pension scheme and pension to be sanctioned to them.

21.PART TIME EMPLOYEES:-

Permanent Part-time employees on consolidated Wages prior to 01-05-2010 and made 1/3rd wage from 01-05-2010 should be covered by Pension Regulations and not under NPS.

Pension to be paid on actual total service and not on pro rate basis.

22.RETIRED EMPLOYEES:-

LFC and Hospitalization reimbursement should be extended to retired bank employees insurance cover to be provided.

Ex-gratia to pre 1986 retirees/widows to be revised.

Pension updated along with wage revision of service employees, revising the Basic Pension of all the past retirees to the index point 10th BPS, uniform rate of DA for all pensioners and removal of slab DA system for past retirees, improvement in family pension etc on the lines of the Government/RBI Scheme.

The percentage of allocation towards welfare schemes of retirees should be uniformly defined.

-:34:-

**Updation of Pension - A Hardcore Issue**

**Who Holds The Master Key for Permanent Solution?**

For more than a decade, bank pensioners have been making hectic efforts for updation of pension. More than four wage revisions for serving employees/officers have taken place and each time they got a substantial improvement in their wages. what about the pensioners? No improvement. The basic pension remained the same from the date of retirement. Pensioners, individually or through their organisations, did everything whatever they were advised. Submission of memorandums to the concerned authorities, participation in agitational programmes like dharana, demonstrations arranged by service unions. Even knocked the doors of Judiciary at all levels. But no solution in sight! Why is it happening? Is there any mistake to choose the right path for the solution of this issue? Let us examine with open eyes and also with open mind.

1. **Writ Petition filed by Pradip Kumar V/s Bank of India & Others (W.P. Civil No. 25 of 2005) in the Supreme Court:**

Bank pensioners' hopes were raised high for more than two years by making them to belief that a definite solution on updation of pension would emerge once the judgment of Supreme Court comes out.

1.1 After reading the order of the Supreme Court dated 12.10.2011, all of us were disillusioned. In the said order of the Supreme Court there was no reference made about the most important matter of updation of pension. However, as per the communication received from General Secretary's office of AIBRF, it

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appeared that the Hon'ble Bench made following oral remarks on the issue of pension updation:

(a) There could be legal points in the matter of pension rules applicable to the Central Government Employees as they come out of Awards, while pension rules applicable to the bank employees are outcome of Settlement reached between two parties.

(b) Each Bipartite settlement is independent and cannot be compared with another one. The court could look into only on the aspect of the discrimination meted to the employees/group of employees within the same Settlement.

The said communication further states that on hearing these remarks of the Hon'ble Bench, Shri Pradip Kumar took decision not to pursue the issue further as the views expressed by the Hon'ble Bench were damaging, disturbing and disappointing to our cause.

1.2 Bank pensioners in general, have also felt not different. The impact of above oral remarks on updation of pension may damage the fate of other similar cases pending in number of courts in the country.

2. **Position of updation of pension in Reserve Bank of India:**

In the year 2003, Reserve Bank of India Central Board sanctioned updation of pension to its Pre-November 1997 pensioners. The management implemented decision of the Central Board by issuing a Circular dated 01-09-2003 with effect from 1st November 2002. When the pensioners from public

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sector banks and Insurance companies made similar demand, the Central Government objected to updation of pension given to R.B.I. Pensioners and asked (not in writing) the management to withdraw the circular dated 01-09-2003 on updation of pension and recover the amount of benefit enjoyed by the pensioners. R.B.I. management issued orders on 10th October 2008 for withdrawal of updation of pension. three aggrieved pensioners filed Writ Petition No. 7109 of 2009 in the Bombay High Court on 27-04-2009 against the withdrawal of updation of pension. Bombay High Court set aside the order of the Bank dated 10th October 2008 and directed the petitioners to make a representation to the Government of India and also asked the Government to give hearing to the concerned petitioners and dispose of the matter in this regard by a speaking order.

2.1 The Government of India, on the basis of the representation date 19-05-2009 submitted by the petitioners, passed the speaking order dated 23-10-2009 making its stand entirely clear not in favour of updation of pension in Reserve Bank of India. Some of the following important remarks expressed by the Central Government in its speaking order are most discouraging and harmful even to all of us:

(1) The Circular dated 01-09-2003 contravenes the provision of the R.B.I. Pension Regulations, 1990 and in order to restore the sanctity of the rule, it was required to be withdrawn. The delay in withdrawing the circular is however, a matter of concern.

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(2) The pension Regulations, 1990 have been framed under clause (i) of Sub-section 58 of RBI Act, 1934 by the Central Board of R.B.I. with the previous sanction of the Central Government. The Board of the Bank thus can exercise only such powers which have been specifically vested/ authorized in the Pension Regulations. The Board is not entitled to assume/usurp and exercise such powers, which are not vested with it.

(3) As per R.B.I. Pension Regulations 1990, Pension is to be calculated on the basis of the average of 10 months pay drawn and not on the basis of the notional pay. Further, there is no provision in the R.B.I. Pension Regulations, 1990 to update pension.

(4) It is true that the pension scheme in the banks including R.B.I. has been modeled on the pension scheme of the Central Government. It is evident that the scheme has been modeled and not the same as that of the Central Government Employees. the model of the scheme on the pattern of another scheme does not construe that as and when some amendments are carried out in the scheme modeled, similar amendments need to be carried out on the scheme modeled there from.

(5) In the case of retirees from 01-01-1986 to 31-10-1987, it was not notional fixation of pay but the merger of D.A. in the pay scales to save them from a disadvantageous position. Otherwise their pension would have been determined on the basis of their pay scale of 1982.

(6) In the case of Central Government retirees, the Government had accorded approval for the fixation of the pay of the retirees on notional basis and thereafter re-fixation of pension on the basis of notional pay.

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In the case of R.B.I. retirees, Government has not accorded approval for the determination of pension on the basis of notional pay. The extant regulations of R.B.I. Pension Regulations, 1990 provide for the determination of pension on the basis of average of last 10 months pay drawn.

(7) Ministry of Law was consulted on this issue and has opined that:

(a) The employees of R.B.I, which is a statutory body cannot be equated with the employees of the Central Government, in respect of pension, because pension of the R.B.I. employees is governed by the Regulations framed under the R.B.I. Act.

(b) As the pension regulations are framed in exercise of statutory powers under the R.B.I. Act, these are the Statutory Regulations. Any deviation/amendment of the provisions of these pension regulations without formally amending it after following the procedure prescribed by the R.B.I. Act will not be permissible under the law. No deviation/amendment of pension regulations can be made by administrative orders/instructions.

(8) Indian Banks' Association was consulted in 2004, who did not view the proposal favourably and has stated as follows:

(a) The proposal, if implemented, would strengthen the demand made by the officers' associations/workers' unions in the public sector for updation of pension on the basis of updation formally adopted by R.B.I.

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(b) There is already a demand from other associations/ workers' unions that any improvement in the pension scheme made by R.B.I. would be automatically extended to the employees/ retirees of public sector banks (PSBs).

(c) The PSBs are not in a position to agree to any such demand because:

1) There is no provision in the pension regulations of PSBs for updation of pension of past retirees;

2) Updation of pension may result in an increase between 17% to 32% depending upon the date on which the employees had retired;

3) Updation of pension may involve approximately an amount of Rs. 1042 crore for the PSB's excluding State Bank of India.

