



UCOBANK RETIREES' ASSOCIATION KARNATAKA (Regd)

(Regd as S.No: 699/97-98 Dated 20/01/1998 with the
Registrar of Societies, Karnataka)

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UBRA-KAR/CIR/0075/2017-20

Date: 16.05.2019

To all members of our unit.

Dear Comrades,

Sub: AIBPARC circulars regarding issues pertaining to Retirees.

Recently a meeting of constituents of CBPRO was held at New Delhi on 03.05.2019. The issues discussed there in are contained in AIBPARC circular no.27/19 dt.15.05.2019. The **Updates on the issues affecting Bank retirees** are contained in their circular no.28/19 dt.13.05.2019. The said circular is appended below for your information.

B.Lakshminarayana
Hon.Secretary



ALL INDIA BANK PENSIONERS' & RETIREES' CONFEDERATION

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

C/O BANK OF INDIA OFFICERS' ASSOCIATION

(EASTERN INDIA BRANCHES)

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Circular No. 27/19

Date 13.05.2019

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

Dear Comrade,

Sub : Updates on the issues affecting Bank retirees.

We believe that most of our members have already participated in the festival of democracy of the largest democratic country of the world and some others will be doing the same in the next few days. The entire country is eagerly looking forward to the formation of the new government at the centre. At this juncture, no forward movement of any issue, whatsoever, can be reasonably expected. We shall have to wait for at least a fortnight till formation of the new government.

This is a time for brainstorming, self equipment by way of collection of data and information, study of legal and financial implications of all the issues affecting retirees and meeting leaders of various organisations of serving as well as retirees' organisations to explore the possibilities of larger consolidation and coordination. Comrades, we are really engaged in this process in a very sincere way.

We are informing hereunder some such developments:

1.Meeting of CBPRO with AIBRF at Delhi on 3rd May, 2019.

The leaders of AIBRF requested the leaders of CBPRO to have a meeting with them after the meeting of their leaders being over on the previous day. CBPRO accepted the invitation and leaders of various components of CBPRO attended the meeting. AIBPARC was represented by the President, General Secretary and several other senior office bearers stationed at Delhi. SBIPA and RNBOC were also represented by their senior leaders.

In an hour long discussion, CBPRO and AIBRF exchanged the views of each organisation on very important issues like updation of pension and group medical insurance scheme. Both the organisations noted with satisfaction the coordinated functioning of both the organisations in the matter of speaking in the same voice on retirees' issues to government and IBA. It was also observed that the united agitational programme got a tremendous success in different parts of the country. There has been an emergence of a new hope in the minds of the retirees and both the organisations should make utmost effort to be worthy of it.

It was also decided that in the early part of June, 2019, the Joint Convenors of CBPRO and General Secretary of AIBRF would meet and discuss the future plan of action including approach to government and IBA jointly, meeting the leaders of UFBU and have thorough discussion with them and also ponder over the issue of calling any demonstrative actions in case of necessity.

2.Inclusion of Dearness Allowance at the time of calculation of gratuity.

a)Single bench of Hon'ble justice Sujoy Paul of the High Court of Madhya Pradesh (seat at Jabalpur) at WP 9182/2017 delivered the following judgement on 06.09.2018 : "In the considered opinion of this court, the respondents have erred in not including DA while calculating gratuity under the Regulations. Thus, respondents are directed to include DA and recalculate gratuity of the pensioners and pay the difference arising thereto to the petitioners within 60 days from the date of communication of this order".

b)The above order of the Single bench was challenged by the management of the bank in the division bench of the same High Court and the authorities made an appeal to set aside the order of the single bench passed on 06.09.2018 in the WP no. 9182/2017. The learned division bench in the concluding paragraph of the verdict made the following observation : "We do not find any illegality in the impugned order passed by the learned single bench warranting any interference in these intra-court appeals. Accordingly the writ appeals deserve and are hereby dismissed".

c)The management of the bank being aggrieved with the decision of the Division Bench of the High Court filed a special writ petition at the Supreme Court. The apex court heard the petition on 7th May, 2019 and passed the following orders : "No case is made out to interfere with the impugned order passed by the High Court. The special leave petitions are accordingly dismissed."

From a study of the above noted developments, we feel that this verdict of the apex court is definitely a forward movement for the retirees. Although this is a direction passed on the Gramin Bank of a particular state, we must not forget that each RRB is sponsored by a public sector bank and pension regulation has already been implemented in all RRBs of the country. Although the single bench has passed the order for extension of the benefit to the petitioners only, we believe that the benefit will be extended to all similarly placed retirees working in RRBs and all other banks which are covered under bipartite settlements. We stick to our long standing demand that IBA/Government should follow an honest litigation policy and should not force similarly placed retirees to spend money and time for extension of the same benefit to them. The copy of orders has already reached the authorities who mean power. They are in the process of studying the same. We shall be formally taking up the issue within next few days and till then our leaders have been and will be in touch with all concerned.

