



ALL INDIA BANK OFFICERS' CONFEDERATION

Circular No. 2017/04

Date: 25.01.2017

All Affiliates/State units/Members,

Dear comrades,

AIBOC COMMITTED TO THE ISSUES OF RETIREES CONCILIATION PROCEEDINGS SUBSTANTIATES ITS STAND

In response to a dispute raised by one of the Retirees' Organizations on 100% neutralization of DA for pre 2002 pensioners, Assistant Labour Commissioner (Central) Mumbai had called the conciliation meeting yesterday i.e. on 24.01.2017. Since, AIBOC was made one of the respondents, Com Sanjay Manjrekar, Vice President of the Confederation and Com. Manoj Wadnerkar, President, AIBOC Maharashtra State-1 Unit attended the conciliation meeting as the undersigned had to attend another urgent engagement in Mumbai itself. We submitted our written statement which was already sent to the conciliation officer on 07.01.2017 (copy which is annexed to this circular). We also submitted that the issue of 100% neutralization of DA to pre 2002 retirees was one of the issues in our Charter of Demands for the 10th Bipartite Settlement and the same along with other unresolved issues of the retirees is recorded in the 'Record Note' signed by the IBA and the UFBU constituents on 25.05.2015. It was also brought to the notice of the Presiding Officer that since subsequent to the signing of the Record Note there was no response from the IBA, AIBOC had raised this issue in our Strike Notices in December 2015 and again in September 2016 and the Regional Labour Commissioner (Central), who had held the conciliation meetings in the matter has ultimately recorded the failure of talks. IBA and the Workmen Union which were also made respondents did not attend the yesterday's proceedings. However, IBA has filed their comments where in they have stated that IBA is an independent and voluntary organization and discusses / negotiates with Workmen Unions / Officers Associations on behalf of its member banks on the basis of mandate given by these banks and that IBA is not employer of Workmen/ Officers of these banks and thus they are not a direct party to any industrial dispute including that of the case of Retirees' Organization who have raised the dispute. Subsequently, in a separate meeting, the Assistant Labour Commissioner (Central) also heard the representatives of CBPRO (Co-ordination of Bank Pensioners' and Retirees Organisations) which have also raised the issue of 100% neutralization of DA. (**AIBPARC is one of the constituents of CBPRO**). Since the issue raised by both the unions was common, the Presiding Officer decided to conciliate in common and adjourned the case to 28.02.2017.

It needs no emphasis that AIBOC has always shown concern for the retirees and the pensioners and has been raising and settling their issues unlike some retired executives who did nothing for the retirees when they were in service though they had the powers but are acting as championing the cause of retirees today when they are victims. It was AIBOC which kept the issue of 2nd option of pension alive and ultimately clinched the same in the 9th BPS to the benefit of lakhs of retirees. Again, it was AIBOC which clinched 2nd option of

pension for VRS optees who were clandestinely denied the same by IBA by wrong interpretation of the settlement. Further, at a time when there was no credible and active all India level organisation to mobilize and represent the banks retirees and pensioners, AIBOC took the lead to form AIBPARC and mobilize and organize the retirees and pensioners under one banner.

We once again reiterate that the issues of the retirees viz. 100% neutralization of DA to pre 2002 retirees, automatic updation / upgradation of pension / revision in family pension and pension to the resignees and other left outs are on the top of our agenda and achieving the same is our goal.

With comradely greetings,

Comradely Yours,
Sd/-
(HARVINDER SINGH)
GENERAL SECRETARY

AIBOC Letter No. 2017/04

Date: 07.01.2017

The Deputy Chief Labour Commissioner (C) Mumbai.

Respected Sir,

Re: Illegal arbitrary and malafide discrimination in grant of Dearness Allowance to the employees retired between April, 1998 and October, 2002

We are in receipt of letter dated 25.11.2016 addressed to you by All India Banks Retirees Federation raising a dispute in regard to Dearness Allowance. The said letter has made us also a party in regard to the dispute of 100% DA neutralization. In this connection we wish to make the following observations:

1. We are a registered trade union representing the vast majority of Bank Officers and duly recognized by the Bank Managements.
2. We have been negotiating Bipartite Settlements continuously on behalf of the Bank Officers with the Indian Banks' Association including the last settlement known as Xth Bipartite Settlement.
3. Our Organisation had also negotiated the Pension Settlement for Officers in the year 1993 which was implemented as Bank Employees Pension Regulations identically in all Public Sector and Private Sector banks who are also members of the IBA.
4. Terminal benefits and Pensionary benefits are part of the service matters and as such Superannuation Benefits are duly negotiated by us. We also like to state that Pension is termed as Deferred Wages for the past services rendered by the Employee.
5. Hence, we strongly object to anybody trying to strike down our settlements, which we have signed, terming the same as arbitrary, discriminatory, illegal and bad in law.
6. However, as regard to 100% DA neutralization to Pre-2002 Retirees our Organisation along with other UBFU constituents had raised the issues in the Xth

Bipartite settlement and we are still pursuing with IBA to extend the same not only to those who retired between 01.04.1998 and 31.10.2002 but to all those who retired before 01.11.2002.

7. Even in the Pension Settlement when it was originally concluded it was very clearly stated that the DA formula will be as existing in RBI. Accordingly when RBI extended the 100% DA neutralization to Post-2002 retirees the same was similarly extend to post October 2002 retirees in Banks also. But surprisingly later on when RBI extended the same to Pre-2002 Retirees, the IBA started dragging its feet. Hence our Organisation also has been demanding extension of 100% DA to all pre-2002 retirees.
8. Our stand in this regard to extension of 100% DA to Pre-2002 retirees is also in line with the principles of the famous NAKARA's judgement by the Hon'ble Supreme Court.
9. In the light of the above, we once again wish to state that in as much as the superannuation benefits are part of service matters, we as a recognized body of the Officers, have been signing the settlements both in regard to wages and superannuation benefits.
10. We also wish to reiterate that our demand for extension of 100% DA neutralization to Pre-2002 retirees is immediately conceded and implemented.

Thanking you,

Sincerely Yours,
Sd/-
(HARVINDER SINGH)
GENERAL SECRETARY

CC to:

- 1. The Chairman, Indian Bank Association, Mumbai.**
- 2. The General Secretary, AIBEA, Chennai.**
- 3. The Dy. General Secretary, All India Bank Retirees' Federation, Indore.**