(9) Any administrative order or instructions which circumvent the provision of the Regulations is unsustainable. Further the Regulations have the precedence over the administrative orders/instruments. It will have wide ramifications and repercussion in the Financial Sector.

2.2 On studying negative oral order of the Central Government and realising its uncompromising mindset against updation of pension, the petitioners and R.B.I. Pensioners' Association immediately challenged the speaking order with a fresh Writ Petition in the Bombay High Court on 24th November 2009. The present status of the petition is that it has been admitted and its hearing is postponed to undeclared

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date. The present position of updation of pension in R.B.I. is that all Pre-November 1997 pensioners have been enjoying benefits of updation of pension. The R.B.I. management has not extended further updation to them after the wage revision of 2002 and 2007. Similarly, pensioners retired after wage revision of 2002 have been deprived of updation of pension commensurate with the wage revision of 2007.

2.3 Anticipating the damaging impact of the speaking order of the Central Government on the issue of updation of pension for the past and future retirees as well as on the independent authority of R.B.I. Central Board, all service unions in R.B.I. have jointly taken up the issue of updation of pension on their main agenda. After submitting the memorandum jointly in this regard to the R.B.I. Governor, they have launched agitational programmes of demonstrations before the offices of R.B.I. in the country. The unions are planning to intensify their programme such as one day's strike to pressurise the Governor and the Central Government to concede the demand of updation of pension on the lines of the recommendations of 5th and 6th Central Pay Commission.

3. **Position of updation of pension in L.I.C.**

The board of L.I.C. took a decision on 24-11-2001 to extent updation of pension to its employees. But the L.I.C. management did not implement the decision of the Board for a long time. One of the L.I.C. retirees Shri Krishna Murari Lal Asthana filed a Writ Petition in the Rajasthan High Court against L.I.C. The High Court gave a judgment on 12.01.2010 in favour of the petitioner and directed L.I.C. to implement the decision of the Board dated 24.11.2001. L.I.C. filed an

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appeal against the judgment of High Court. The Division Bench of Rajasthan High Court dismissed the appeal on 21-01-2011 and directed L.I.C. management to implement the judgment on the Single Judge dated 12-01-2010 L.I.C. management filed two review petitions in Rajasthan High Court against the decision of Division Bench. Simultaneously, L.I.C. filed S.L.P. in the Supreme Court. The Supreme Court disallowed the S.L.P. on the ground that no appeal can be entertained till pendency of review petitions. When reviews petitions were dismissed, L.I.C. filed a fresh S.L.P. in the Supreme Court.

3.1 The important legal point was highlighted in the judgment of the Single Judge as under:

"Under Section 21 of L.I.C. Act, the Board is authorised to take decisions without prior approval of the Central Government, if the said decisions are not going against the public interest. Even the learned counsel for Union of India had accepted the aforesaid proposition".

3.2 When a fresh SLP came for hearing before the Supreme Court on 14.11.2011, a counsel for L.I.C. submitted that the LIC management was prepared to implement High Court's order, provided the Central Government grants its approval. The Supreme Court gave a direction that pending approval of the Central Government, the cost of updation of pension, i.e. Rs. 52 Crores be deposited in Rajasthan High Court.

4. **Situation in State Bank of India:**

Though pension is the third benefit in S.B.I. the pensioners have been fighting for removal of ceiling on amount of pension payable to employees retired

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during the tenure of different wage revisions. The old pensioners have been fighting for updation of pension along with ongoing wage revision for employees/officers in service.

5. **Conclusion:**

(1) Can we rely on judiciary? Assuming that Pradip Kumar fought the case in Supreme Court on the issue of updation of pension half-heartedly by mixing up his personal issues, but we cannot escape the impact of oral remarks of the panel of Supreme Court which are very serious and damaging the interest of Bank retirees, so much so that chances of getting relief from the judiciary have become very doubtful in future. Even by filling a fresh strong petition in the court on updation of pension, how many years it will take is unpredictable besides uncertainty of its outcome.

(2) Let us study carefully, the speaking order dated 23-10-2009 issued by the Central government in the matter of updation of pension in R.B.I. This order not only crushed updation of pension in R.B.I. but it gave warning signals to retirees of public sector banks, L.I.C., GIC and other public financial institutions. The tone of speaking order shows the strong determination of Central Government not to allow updation of pension at all in R.B.I. and in PSBs also. The Central government has asserted that the case of D.S. Nakara V/s. Union of India is not applicable to bank

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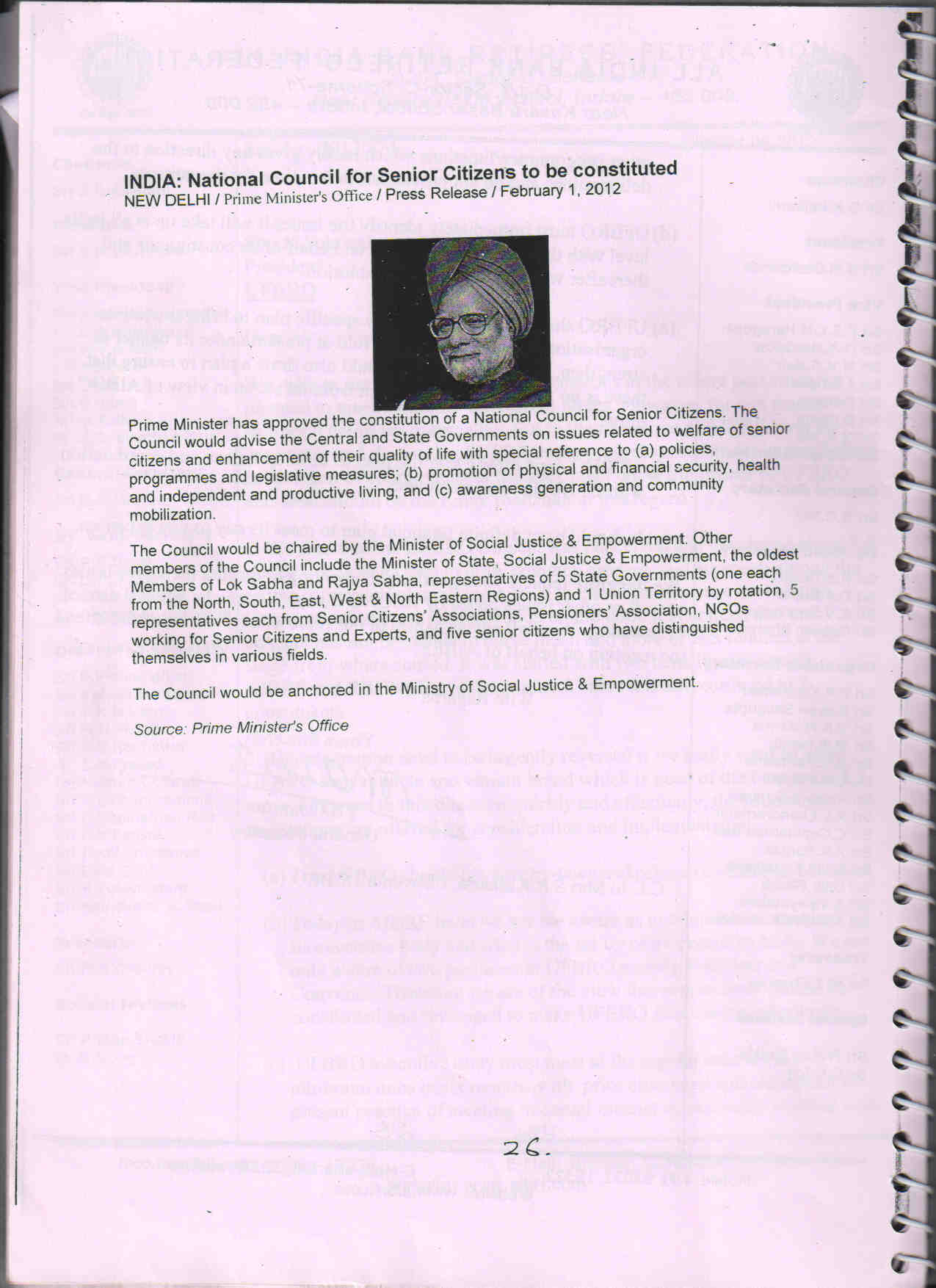
employees. The Central Government is firm on its stand that Central Board of R.B.I. has no authority to decide on updation of Pension. Pension Regulations in R.B.I, Public Sector Banks and LIC/GIC are modelled from the Pension Regulations for Central Government Employees. the Central Government also asserted in its speaking order that there has been no provision for updation of pension in Pension Regulations of R.B.I. (Same is the case in Bank Employees' Pension Regulations, 1995).

