



**All India RRB Officers' Federation
(AFFILIATED TO AIBOC)**

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Circular # 94:2015

3rd December 2015

All Affiliates/ Members
(Please re-circulate)

**OUR CALL FOR STRIKE EVOKES RESPONSE IBA REPEATS ITS OLD
STAND - REPLIED BEFITTINGLY DY. CLC (C) INVITES FOR
CONCILIATION**

We reproduce hereunder the text of All India Bank Officers' Confederation Circular No. 78 dated 2nd December, 2015.

QUOTE

The strike call given by our Confederation has set the issues rolling ! Our Notice of strike and many reminders ultimately compelled the IBA to respond. We have received a communication ref no. HR & IR/ 2015-16/ XBPS/J/1722 dt. 01.12.2015. Though the response is on the lines of the stand taken by IBA throughout the discussions on Xth Bipartite Settlement and given in the Record Note signed on 25.05.15 along with the Joint Note for salary settlement, yet IBA has acknowledged that these are the issues which are pending and needs resolution through mutual discussions. We have promptly replied to their communication in a logical way supported by the laid down provisions and practices vide our letter ref no. IBA/128 dated 02.12.2015.

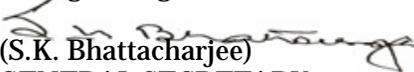
We further have to advise that Dy. CLC (C) has invited us for conciliation talks on 8th December, 2015 at 12.00 pm at Mumbai vide Ref. no. 8(7)/2015-S.I dt. 02.12.2015.

We are attaching all the communications for your information, record and circulation. We request our members not to be complacent on these developments and be in full preparedness for the success of our call, till there is any positive development, conveyed by the central office.

Comrades, this is a historic call of agitation given by our Confederation and possibly the first such call given by a single Officers' organization. Therefore, it is all the more necessary to ensure its success to give a message that we are the Organisation which can alone protect the interest of the officers working in the banking industry, entire workforce and common masses. Let us reach out to all stake holders and ensure to sensitise them about the evil designs of the cartel formed to destroy the Public Sector Banks (PSBs), the working conditions of its employees through multi pronged attacks leading to privatization of the PSBs - the lifeline of Indian economy.

UNQUOTE

With greetings,


(S.K. Bhattacharjee)
GENERAL SECRETARY

**ALL INDIA BANK OFFICERS'
CONFEDERATION**



Ref/IBA/128

Dated: 02/12/2015

**Shri K. Unnikrishnan,
Deputy Chief Executive,
HR & Industrial Relations,
Indian Banks Association,
Mumbai.**

Dear Sir,

Sub : Record Note dated 25.05.2015 on the issues of Bank retirees.

We thankfully acknowledge your letter HR&IR/2015-16/XBPS/1722 dated 01.12.2015 written in response to our earlier letter dated 13th November, 2015 on the captioned subject. We like to convey our views on each aspect mentioned by you and it would be clear that there is a lot of difference in perceptions which is got to be clarified at an early date.

2. In point no. 2 of your letter, you have agreed to the fact that certain demands pertaining to superannuation benefits/issues of retirees were discussed in details by both the sides. If this is the admitted position, you would surely appreciate that we had no intention to make aimless discussions. Both the sides definitely felt the urgency of making an application of mind over the demands of the retirees and come to a reasonable conclusion.

3. In para no. 3 of your letter, you have made it a point that wage revision talks take place on the mandate of member banks which covers only wages and service conditions of serving employees. Our view is that the words "service conditions" covers superannuation benefits which includes matters relating to pension. In the serving employees/ officers there are many people who are pensioners under Banking Pension Regulations. Retirement benefit can never be a frozen concept for them and past retirees as well. No document can ever be static for all times to come. It needs revision and relooks to suit the changing time.

4. It is also an oft-quoted contention of IBA that pension is paid to the Government employees out of budgetary allocation and bank pension is a funded one. You will surely appreciate that budgetary funds are accumulated from different sources of which revenue is an important inlet and we, the citizens of the country contribute in different ways to the accumulation of the fund. As for ourselves, the question of inadequacy of fund is ruled out. Clause no. 11 provides that on 31st day of March every year, Bank shall have to cause an investigation by an Actuary into the financial condition of the fund and make additional contribution to the fund as may be required to secure payment to the benefits under the Regulations. An idea has been created that updation of pension is an imported concept and it does not have any place in the Regulation. **It may please be noted that there is a clear cut provision of such updation in Clause No. 35(1) of Pension Regulation.** At the time of adoption of Pension Regulations, a particular section of retirees were fouled by their junior counterparts because of signing of the next BPS. In order to protect their interest, the modus operandi of updation has been specifically spelt out in appendix 1.

