



**SYNDICATE BANK PENSIONERS & RETIREES ASSOCIATION (REGD.)**

(Affiliated to AIBPARC, a wing of AIBOC)

**CENTRAL OFFICE**

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(PLEASE CIRCULATE TO ALL MEMBERS/ RETIREES)



Circular No: 21/2015

Date: 01.12.2015

Dear Comrades,

**AIBOC CALLS FOR ONE DAY STRIKE ON 11<sup>TH</sup> DECEMBER  
RETIREES ISSUES PROMINENT AMONG DEMANDS  
STRIKE WILL CONCIDE WIH RETIREES' DHARNA AT JANTAR MANTAR DELHI**

In a major development in support of bank retirees All India Bank Officers Confederation (AIBOC), which represents officers from SBI, Public sector and Private sector banks, has decided to go on one day strike on 11<sup>th</sup> December 2015. The strike day has been fixed in such a way as to coincide with the Dharna at Jantar Mantar New Delhi by bank retirees under the banner of Coordination of Bank Pensioners and Retiree organisations (CBPRO). This decision by AIBOC will certainly boost the morale of retirees and will enable them to participate in the Dharna with added fervour and force. We gratefully acknowledge the commitment of AIBOC for the cause of Retirees. Relevant extracts of Statement of case for strike submitted by AIBOC along with Strike Notice to IBA vide AIBOC circular 75/2015 dated 27.11.2015 is appended hereunder for information all. We once again call upon all our comrades, particularly those in and around New Delhi to take active part in the historic Dharna at Jantar Mantar on Friday 11.12.2015 without fail. Please note that Dharna Programme will commence with demonstrations @10.00am. MARCH AHEAD TO JANTAR MANTAR!

With warm greetings

Yours comradely,

C Gangadhar Yadav  
GENERAL SECRETARY

SBPRA - ZINDABAD  
AIBPARC - ZINDABAD  
CBPRO - ZINDABAD

Relevant Extracts of Statement of case for strike vide AIBOC circular 75/2015 dated 27.11.2015

**“Quote...//2.C. SETTLEMENT OF POINTS COVERED IN THE RECORD NOTE ON THE ISSUES OF BANK RETIREES SIGNED ON THE DAY OF SIGNING OF JOINT NOTE DATED 25.05.2015:** It was consistently

being demanded by the confederation from the beginning that,

1. LFC and Hospitalization reimbursement should be extended to retired bank employees / officers
2. Revision in the rates of Family pension on the same lines of the Central Government Scheme and RBI Scheme
3. Extending Dearness Relief at 100% compensation to all pre-November, 2002 pensioners as in the case of post November 2002 retirees.
4. Upgrading the basic pension of all the pensioners at the common and uniform index of 4440 points
5. Updation of pension for all existing pensioners and family pensioners
6. Periodical updation / improvement in pension along with occasions of wage revision of in-service employees on the lines of the Central Government
7. Uniform percentage of allocation from Welfare Fund towards schemes pertaining to retirees

With reference to demands referred in the Record Note, issues of Bank retirees are as under:

- a. Hon. Supreme Court of India in Civil Appeal No. 1123 of 2017 arising out of SLP (c) No. 321 of 2015 has in no uncertain words held that revision in Pension and revision of pay scales are inseparable. When Pension is upheld to be a right and not a bounty, up-gradation/revision of pension is equally a right and not a bounty. The Hon. Supreme Court has gone further so as to aver that a plea of financial burden to deny legitimate demand cannot be taken as justification and that unwarranted litigation should not be encouraged to deny legitimate rights of the pensioners.