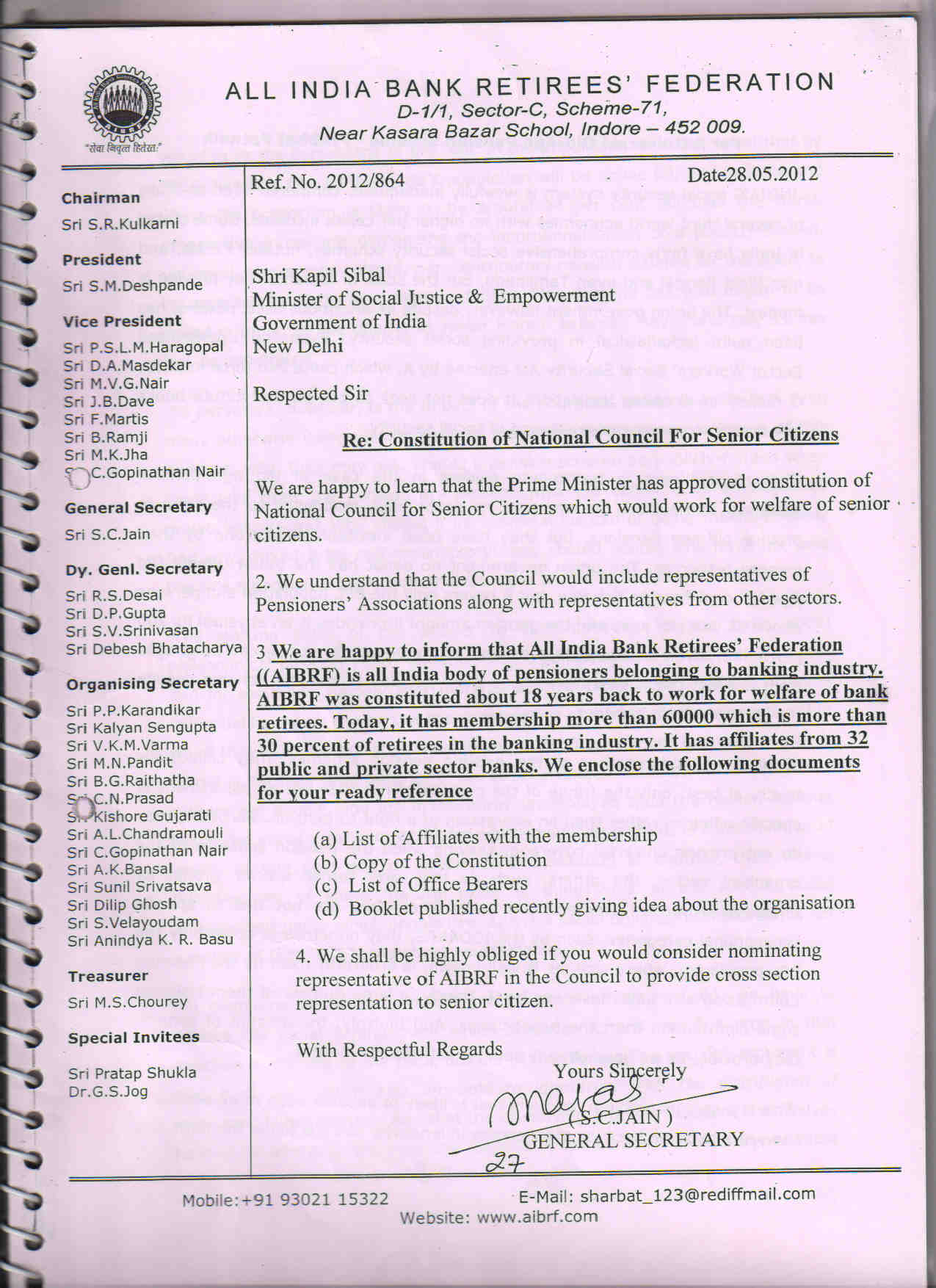
(3) The most important thing we must understand that the speaking order dated 23-10-2009 of the Central Government is proved to be the main hurdle to get updation of pension not only to R.B.I. pensioners but to the pensioners of PSBs, SBI, LIC and GIC also. As long as this hurdle is not removed, the chances of updation of pension are very bleak for all of us in near future. What is, therefore, the solution to remove this hurdle? Let us see again to R.B.I. Pensioners' Associations. On the one hand, they have challenged the speaking order in the Bombay High Court. The Hon'ble Court has adjourned its hearing for indefinite period. On the other hand, R.B.I. Pensioners' Associations have taken up assistance of service unions who have taken up this issue very seriously by launching demonstrations before offices of R.B.I. all over the country during the visits of R.B.I. Governor. The unions have been mounting pressure on the Governor, urging him to get the clearance from the Central Government so that updation of pension shall become an ongoing process on the lines of the recommendations of 5th and 6th Central Pay Commission.

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(4) In Public Sector Banks, pension scheme is introduced out of Bipartite negotiations between service unions (UFBU) and Indian Banks' Association (I.B.A). The anomalies were created in 7th and 8th Bipartite settlements that too after Bipartite negotiations between UFBU and I.B.A. In April 2010, second option for pension to those who did not opt earlier was settled also after negotiations between UFBU and IBA. The second option for pension which was otherwise an impossible task few years back, achieved after hard bargaining by UFBU and I.B.A. There is no point in denying that second option for pension would not have been possible by any other means. Without bringing powerful pressure on the Central Government by UFBU, updation of pension is not possible in the present situation. Whether we like it or not, the ground reality we must accept is that in the present situation, we have no option but to depend upon UFBU for achieving updation of pension in public sector banks along with ongoing wage revisions for service employees.

**(Source All India Canara Bank Retirees Federation(Regd))**





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We reproduce herein the copies of letters written by AIBEA to the Government on the following issues:-

1. Allocation of uniform portion from Staff Welfare amount for schemes pertaining to retired employees.
2. Revision in Ex-Gratia pension being paid to pre-1986 retirees/their surviving spouses.