QUOTE

Dated: 13.05.2019

Dear Comrades,

CBPRO & AIBRF Meeting held at Delhi on 03.05.2019

The leadership of CBPRO was advised by the General Secretary, AIBRF that their Core Committee was scheduled to have its meeting at Delhi on 02.05.2019 at Delhi. He also requested to explore the possibilities of holding a meeting of the leaders of CBPRO and AIBRF at Delhi to discuss the important pending issues like Updation/Revision of Pension, Improvements in Family Pension, IBA' Medical Insurance Scheme etc. The leadership of CBPRO had broader telephonic consultations with the leaders of the constituents of CBPRO on the proposal. It was thereafter decided that the available senior leaders of the constituents of CBPRO including SBI Pensioners' Federation would participate in the joint meeting on 03.05.2019. Accordingly the meeting was held on 03.05.2019 and attended by Com K V Acharya, Joint Convenor CBPRO and Com S C Jain, General Secretary, AIBRF, Com Suprita Sarkar, General Secretary, AIBPARC, Com Deshpande, President, AIBRF, Com P K Pathak, Senior Vice President, SBI Pensioners' Federation along with other senior leaders from both the organisations available at Delhi.

Com S C Jain briefed the house about the deliberations in the meeting of their Core Committee with regard to the latest development of implementation of the benefit of Updation of Pension to RBI Pensioners at the instructions of the Government of India and as a sequel to the order of Hon'ble High Court of Bombay. The details of Updation of Pension in case of RBI Pensioners were circulated by the Organisations of the serving employees and also the retirees recently. The development in case of RBI has further raised the hopes and aspirations of our rank and file. It was in this backdrop, the Joint Leadership decided to intensify its campaign for early resolution of our long-pending issues by the Government and IBA.

The deliberations in the meeting centred around the following issues which are being repeatedly taken up by us with the concerned authorities and also with the leadership of UFBU:

1) UPDATION/REVISION OF PENSON

- a) Pension in SBI should be rationalised at par with other banks i.e. @50% of last drawn Pay
- b) Updation/Revision of Pension in RBI is broadly based on the formula evolved by the Central Pay Commission and covers all retirees since 1986
- c) Its implementation would take care of the 100% DA Neutralisation in respect of those who retired before 01.11.2002
- d) The formula of updation of pension has been broadly arrived at by merger of DA with Basic Pay plus an increase of 10%
- e) The principle laid down by the Supreme Court in the case of Nakara has been reiterated
- f) While future updation is envisaged, the formula and permission of the Government of India would be required.

It was felt that the formula evolved for updation of pension for the pensioners of RBI, if extended to the Bank Pensioners and Family Pensioners would largely meet our expectations. Hence the house expressed the view that we must intensify our campaign to ensure settlement of the issue of updation of pension in the ensuing Wage Settlement at par with the formula extended to RBI Pensioners. It was also suggested that our joint campaign should include submission of fresh joint memorandum to the Government of India, Indian Banks' Association and the leaders of UFBU and followed up through personal meetings as far as possible. It was also suggested that while holding discussions with the leaders of UFBU and soliciting their support, the leaders of our organisations should also meet the leaders of RBI Pensioners/Employees to gather inputs on the issue.

2) IBA's Medical Insurance Scheme

Discussion in respect of Medical Insurance Scheme for Bank Retirees also took place. It was emphasized that the scheme should cover all the Retirees, Help Desks should be strengthened to enable smooth settlement of claims, Insurance Premium should be borne by the Bank and explore the possibility of C.G.H.S. like Scheme for Bank Retirees.

3) IMPROVEMENT IN FAMILY PENSION SCHEME

Leaders informed the house that IBA and the Government are engaged on the issue of improvements in the family pension scheme on the lines of the family pension scheme as prevailing in the Government and RBI and it is expected to materialise soon. However, a regular follow up with the leaders of UFBU, IBA and Government was considered desirable.

4) Negotiating Platform for Bank Pensioners & Retirees

The house suggested to continue vigorous efforts at the level of IBA and Government for creation of a formal mechanism for the Bank Pensioners and Retirees to negotiate their demands.

After the meaningful deliberations it was decided that the Joint Conveners of CBPRO and the General Secretary of AIBRF will meet in June 2019 to formulate the strategy and joint action programme to help achieve our demands.

We request the constituents, affiliates and members to be in readiness to make the joint action programme a grand success.

With greetings and regards,

Yours Comradely,



(A. Ramesh Babu)

Joint Conveners CBPRO



(K.V. Acharya)



(S.C. Jain)

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