**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**

**CIRCULAR NO.5/2012**

 **Kochi**

 05-08-2012

Dear Friends,

**INCREASE OF DEARNESS RELIEF ON PENSION**

There is an increase of 48 slabs during the period from August 2012 to February 2013:-

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| **D.A. Rates for Pensioners (%) – 48 Slabs more** |
| **Retired prior to 01-11-1992 - 1027 Slabs over 600 points** |
|   | **Upto 1250** | **1251-2000** | **2001-2130** | **Abv 2130** |   |
|   | 688.09% | 564.85% | 338.91% | 174.59% |   |
| **After 01-11-1992 upto 31-03-1998 - 890 Slabs over 1148 points** |
|   | **Upto 2400** | **2401-3850** | **3851-4100** | **Abv 4100** |   |
|   | 311.50% | 258.10% | 151.30% | 80.10% |   |
| **After 01-04-1998 upto 31-10-2002 - 756 Slabs over 1684 points** |
|   | **Upto 3550** | **3551-5650** | **5651-6010** | **Abv 6010** |   |
|   | 181.44% | 151.20% | 90.72% | 45.36% |   |
| **Retired on or after 1-11-2002 - 605 Slabs over 2288 points** |
| **For the entire Basic Pension Amount** | **108.90%** |   |
| **Retired on or after 1-11-2007 - 468 Slabs over 2836 points** |
| **For the entire Basic Pension Amount** | **70.20%** |   |

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**OUR BANK LOSES APPEAL IN HON’BLE HIGH COURT OF KARNATAKA:-**

The bank’s Appeal in the Division Bench of Karnataka High Court is dismissed in the matter of another option for the pension to those who retired under OSR compulsorily retired employees and resignees.

**5 YEARS NOTIONAL WEIGHTAGE:-**

Bank Management challenged the verdict of the Division Bench of Hon’ble High Court of Karnataka in Supreme Court. This is the next task before the Association.

However AIBRF General Secretary has taken up the matter with the Government organizationally.

We have already communicated some of the Resolutions adopted in the IIIrd Trinel Conference of AIBRF in our Circular Nos 2/12, 3/12 & 4/12. The remaining resolutions adopted in the conference reproduced herein below.

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 pensioners 80+ 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 Organisations who in turn, function through their State Units. We are also have State-wise Units of All India Bank Retirees’ Federation.

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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’ Organisations 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.

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.

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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.

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

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, AIBRF 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.

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Hence AIBRF 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:-**

AIBRF 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. **ON ORGANISATION & OUR IMMEDIATE TASKS:-**

Bank service is, in a way, national service. Bank employees’ services to the public, contribution to the advancement of the economy and the country are immense. During our service life in Banks, we were rooted in trade union philosophy and we nurtured the mainstream movement of the bank employees and officers through conscious involvement in various types of organizational activities/programmes for realizing our demands.

Pension Settlement/Joint Note dated 24-10-1993 is a product of collective bargaining on account of protracted struggle paving the way for its introduction. Thus Pension Scheme was introduced in banking industry on 29-09-1995. It baptized the bank retirees as pensioners irrespective of their past designations & restored their links with bank as pensioners. This landmark achievement in the history of bank employees as well as bank retirees necessitated organizing bank retirees for redressal of their legitimate grievances and eventual improvement in pensionary benefits. The difficult task of organizing bank retirees across the country was initiated by non other than the Founder General Secretary of All India Bank Employees’ Association, Late Com.Romesh Chander Chakraborty along with Sri.T.M.Mathews and other bank retirees with the objective of forming an inclusive all-cadre national orgnaisation of bank retirees. It is a historical coincidence that the national organization of bank retires – ALL INDIA BANK RETIREES’ FEDERATION was born on 1st May in 1994 at Ahmedabad.