Reg: Staff Welfare fund – Allocation from profits – need for uniform Guidelines on allocation for

retirees:-

Reg: Government Guidelines F.No.14/7/92-IR (Vol.II) dated 24-02-2012

Vide the above guidelines, government has permitted the Banks to increase the allocation towards staff welfare scheme from out of the profits of the banks based on total business and number of employees, subject to a ceiling of 3% of Net Profit of the Banks.

Earlier, the Government had advised the Banks that while utilizing the funds allocated for staff welfare scheme, a portion of it may be extended for schemes pertaining to the retired employees. Since there is no uniform guidelines, the allocation of funds (out of total amount allocated for staff welfare schemes) for retirees is also not uniform.

Bank retirees and All India Bank Retirees Federation have been representing for an uniform percentage of allocation for retirees schemes out of the total amount allocated. We feel that it is quite legitimate to prescribe a uniform percentage to the apportioned for utilization towards welfare schemes for the retired employees so that all the Banks would follow an uniform pattern of allocation.

Hence we urge upon the Government to favourably consider this representation and issue necessary guidelines to the Banks.

Reg: Payment of Ex-gratia ad-hoc pension to pre-1986 bank retirees – Rs.300 per month fixed in 1998 – request for revision:-

Reg: Government guidelines No.F.11/3/92 IR dated 26-11-1998 and F-11/3/92-IR dated 13-09-2006:-

Bank Employees pension scheme became effective from 01-01-1986 since improvements of Central Government employees pension scheme as per 4th Pay Commission recommendation were implemented from that day. All those who were in service of the Banks as on 01-01-1986 became eligible under the pension scheme. Bank employees who had retired prior to 01-01-1986 were not covered by the pension scheme. However, in RBI, an ad-hoc ex-gratia pension was extended to employees, who had retired prior to 01-01-1986. On our representation, the Government issued their guidelines dated 26-11-1998 to the Banks to extend ex-gratia pension of Rs.300 (plus DA) per month for the pre-1986 bank retirees.

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Subsequently, Government also extended an ad-hoc lump sum payment of Rs.1000 per month (without DA) to the surviving spouse of pre-1986 retirees upon the death of such retirees vide guidelines dated 13-09-2006.

In the recent years, there have been repeated and frantic representations from these retirees as well as from the All India Bank Retirees Federation to enhance the Ex-gratia amount due to the high inflation and price rise.

Since these are pre-1986 retirees, they belong to the age group of 86 years and above. The total number of such pre-1986 retirees/surviving spouses may not be more than 3000 to 4000 amongst the entire Banks put together.

Hence we have been requesting the Government to sympathetically consider some enhancement in the Ex-gratia amount being paid to the pre-1986 retirees/surviving spouses. Considering the genuineness, we once again urge upon you to consider our representation favorably expeditiously.

Latest position of the cases :

**INJUSTICE TO THOSE WHO HAVE RESIGNED FROM THE BANK**

While those PF optees who took voluntary retirement as per VRS 2000 were given one more option to join pension scheme those who resigned from the services of the Bank prior and after VRS 2000 were denied of the second option for pension. The PF optees had no other option to quit the Bank for personal reasons but to tender resignation since as per the Rules of the Bank there was no provision to retire prematurely. This is the case with some other Public Sector Banks. While several thousands of PF optees were allowed to retire under VRS 2000 as a special case even though the Regulation did not provide for that small number of those who resigned from various banks for want of provision to retire were denied justice. This is a case of gross discrimination. Similarly placed employees were treated dissimilarly.

Our Association took initiative and advised the aggrieved officials to seek justice from the Court when the management refused to entertain their applications for second option for pension. Our Association co-ordinated them. Resignees of some other banks also filed petitions. The Hon’ble Single Bench of Karnataka High Court delivered verdict in favour of the resignees and directed the Bank to offer second option to the Resignees. However our Bank filed appeal in the Division Bench. There also the Bank lost. Then the Bank moved Supreme Court and filed SLP against the judgment of Karnataka High Court. Strangely in December 2012 the Bank withdrew the SLP with liberty to file Revision petition at Karnataka High Court. The issue remains there.

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The General Secretary of AIBRF met the officials of Finance Ministry and IBA and requested them to do justice to the resignees without dragging on with the case. But nothing moved. This is the case with some other Banks also.

We are confident that justice will be done. There are several cases in this respect in many High Courts.

Five years notional weightage :

W.P.(c) No.2409/2011 (A) filed by us against Vijaya Bank Management is listed for Final Disposal at the Hon’ble High Court of Kerala. SLP filed by the bank is not yet listed for hearing at Hon’ble Supreme Court.

REASONABLE EXPECTATIONS OF BANK RETIREES IN INDIAN ENVIRONMENT

1. To have tension-free life for self, his / her spouse and family
2. To maintain life-style matching to his / pre-retirement status / position in the bank
3. To ensure good health for self and his /her spouse
4. To have longevity in life
5. Social Security as well as physical security
6. Respectful and dignified life
7. To have regular source of income, free of any risk, to fulfill above objects

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Amendment to Rules & Bye-Laws

Rules and Bye-Law Existing Proposed

Rule No. 7

Admission Fees & Subscription

Life Membership for : Rs.1,500 /Part time employees Rs.1,000 Part time emp . Rs.2,500 for others Rs.2,000 for others

Rule No. 9(e) The General Body shall Tenure of the office bearers

elect the office bearers and Executive members

& Executive members shall be 3 years

Rule No. 10 (a) The Executive Committee The Executive Committee

Shall consist of 1 President shall consist of One

One Vice President One General Chairman One President

Secretary One Secretary One 4 Vice Presients One

Treasurer and 7 Committee General Secretary One Dy. Members General Secretary One Organizing Secretary 7 Jt. Secretaries One Treasurer One Asst. Treasurer and 7 Committee Members

Rule No. (b) Proposed

For better coordination of members Regional committees would formed as decided by the Executive Committee. Regional Committees shall be One Regl Chairman One Regl Secretary One Regl Treasurer and 7 Committee Members

Rule No. (c) Proposed

The Executive Committee shall meet at least once in 6 months or as often as may be necessary to transact the business.

Rule No. 12

In the opinion of the President of the General Secretary Regl President and

It is necessary to provide for special representation, they Secretaries of all

Shall have the power to invite one or more persons elected regions will

To attend the meetings of Executive Committees . Such special form part of the

Invitees shall not have voting powers. Executive Committee

With voting powers.

Rule No. 22 Audit (Proposed)

The General Body will appoint or permit General Secretary to appoint a Chartered Accountant for audit for the accounts of the Association and fix the Annual Audit fee.

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RESOLUTIONS:-

Resolutions presented in the delegate session held at Ajantha Hotel on 17th March 2013:-

1. 5 YEARS NOTIONAL WEIGHTAGE:-

In our Circular No. 3/2012 we have communicated that our President met the Chairman and GM(Per) on 03-05-2012 and requested to settle the issue of weightage of service in view of the rejection of appeal of the bank by the Divisional Bench of Hon’ble High Court of Karnataka. We have also informed the Members that we reasonably hoped that the management would take positive decision to settle the issue regarding weightage of service to the VRS optees. However we now learn that the Management is going ahead with challenging the verdict of the Division Bench of Hon’ble Karnataka High Court as per the Legal advice. It is very cruel on the part of the management to make all efforts to rob the retired personnel their legitimate dues. Our organization would fight the case in Supreme Court if the Management files SLP. However we are still pursuing the matter with the Management. The attitude of the management is a lesson to all retired employees. **Only option for the retirees is to organize under one banner irrespective of the cadre and union affiliation while in service**. Division of retirees would only harm the interest of all retirees and help the bank managements. We urge upon all our members to actively involve in enrolling members in our organization. Ours is the only organization in our bank, which is initialing legal steps and organizational approach to ensure justice to all retirees with the support of AIBRF.