5. As regards revisions in the rates of the family pension in line with Central Government and Reserve Bank of India, the concept of affordability of cost is out of context. It is already on record that RBI with the prior concurrence of Government of India has already implemented the same. As our Pension Regulation is modeled on RBI-pattern, this benefit is got to be extended. A question has been raised repeatedly as to what connections the Bank Regulation has with Central Civil Service Rules. In reply, your pointed attention is drawn to Clause No. 56 wherein it has been clearly told that in case of doubt, regard may be had to the corresponding provisions of CCSR 1972 and Central Civil Service Rule 1981. As regards IBA's contention that no provision of updation is there in Bank Pension Regulation, we have already told in the foregoing paragraph that it is there in the Regulations. Moreover, plain reading of the minutes signed on 26th March, 1994 between AIBOC and others on one side and IBA on the other QUOTE "The regulation was to be done on similar lines as Reserve Bank of India Pension Regulations and Central Civil Services Pension Rules applicable to Central Government employees by making suitable modification in relation to its applicability to the Banking industry" UNQUOTE substantiate our view that Bank pensioners are entitled to all such benefits which accrue to their counter parts in RBI and Government.

6. As regards 100% DA neutralization to pre-01.11.2002 retirees, willingness to concede has been expressed but pendency of court cases have been cited as an obstacle to concede the issue. We like to make it categorically clear that any Indian citizen does have the right to approach any court of law if he feels that his grievances as a citizen of the country are not being lawfully redressed. We, however, feel that there is no prohibitive or injunctive order passed by any court in this regard which can stand in the way of arriving at a bilateral understanding. If, however, IBA takes a positive decision in this regard, all court cases will virtually be redundant.

7. As regards upgrading the basic pensioners at the common and uniform index of 4440 points, IBA's view is that the process of collection of data and information from banks are being made for examination of cost implications and sustainability by banks. Our view is that in the modern age of advanced technology when transmission of figures can be done in minutes (lot of data collected and compiled during the discussions prove that) and calculation of cost can be arrived at in hours, the prolonged delay is causing an element of faithlessness in the minds of the elder citizens of the country who have given the yester years of their life for the service of the nation.

We are happy to note that IBA is concerned and also positive in approach to resolve the issues amicably with a spirit of bilateralism but absence of any response to our communications and prolonged follow up had led us to believe otherwise.

Thanking you,

Yours faithfully,



(HARVINDER SINGH)
GENERAL SECRETARY



Indian Banks' Association

HR & Industrial Relations

HR&IR/2015-16/XBPS/J/1722
December 1, 2015

To,

Shri Harvinder Singh
General Secretary
All India Bank Officers' Confederation
C/o Bank of India, Parliament Street Branch,
PTI Building, 4, Parliament Street, New Delhi
110001

**Sub :- Record Note dated 25-05-2015 on the issues of Bank Retirees
: Request for a meeting to discuss the issues**

We acknowledge receipt of your Letter No. 2015/123 dated the 13th November, 2015, on the captioned matter.

2. In this connection, we advise that in the Charter of Demands submitted by the Workmen Unions/Officers Associations for revision of wages and service conditions, certain demands pertaining to the superannuation benefits/ issues of retirees were raised. These issues were discussed in details on various occasions during the course of negotiations on the Charter of Demands.

3. You are well aware that the periodic wage revision exercise based on the mandate from member banks covers only wages and service conditions of serving employees. Retirement benefits are based on service conditions prevailing at the time of retirement of an employee and these do not change with subsequent settlements.

4. Referring to repeated comparison of "Pension Scheme" in Banks to "Govt. Pension Scheme", the IBA stated that while the Govt. pays pension out of budgetary allocation, bank pension is a funded scheme. At the time of retirement of an employee, the bank is expected to ensure that adequate funding is made for payment of pension/family pension with provision for periodic updation of Dearness Relief payable. Financial implications will need to be fully examined before any change in benefits payable to pensioners can be considered.

5. Regarding revision in the rates of family pension on the lines of the Central Govt. Scheme and RBI Scheme, IBA has responded that while IBA is sympathetic to the issue, the cost involved is significant and unaffordable at the present juncture. IBA is examining cost implications and sustainability of each member bank at a future date and will take a view accordingly.

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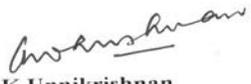
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6. As regards extending Dearness relief at 100% compensation to all pensioners who retired before 1-11-2002, we advise that the matter is sub-judice as certain cases on this issue are pending for a decision with Hon'ble Supreme Court. As such, IBA cannot take a decision on this issue at this stage. IBA may examine feasibility of providing 100% Dearness Relief to these pensioners based on a detailed costing exercise, from a humanitarian point of view.

7. As regards upgrading the Basic Pension of all the pensioners at the common and uniform index of 4440 points, updation of pension for all existing pensioners and family pensioners, IBA has advised Unions/Associations that it would examine the cost implications and sustainability of member banks so that a solution may be worked out. IBA is already in process of collecting the detailed latest data/information from the member banks.

In view of foregoing it is apparent that IBA is concerned and positive to resolve these issues amicably and with the spirit of Bipartism keeping in view the implications of these issues on member banks.

Yours faithfully,


K Unnikrishnan
Deputy Chief Executive