The founders of bank employees’ movement always cherished a dream of a single united organistion of bank employees – Officers and Workmen under one banner. The dream could not become reality due to Pillai Committee, legal discrimination and fragmentation of Trade Unions on political ideologies. But, in respect of retired Bank employees, there is no conflict of interest amongst retirees. Bank Employees’ Pension Regulations treat all bank retirees irrespective of past designation in the bank as a retiree without any discrimination.

The formation of AIBRF gave fillip to organizing bank retirees throughout the country and bank wise organization at State and all India level were formed in majority of banks – both in public

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sector and private sector. AIBRF and its units have played major role in bringing the issue of

another option for pension to PF retirees also in the discussion with IBA/Govt through parliamentary Standing Committee on Personnel & Public Grievances, Law & Justice. The bank retirees are already on struggle for realizing demand like 100% neutralization in DA to pre-2002 retirees, updation of pension and Uniform Hospitalisation Scheme etc. Bank wise Retirees’ Organisations have been successfully handling individual grievances of retirees with respective bank management.

To redress our legitimate grievances and to get proper facilities for a dignified and decent living as human beings in the post retrial phase, we shall endeavour our best to make common cause with other organizations of bank retirees. Injustices and inequities heaped on the retirees cannot be removed by individual efforts. Hence the Retirees are uniting themselves under the banner of their own associations. It is therefore high time for us to muster strong for furtherance of our own cause. Unless we are united, nothing material can be achieved and nothing concrete can be done.

AIBRF, therefore, unanimously resolves to fervently call upon all our units/activists/functionaries at all levels to rise to the occasion and come forward with their whole hearted cooperation and unstinted support to organize the bank retirees.

1. **ON PENSION SETTLEMENT/JOINT NOTE DATE 27-04-2010:-**

When Pension Scheme was introduced in banking industry during 1995, due to doubts, apprehensions, short sightedness of the middle class, and virulent propaganda, many remained in PF. But within a few years, virtually all the provident fund optees realized and understood that Pension is good for all as a social security measure and started demanding another option for pension.

But it has taken more than a decade to achieve the demand for one more option to join the pension scheme. With so much of organizational efforts and lot of struggles backed up by intermittent strike actions, UFBU could at last achieve this long cherished demand of bank employees/retirees on 27-04-2010, by signing Settlement/Joint Note with IBA, providing for another option for joining existing DA linked pension scheme benefitting not only 2,60,000 serving employees but also more than 50,000 bank retirees in the face of multiple challenges and hurdles.

3rd Triennial Conference of AIBRF held at Kolkata on March 1-3,2012 unanimously resolves to welcome and hails the Settlement/Joint Note dated 27-04-2010 as historic achievement and the Conference in one voice conveys its heartiest congratulations to the United Forum of Bank Unions for this spectacular victory wrested from the unwilling hands of the IBA-Govt. combine.

1. **SPECIAL DISPENSATION FOR NEW FAMILY PENSION OPTEES:-**

Settlement/joint Note dated 27-04-2010 provides for another option for pension on certain conditions which are applicable to the legal heirs/spouse of the deceased retirees also for joining pension scheme. Bank Employees’ Pension Regulations 1995 do not provide for commutation of Pension by the Family Pensioners and further the rate of Pension payable to

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them is far less when compared to regular Pension. However, the legal heirs/spouse of deceased retirees are also required to refund the Bank’s Contribution to PF+56% thereof resulting in huge monetary burden on their shoulders. With a view to joining index linked pension scheme, they have availed loans from various sources at higher rate of interest. Many such Family Pensioners are now in financial strangulation in managing the household expenses on account of repaying huge monthly installments of loan from their lesser family pension which is half of enhanced family pension, in most of the cases.

Hence AIBRF unanimously resolves to appeal to the IBA and the Government to review the stringent conditions for eligibility for another pension to Family Pensioners on humanitarian grounds and mitigate their sufferings. In the interest of equity and justice, AIBRF is on the strong view that a special dispensation is required for such family pensioners to whom the IBA/Govt. provide appropriate relief, having due regard to the following:-

1. Such Family Pensioners be exempted from the payment of the additional amount over and above the amount of Provident Fund they received.
2. They may be notionally permitted facility of commutation and the same may be treated as ex-gratia on grounds of such family pensioners living in penury now.