VBRA unanimously resolves and requests the IBA & the Government to issue necessary instructions to the bank to settle the issue of weightage of service.

1. UPDATION OF PENSION:-

Pension concept has been in existence not only in our country but in the whole world and pension is considered as a reward for the past services rendered and has been termed as deferred wage(which he earns during service and avails after retirement)and becomes a right under Article 14 of the Constitution of India. In our country, Central/State Government employees, RBI, SBI, Allahabad Bank have been paying pension to their employees since long time.

Thanks to bank employees/officers, Unions/Associations we had Pension Settlement on 29-10-1993 by sacrificing bank’s contribution to Provident Fund. Pension has been accepted by the democracy of this country as a welfare measure and hence it should have been proper to secure this pension as a third retrial benefit. Not only that this did not happen, but in spite of clear understanding in the Settlement that updating the pension on the lines as are in force in RBI has been conveniently omitted resulting in pensioners of earlier years suffering financial loss and unable to make their livelihood in the heavily increased cost of living of the present day. Such non-updation of pension created separate class in the same class of pensioners as per their date of retirement. Some of the Chairmen of the banks who are drawing pension on the basis of their working as General Managers in the year of 1995, 1996 are drawing lesser pension than even very junior staff of present years. This great disparity and diversity is not only irrational, but also totally unacceptable not only in the eyes of administration, but also in the eyes of law. Creation of different types of pensioners in the same class of pensioners is illegal as per many judgments pronounced by Supreme Court of India. The Central government of India which is ruling this country and from whose rules pension regulations have been formulated corrected their

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wage increase given to central govt. employees. Following suit of central govt. decisions, State Governments also updated the pension of State Govt. retired employees.

RBI employees have also secured updation of pension in their recent settlement. In 1968, on a writ filed, Supreme Court ruled that “Pension is a binding obligation of the govt. and not a gift/reward or bounty”(WP No: 217/1968). Supreme Court opined that the employees have to lead a peaceful and honorable life after retirement and if honorable life is to be assured, updation of pension is the prime necessity”.

In the Settlement dated 29-10-1993, it is mentioned that formula for updating pension should be on the lines of the same given in RBI Pension Scheme. Any change therein should be introduced only after mutual agreement. If the Central Govt.employees or the State Govt.employees are getting updated pensions against no profit earned by their employers, it is totally unfair and unjustified that banks who are making huge profits are not permitted by the Govt: of India to update pension for retirees on the pretext of affordability. Non-acceptance of updating the pension to bank retirees has no basis, logic or legality. But it is mere unwillingness

On the part of the govt. of India, that too, discriminating them against central/state govt. retirees. The concept or principle of updating the wages of working employees is in relation to cost of living and the same principle of updation of pension as per cost of living is not followed is devoid of logic and deliberate discrimination. If pension is termed in the Constitution as a welfare measure, non-updation of pension is a violation of the same principle.

The arguments put forth that the increase in DA is given to retirees is totally untruthful statement and the same can be seen from the principle adopted in the wage revision settlement by merger of DA into basic and allowing DA on the basic pay after merger.

With a view to ensure parity between past and present pensioners, a suitable formula aimed at total equity as between pensioners who retired before 01-11-2007 and those who retired later should be evolved by the IBA/Govt.

In other words, all pre 01-11-2007 pensioners be brought to the level of 9th BPS/Joint Note dated 27-04-2010 by notional fixation of pay of the bank retirees(from the bipartite settlement/joint note during which period they retired to the latest Settlement), in the same way as was done for serving bank employees(Viz: by adopting the same formula as for the serving employees so that past pensioners also get the benefit of same per centage of increase). This alone would ensure total parity.

VBRA conference unanimously resolves and requests the IBA and the Government that the already delayed updation of pension be immediately considered without harassing the bank retirees further.

3. UNIFORM DEARNESS RELIFE TO ALL BANK RETIREES:-

The Government of India which did not consider 100% DA neutralization earlier has realized their mistake and corrected the same while implementing V CPC recommendations with effect from 01-01-1996. Also, Pension Settlement dated 29-10-1993 envisages payment of dearness relief on pension on the lines as are in force in RBI. In RBI, 100% neutralization of dearness relief has already been conceded with effect from 01-02-2005. However, in the banking industry, 100% DA neutralization has been conceded only for employees retired on or after 01-11-2002. Thus those who retired prior to 01-11-2002 were denied 100% neutralization on full pension. Instead they were paid DA on tapering down in 4 stages and also are being allowed change in DA on half yearly basis as against quarterly revision to working employees. This distortion is neither moral nor logical nor legal. This is against principles of equality enshrined in Article 14 of the Constitution of India.

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VBRA unanimously resolves and requests the IBA & the Government to rectify the same on priority basis expeditiously, since most of the affected bank retirees belongs to the age group of 69+.

1. **SECOND OPTION FOR PENSION:-**

This offer should have been made available to bank resignees, as is made eligible by the judgment delivered by the Hon’ble Supreme Court on 28-07-2011 in respect of Sheelkumar jain Vs New India Assurance Co.ltd.

In respect of those who retired prior to 29-09-1995, they did not opt for pension in the first instance, when the right of option was available. But later when the second option for pension was opened up and offered, this category of retirees that is retired prior to 29-09-1995 who wanted to opt for pension now are denied the opportunity for no fault of theirs. Hence AIBRF unanimously resolves to demand that the right of 2nd option be extended to such retirees also.

1. **WEIGHTAGE FOR QUALIFYING SERVICE TO SPECIALIST OFFICERS:-**

Pension Regulations 1995 permits weightage in qualifying service of Specialist Officers, under its Regulations No.26 on certain conditions. But banks are not following this regulation due to which many Specialist Officers are being deprived of benefit available to them under the aforesaid regulations No.26. Viz: 5 years weightge for the purpose of pension. Hence, AIBRF unanimously resolves to demand that the aforesaid weightage is extended to all specialist officer retirees as per Pension Regulation 26.

1. **ADDITIONAL PENSION TO VERY OLD RETIREES:-**

In the 6th CPC, the Government of India have rightly identified that this category of pensioners80+ need to be considered specially and an enhanced pension for the retiree and their families was recommended and accepted by the govt. As such, AIBRF unanimously resolves to place the demand that this category of pensioners Viz 80 years and above and the Family Pensioners be given additional pension to old retirees.

1. **RECOGNITION OF AIBRF BY IBA/GOVT FOR NEGOTIATIONS:-**

We are the only representative body at the industry level representing all types of retirees from messenger to General Manager and Voluntarily retired, Technical and all other categories of retirees. We operate through bank wise All India Organizations who in turn, function through their State Units. We are also have State-wise Units of All India Bank Retirees’ Federation.

Except SBI, most of the retirees’ associations of banks are our affiliated units and we have representations in all the States across the country having national character. The United Forum of Bank Unions which is the negotiating body at the industry level and signatory to all bi-partite settlements are fully supporting our organization and are taking up our issues with IBA/Govt. This system is operating at present, as we are not allowed negotiate directly with IBA. But this position is embarrassing to us well as to UFBU, as conceding some of the monetary benefits to retirees cuts the pocket and quantum of benefit which otherwise the working employees might be able to secure. This situation naturally comes in the way of certain rightful benefits which the retirees could have secured by now like up-dation of pension, 100% neutralization of DA, improvement in Family Pension etc. Hence it would be fair that as retirees also were the major participants for the growth of banking industry they deserve such benefits.

AIBRF unanimously resolved and requests the IBA that Retirees’ Organizations need to be recognized for negotiation with IBA independently and secure the benefits without embarrassing UFBU and without adding the cost of the benefits in the package of serving employees.

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1. **ENHANCEMENT OF CEILING ON GRATUITY AND IT’S APPLICABILITY:-**

The recent enactment which has increased statutory ceiling on Gratuity to Rs.10 lacs has been made applicable to all government undertakings with effect from the date of their wage revision. Unfortunately, as is being done in many such other cases, employees in banking industry are again given step motherly treatment and this enhancement is made effective from 24-05-2010 only. In the interest of equity and fairness, AIBRF unanimously resolves to demand that this enhancement is made effective from the date of wage revision i.e. 01-11-2007.

1. **DISCRIMINATORY TREATMENT TO VRS & OTHER RETIREES:-**

Superannuated retirees, VRS retirees, SVRS retirees, resignees and all other types of retirees to be treated equally. At present, there is continued prejudice especially against VRS retirees and they are not being allowed to enjoy the facilities/benefits offered by banks Viz: participation in Hospitalisation Schemes, booking of holiday homes, concessional rate of interest on deposits/loans/lockers etc. In fact, these VRS category of retirees have obeyed by taking the VRS in due regard to the wishes of the bank managements for reducing the establishment cost and thus reduction of staff. Thus, instead of appreciating their action, they are being denied all normal facilities offered to normal retirees. Similar is the case with other category of retirees and resignees. Hence AIBRF unanimously resolves to demand IBA and the Government that there should be no discrimination in offering facilities by banks amongst the retirees. In other words, mode of exit from bank’s service need not be the criterion for extending facility to bank retirees.

1. **APPLICABILITY OF PENSION SETTLEMENT TO PRIVATE SECTOR BANKS:-**

In our country with democratic principles and justice to all, the denial of pension to private sector employees of the same banking industry where most of the banks are nationalized is totally unjustified. As a matter of policy also, the govt. of India never allowed a private bank employees to lose his employment even when a private sector bank failed.

Those of the private banks who were not doing well and some private banks who are prepared to get merged were always merged with stronger banks and then the employees get all benefits including pension.

Further, these private sector bank managements are also signatories to the industry level settlement/joint note. Under these circumstances, denying pension to private sector bank employees is totally discriminatory and unjustified.

AIBRF unanimously resolves to demand that private sector bank employees are allowed to exercise another option for pension with reference to Pension Settlement/Joint Note made between IBA and UFBU on 27-04-2010(Ing Vysya, Bank of Rajasthan etc)

1. **TREATMENT OF PRE-MERGER RETIREES:-**

It has been the trend that small banks are getting merged with major private or nationalized banks. The RBI while allowing mergers is giving free hand which is taking the merger to leave the fate of merged bank employees to their own fate in certain matters. Particularly those retirees of pre-merger are becoming orphans to facilities like pension option, ex-gratia, loan facilities, identity cards etc by denial. The cost of allowing these facilities is meager, but the image of the bank which is taking the merger is lost much more.

VBRA unanimously resolves that these facilities should be extended to the taken over bank retirees also.

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1. **PROTECTION OF PENSION FUND CORPUS:-**

We are perturbed to note from the press reports that steps are on the anvil to invest/manage huge funds in the Pension Fund corpus of the Employees of Public Sector Banks with Private Pension Fund Manger/s. The Conference notes with concern that the above move is a serious matter concerning post retirement benefits of lakhs of serving employees, existing pensioners and family pensioners. Pension Corpus Funds are hard earned money of every past and present employees of the Bank accumulated over a period of time and needs to be dealt with prudence and financial wisdom. Presently, the funds are being invested only in notified securities. As retirees, it needs to be assured that the corpus of their pension fund is in the safe hands of the Bank and it is the moral obligation of the Bank to ensure that sense of security prevalent in its employees/pensioners remains invulnerable.

Hence, VBRA unanimously resolves to urge upon the Hon’ble Minister for Finance, Government of India to abandon the aforesaid move.

1. **INTRODUCTION OF SYSTEM TO AVOID UNWANTED LITITGATION:-**

It is observed that from many of the cases pending before various High Courts/Supreme Court that banks and IBA are unnecessarily and wantonly dragging the cases against bank retirees evidently to buy time or to frustrate the retirees with delays and spending of money. Of late, it is found that even in legally tested cased as well as IBA agreed cases/matters also, such unnecessary litigations and wastage of public money is being done. This is happening for the reason that no accountability is fixed on those officials who are knowingly dragging these litigations to various high courts and Supreme Court, ultimately resulting in loss of face and public money.

Hence VBRA unanimously resolves to appeal to the IBA and the Government that matters where the judgment at High Court level are clear and no further litigation would help the bank managements, in such cases, the verdict of the High Court should be implemented by all banks without further appeals and protracted litigation. Such gesture by bank management would help saving of hard earned money of the retirees and will help him in availing the benefit during his lifetime and in times of their need.

1. **50% CONCESSION IN RAIL FARES:-**

VBRA unanimously resolves and requests the Hon’ble Union Railway Minister to announce 50% travel concession to male Senior Citizens (60+) as is already given to Women Senior Citizens in the ensuing Railway Budget for 2012-2013. The Foundation Conference also requests the Railway Minister to make available this concession for all trains, including passenger trains, so that the poor senior citizens in the rural areas also get the benefits. It is further requested that Old-old Senior Citizens (85+) should be considered as physically challenged persons and the facility of one escort free should be allowed to them.

1. FACILITY OF HOSPITALISATTION SCHEME TO RETIREES & THEIR SPOUSES:-

The banks have to look after the welfare of the retirees who have rendered lifelong dedicated services to their beloved institutions. Hospitalization schemes are more necessary for retired employees/officers as compared to working employees/officers. The bank managements have forgotten this responsibility of taking care of their retired employees, but have provided Schemes for working employees by linking the schemes with insurance companies. Insurance companies, naturally, are happily serving the hospitalization schemes of working employees as they make huge profits as number of claims will be much less from younger cadres.

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VBRA unanimously resolves and requests that all the banks should negotiate uniform hospitalization scheme with insurance companies covering the whole group of employees and retirees together and take such a group insurance policy which will benefit all uniformly. Thus the premium payable will be reasonable and competitive and the bank also will be in a position to pay the premium out of welfare funds earmarked to employees/retirees.

1. SEPARATE WELFARE FUND FOR BANK RETIREES:-

Allocation of separate welfare fund from profits earned by the bank exclusively for the welfare of retirees is the need of the hour. Till today, the system prevailing in the banking industry has been that very small portion of welfare fund allocated to staff is being shared by the retirees. This system naturally discomforts the serving employees and also is not meeting the expectation of the retirees.

VBRA unanimously resolves and requests the bank managements that at least 3% of the bank profits be exclusively given to retirees, as retirees’ welfare is also the responsibility of the bank managements. Hospitalization/Medical expenses are to be defined as the first measure under welfare measures, as retirees are more prone to such health hazards/risks in the twilight of their years. Such welfare fund should be utilized in consultation with Bank-wise Retirees’ Organizations for avoiding improper use of welfare funds.