**ONE MORE PENSION OPTION :-**

Please refer the resolution No.1 – We have received the circular dated 31-07-2012 from Central Office. We reproduce herein below for the information of members:-

We are pleased to inform that Government of India has sent communication dated 25 th July,2012 asking IBA to modify the advice given to PSB vide its circular dated 18.10.2010 and give pension option to all the employees who retired during the prescribed period that is . between 29.09.1995 ( in case of nationalised banks) and 26.03.1996 ( in case of associate banks of SBI ) and date of settlement/Joint Note. and not restrict to only those retired on superannuation. .Accordingly, IBA has been asked to withdraw the word ‘superannuation’ from its above referred circular.

2**.The Government of India instruction to IBA in the matter are likely to benefit about 7000 retirees coming under this category and provide them opportunity to the retirees to join the time tested defined benefit pension scheme TO lead respectful and dignified life**.

3.On this occasion, we wish to congratulate our constituents and members who fought the legal battle in courts with all sorts of sacrifices successfully. The Government of India has acknowledged in Para 5 0f above referred communication which says” **Taking into consideration that there has been huge litigation on the issue, after due examination, it has been concluded that the benefit of the pension option should have been extended to all those retired from service of the banks in the prescribed period and just those retired on superannuation.”** In view of this the success is because of the sacrifices and efforts of our comrades and constituents. About 450 WPS were filed by the affected comrades in the different high courts. In Canara Bank alone about 75 retires filed WPs under the

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guidance and support of Federation of Canara Bank of Retirees Associations. We thank all our members and constituents for these successful efforts.

4.**We would also like to convey our thanks to UFBU and its leadership for extending organizational support on the issue .We are also grateful to the Department of Financial Services and its officials for considering the issue favourably and issuing suitable instruction to IBA**.

5.We are awaiting IBA circular in the matter advising modalities to banks to implement the instruction of the government and advise the details in the due course. WITH REGARDS

 Yours fraternally,

 Sd/-

  **( S.C. JAIN )**

 **GENERAL SECRETARY**

**Note:-**

Management Committee of the Indian Bank Association approved the above provision, but the details yet to be received.

**REGIONAL CONFERENCE OF TAMILNADU – GLORIOUS SUCCESS:-**

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

We are very glad and happy to inform you that more than 100 retirees from all districts of Tamilnadu participated in the Regional Conference and made it a mammoth success.

The following representatives stood elected in the Regional Conference:-

President – Sri.P.C.Valsaraj,Chennai, Vice-President – Sri.M.Ravi,Chennai, General Secretary – Sri.David Suresh Kumar,Chennai, Organising Secretary – Sri.R.Karthikeyan,Chennai, Joint Secretary – Sri.M.Shyamsundar,Chennai, Committee Memberes – Sri.T.M.K.Nair,Chennai, Sri.Rajagopalan,Chennai, Sri.V.Dharmaraj,Coimbatore, Sri.K.Karthikeyan,Trichy, Sri.S.Samson,Ooty, Sri.K.Vaitheeswaran,Chennai, Sri.V.RMeyyappan, Karaikudi, Smt.Meenalochana,Chennai. State Committee Members – Sri.V.Murali,Chennai, Sri.M.Rajendran,Salem. Special Invitees – Smt.Shyamala Nair, Chennai, Sri.b.Jayaprakash,Chennai, Sri.R.Manoharan,Chennai.

**GENERAL BODY MEETING OF KERALA STATE:-**

General Body Meeting of Kerala State will be held at Vinayaka Kalyana Mandapam, Kadavanthara, Cochin – 20 on 12th August 2012 at 10 a.m.

 For any details please visit AIBRF Website – http//www.aibrf.com/

C.GOPINATHAN NAIR S.G.EMBRAN

 (PRESIDENT) GEN.SECRETARY