1. MEDICAL AID TO RETIREES:-

In most of the Banks, there is no provision for medical aid for regular check-ups and domiciliary treatments are not covered in the hospitalization scheme. Considering these aspects, some of the banks have come forward to pay specified amount of money every year for these purposes on declaration basis. Central Bank of India, Union Bank of India, Bank of Baroda etc have provided quantum payment yearly. As such, AIBRF unanimously resolves and requests that at least Rs.5000/- towards medical aid be paid to all retirees annually on declaration basis.

1. ON FAMILY PENSION:-

For Central Govt. Servants, concept of Family Pension was introduced in April 1950. Those who have put in a service of 25 years were eligible for FP. FP was 50% of Pension. It was allowed for a total period of 10 years subject to a maximum of 5 years beyond date of retirement. The stipulation of 25 years service was reduced to 20 years from 01-04-1957. Family Pension Scheme 1964 was introduced and it was made applicable to all those who were in service as on 31-12-1963. Upto 22-9-1977 two months gratuity was deducted towards Family Pension. Deduction of 2 months Gratuity was withdrawn thereafter on the basis of Supreme Court Judgment. From 01-1986, on the basis of CPC recommendations, upto the Basic Pay of Rs.1,500/- FP was 30% of Pay with a minimum of Rs.375/-. For those who draw a Basic Pay of Rs.1501 to 3000 it was 20% of pay with a minimum of Rs.450/- p.m. and for those who drew a Basic Pay above Rs.3,000 it was 15% of pay with a minimum of Rs.600/- p.m. The ceiling of Family Pension was Rs.1,250/- p.m.

As per 6th CPC recommendations, with effect from 01-01-1996 FP is granted @ 30% of Last Pay Drawn. Minimum Pension of Rs.1,275/- is made applicable to family Pensioners also from 01-01-1996. Both Son and daughter are eligible to receive FP upto the age of 25 years or marriage or employment whichever is earlier. But physically and mentally challenged children are eligible to get FP for life. 5th CPC introduced the concept of ‘Enhanced Family Pension’ for 7 years or pensioner would have attained the age of 67 whichever is earlier, if the employee died in harness. Justifying special dispensation, with effect from 01-01-2006, on the basis of 6th CPC recommendations, the period of 7 years was increased to 10

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years(for those who died in harness). As per the existing orders, if the period of 7 years falls beyond 01-01-2006, then FP at enhanced rate should be given for 10 years.

Thus, while considering the pension package for Central Government employees, various Pay Commissions have kept in view the hardship caused to surviving spouses on account of payment of meager Family Pension and have sympathetically liberalized the FP rules over the past decades. But in the Employees’ Pension Scheme modeled on Central Civil Services Pension Rules, there has been no perceptible improvement in Family Pension for more than 16 years since introduction of Bank Employees’ Pension Regulations 1995.

Hence VBRA unanimously resolves to place the following demands before the IBA and the Govt. for their sympathetic consideration:-

1. Family Pension should be delinked from the present 3 slab system and should be calculated uniformly at the rate of 30% of last drawn basic pay in all cases;
2. In the case of bank employees dying in harness, family pension should be paid at enhanced rates for a period of 10 years without any upper age limit;
3. FP should also be paid to widowed/divorced/unmarried daughters of the deceased bank employees even if such daughters have attained the age of 25 years;
4. Childless young widow of deceased bank employee should continue to be paid Family Pension even after re-marriage;
5. Higher rates of pension for very old family pensioners on attaining the age of 80/85/90/95/100 by granting additional quantum of 20%, 30% 40% 50% and 100% of basic family pension.
6. PPO to contain photos of physically/mentally challenged and other eligible dependant family members to facilitate hassle-free passing on the benefit of family pension after demise of parents.
7. ENHANCEMENT OF EX-GRATIA TO PRE-1986 RETIREES:-

It may be noted that number of Pre-1986 retirees(aged 85+) and getting Rs.300/-+DA are few hundred only or even less. These retirees badly need financial support at the fag end of their life and the delay in getting any benefit will be virtually denial thereof. This matter has been represented many times before IBA and Government of India and also to the Chairman, Public Grievances Committee who all positively responded, but with no results so far. AIBRF unanimously resolves and ardently appeals to the Government that this issue be considered on priority basis for enhancing the ex-gratia amount from Rs.300/-+ DR to Rs.2000/-+D.R.

1. ENHANCEMENT OF EX-GRATIA TO SURVIVING SPOUSE OF PRE-1986 RETIREES:-

With effect from 01-12-2006, the surviving spouse of Pre-1986 retirees are being paid a consolidated ex-gratia of Rs.1000/- only(without any dearness relief). While other classes of pensioners are being compensated for periodical increase in cost of living through increased rate of dearness relief, these segments of pensioners who are very few are facing vagaries of sky-rocketing price rise without any compensation. Hence, AIBRF unanimously resolves and requests the Government to increase Ex-gratia amount to Rs.1000/- + DR which will take care of increased cost of living.

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1. ELIGIBILITY FOR FULL PENSION:-

In the 6th CPC recommendations accepted by the Govt: eligibility for full pension has been made as 20 years as against 33 years. In the banking industry, we still are maintaining 33 years as eligibility for drawing full pension.

VBRA unanimously resolves to demand that in the banking industry also, eligibility for drawing full pension should be made as 20 years and last drawn pay on 10 months average emoluments, whichever is more beneficial, should be the criterion for fixing the pension.

1. ALLOWING ANOTHER OPTION FOR PENSION TO THOSE WHO RETIRED UNDER OSR, COMPULSORILY RETIRED EMPLOYEES & RESIGNESS:-

In the MoU/Settlement/joint Note signed on 27-11-2009 & 27-04-2010 by the UFBU with IBA, the beneficiaries are all categories of retirees. Whereas the IBA has interpreted that Officers retired under OSR & those compulsorily retired have not been covered under the Settlement. In spite of continuous follow-up by the UFBU, no fruitful results could come. In the absence of any other alternative, such affected retirees have been forced to approach the Court of Law seeking justice. But organizations cannot remain silent without pursuing the matter.

As such VBRA unanimously resolves and requests the UFBU to continue to follow-up the matter with IBA/Govt. for extending the benefit of another option for pension to officers retired under VRS-OSR and also to compulsorily retired employees. Further, in the light of Supreme Court judgment delivered on 28-07-2011 in respect of Sheelkumar Jain VS New India Assurance Co.ltd., the Foundation Conference further demands that the IBA/Government should extend another option for pension to all the resigned bank employees.

We also propose to present the following resolutions:-

23. Grievance cell 24. Medicial Aid 25. Hospitalization scheme

We will draft the resolution and will be forward to the appropriate authorities.

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VIJAYA BANK RETIREES’ ASSOCIATION (Regd)

Regd Office: TKV Memorial, Kochi.

Central office: No: 89, 3rd Floor, Roof top, J.C.Road, Bangalore-560002

**Circular No: 2/13**

Bangalore

18/03/2013

TO ALL MEMBERS:

Dear Friends,

OUR THIRD ALL INDIA CONFERENCE- A SUPER CONFERENCE.

That was a super conference in Bangalore, on 17th March, 2013.

The Big Hall at Hotel Ajantha was overflowing with participants, with still more than hundred participants standing outside the hall. We expected around 300. We were prepared up to 350. But ultimately, our volunteers had to rush for additional chairs, remove the dining tables in the dining hall and accommodate the enthusiastic members and well wishers. This was amazing and encouraging. The overflowing audience consisted of former General Managers, Dy. General Managers, Senior executives, Managers, officers, clerks and sub-staff, without the veil of any designation, all under one banner and all on equal footing. It was indeed a display of oneness. The participation by such an overwhelming number of members has made our 3rd All India conference not only a great success but also memorable.

The inaugural session of the conference commenced with welcome address by Sri. R. Dhamodaran,

The conference was inaugurated by Sri. S.C. Jain, General Secretary, AIBRF. Sri. Jain, who retired as a General Manager from Bank of India, was also a trade union representative earlier. Mr Jain, while inaugurating the conference, expressed his joy and appreciation at the massive participation. Speaking from his heart, he deplored the un-helpful attitude of the management in the matter of 5 years weightage and an opportunity to those who have resigned to opt for pension, in spite of court orders. Emotionally speaking, he felt that the day may not be too far when the retirees of Vijaya Bank would be compelled to sit in front of the head office of the bank, along with their family members to realize their legitimate aspirations. He explained various benefits extended to pensioners in different banks, the role of UFBU in getting one more option for pension, our Charter of demands, our expectation from UFBU , the growing strength of AIBRF, our activities and achievements etc. His speech, spread over for about an hour was heard with rapt attention, with interspersed with applauses, appreciating his views and directions.

Thereafter, Sri. K. Vishwanath Naik, General Secretary, AIBRF, Karnataka greeted the conference and launched our website www.vbra.in.

Sri. Gopinathan Nair, President spoke explaining the activities of the association, highlighting the challenges ahead.

The conference, thereafter was greeted by Ms. C. Gopinathan Nair, Joint Secretary AIBRF, C.N.Prasad, Organising Secretary, AIBRF, Venkat Rao, Committee Member, AIBRF, Muddanna Shetty, General Secretary, VBWO, PGR Bannithaya, General.Secretary, VBOU, H. ChandrashekaraShetty, General Secretary, AIBOA, Karnataka. The leaders of other Unions who could not attend the conference have conveyed their greetings to the conference. The inaugural session was concluded with vote of thanks by Sri.SudhakarShetty.

The delegates session commenced immediately thereafter. Sri.S.G.Embran, General Secretary placed his voluminous, meticulously compiled report. The report was unanimously adopted after discussion by members, which were replied by the Gen. Secretary and supplemented by the President. The accounts of the Association for the years 2009 , 20010,2011 and 2012 was placed before the general body by the General Secretary, in the absence of the treasurer, due to his ill health. The accounts were approved unanimously. 25 resolutions moved on behalf of E.C. were adopted after discussion. A proposal for amendments to rules and bye-laws was accepted unanimously. Detailed proceedings and resolutions willfollow.Thereafter, Sri. K.T.Havanur, was felicitated on his completion of 75 years of age.

Thereafter, in an unparalleled show of total unanimity, the General Body elected a new team of representatives, which is reproduced overleaf.

After the election of the new team, Sri. B. ManoharShetty, newly elected Chairman , briefly addressed the delegates, exhorting them to get more united and to be ready for action programmes.

Thereafter, Sri. K. VishwanathNaik, the newly elected general secretary commended the sincere and hard work put in by Sri. S.G.Embran and his team, all these years, which has made the association what it is today. He felicitated Mr.Embran, on behalf of the association. The entire general body paid a standing ovation to Mr.Embran.

Friends, this massive conference has provided useful inputs and perspective to the ongoing activities of the association and encouragement to its representatives to carry on their activities with added enthusiasm.

Thus, came to the conclusion the massive, mammoth, memorable third conference of our dear VBRA, with constructive participation by members and purposeful decisions.

Together, with the involvement of all our members, with guidance from AIBRF and with support from unions and organisations of serving employees, we should be able to reach our goal- a secured, settled and peaceful retired life with dignity and honour.

Long live VBRA, Long live AIBRF.

With affectionate greetings,

Truly yours,

Sd/- sd/- sd/-

(B.MANOHAR SHETTY) (C.GOPINATHAN NAIR) (K. VISHWANATH NAIK) CHAIRMAN PRESIDENT GENERAL SECRETARY

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VBRA- LIST OF NEW TEAM OF REPRESENTATIVES ELECTED FOR THE ENSUING TERM

|  |  |  |  |
| --- | --- | --- | --- |
| DESIGNATION | NAME OF THE REPRESENTATIVE | CONTACT No. | e-MAIL |
|  | Ms |  |  |
| CHAIRMAN | B.MANOHAR SHETTY | 09448802869 | [aibrfvbra@gmail.com](mailto:aibrfvbra@gmail.com) |
| PRESIDENT | C.GOPINATHAN NAIR | 09740185218 | [Nair1cg@gmail.com](mailto:Nair1cg@gmail.com) |
| VICE PRESIDENTS | 1.K. NAVEEN KUMAR HEGDE  2.P.C. VALSARAJ  3.M.SUDHAKAR SHETTY  4. R.DHAMODHARAN | 099720045463  09444390592  09343530134  04872253412 | [navinkumar@yahoo.co.in](mailto:navinkumar@yahoo.co.in)  pcvalsaraj@yahoo.com  [annumoodar@yahoo.co.in](mailto:annumoodar@yahoo.co.in)  dhamuvb@gmail.com |
| GENERAL SECRETARY | K.VISHWANATH NAIK | 09448276015 | [kevinaik@gmail.com](mailto:kevinaik@gmail.com) |
| ORGANISING SECRETARY | S.G.EMBRAN | 09447047096 | vbrasge@gmail.com |
| SECRETARY | MALLIKARJUN S. MADINUR | 08331961953 | msmadinur@gmail.com |
| JOINT SECRETARIES | 1.K.J.VIJAYADEV  2N.S..SOMANATH  3.P.A.AZIZ  4.C.SUDHAKARAN NAMBIAR  5.P. PRADYUMNA SHASTRY  6.K.R.PUTTASWAMY | 09880798075  08212598893  09846102350  09480159946  09440157940  09448705700 | Kjvvjdv01@gmail.com  aibrfvbra@gmail.com  azizpa@gmail.com  sudhakar39@sify.com  [ppradyumnaa1@gmail.com](mailto:ppradyumnaa1@gmail.com)  [aibrfvbra@gmail.com](mailto:aibrfvbra@gmail.com) |
| TREASURER | D.C.SIDDAGANGAIAH | 09880087350 | [dcschengavi@gmail.com](mailto:dcschengavi@gmail.com) |
| ASST.TREASURER | S.A.RAHAMAN | 09448654184 | [rahamansa@yahoo.com](mailto:rahamansa@yahoo.com) |
| EXECUTIVE COMMITTEE MEMBERS | 1.YOGISH SHETTY  2.DILIP MOHAN BANERJEE | 09966668046  9830567943/  9835356099 | [yskadekar@yahoo.co.in](mailto:yskadekar@yahoo.co.in)  [aibrfvbra@gmail.com](mailto:aibrfvbra@gmail.com) |

Mr.Gopinathan Nair will be at Faridabad, with his daughter, till May, 2nd, 2013. During this period, he will be available on Phone No:01292437490 at Faridabad.

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