- b. While on several aspects of pension improvement, IBA has been repeatedly forwarding the plea of cost burden but at no point of time during negotiations, authentic data has been presented in support of its contention. On the contrary, authentic pension fund data categorically reveals that as on 31.03.2014, the corpus of Pension Fund stood at about Rs. 1,14,000/- crores. More importantly Pension Funds of Banks are in surplus consecutively over the years and such surplus is growing year by year despite the fact that Banks have failed to provide for the required sum in pension funds as agreed in Bipartite Settlements. Under these circumstances, demands of retirees for improvement in Family Pension in line with RBI, 100% DA neutralization to pre Nov 2002 retirees as also updation of Pension, cannot be delayed/ denied.
- c. Bank Employees Pension Regulations specifically provide for updation of Pension. This is in reference to Regulation 35 (1) thereof which reads as under:  
“Basic Pension and additional pension wherever applicable shall be updated as per formula given in Appendix I” As a matter of fact, such updation has already been given effect earlier for the pensioners retired prior to 01.11.1987, who were positioned on par with retirees under 01.11.1987 Wage Settlement. Hence, updation of Pension has a statutory basis and it becomes a statutory obligation.
- d. In the matter of 100% DA neutralization for retirees prior to 01.11.2002, there have been several speaking judgments and favourable court orders. Though the matter is still sub- judice, IBA should settle the matter positively so that the expensive litigation can be put to rest once and for all. Waiting for conclusion of court proceedings will only add to the delay denying justice to pensioners who are above the age of 72-75 years and are anxiously waiting for the justice.
- e. The issue of Pension to left overs also a vital one. The category of those retired compulsorily and the resignees have been denied benefits due to strict interpretation of instructions from the Government in June, 2012. Existing Pension Regulations categorically provide for pension to those compulsorily retired from service. Denial of pension option to them is violative of the very existing Pension Regulations itself. Denial of Pension option to Resignees has also been tested through litigation and several judgments including the one in Vijaya Bank Case, is a clear pointer that they cannot be denied pension after the stipulated period. In fact consequent upon such court verdict, several resignees have already been conceded the benefit of pension option. It is pertinent to note that the number of those retired compulsorily as also those resigned from Banks (after putting in requisite pensionable service) is very small and the cost factor cannot and should not stand in the way of extending benefits to them.
- f. Besides, there are still several issues of pension, which need to be discussed and sorted out.

**(AIBOC Letter 2015/68-A dated 12.06.2015, 2015/86 dated 05.08.2015, 2015/93 dated 18/08/2015 and 2015/123 dated 13/11/2015) // ...**

**...// 4. PROPER IMPLEMENTATION OF NEW MEDICAL INSURANCE SCHEME AS PER ESSENCE AND SPIRIT OF THE JOINT NOTE AND RESTORATION OF DOMICILIARY TREATMENT TO RETIREES OPTED FOR MEDICAL INSURANCE SCHEME.**

As per the Joint Note signed on 25.5.2015 between IBA and Officers' Association, a new scheme for reimbursement of medical expenses has been formulated.

Accordingly, IBA has issued a letter to the Chief Executives of member Banks which are parties to the Bipartite discussions vide their letter dated 29.6.2015 regarding the implementation of Medical Insurance scheme for the officers in lieu of the existing Hospitalisation Scheme.

Again, IBA has addressed one more letter dated 1.10.2015 regarding implementation of Medical Insurance scheme to Retirees as agreed vide Joint Note dated 25.5.2015.

Basing on the above guidelines by IBA, member Banks have come out with the scheme details and terms of the scheme called for applications/option letter/ authorization letter from all the eligible retired officers / employees who are drawing pension with instruction to submit the same on or before 30.9.2015 which was further extended till 20.10.2015.

In terms of the IBA guidelines and guidelines issued by the Banks, following are the some of the important scheme details, inter alia.

The scheme shall cover expenses of the officers / employees and dependent family members in cases he/she shall contract any disease or suffer from any illness (hereinafter called DISEASE) or sustain any bodily injury through accident (hereinafter called INJURY) and if such disease or injury shall require any employee/ dependent family member, upon the advice of a duly qualified Physician/Medical Specialist/Medical practitioner (hereinafter called MEDICAL PRACTITIONER) or of a duly qualified Surgeon (hereinafter called SURGEON) to incur hospitalization/ domiciliary hospitalization and domiciliary treatment expenses as defined in the Scheme, for medical/surgical treatment at any Nursing Home/ Hospital / Clinic (for domiciliary treatment)/ Day care Centre which are registered with the local bodies in India as herein defined (hereinafter called HOSPITAL) as an inpatient or otherwise as specified as per the scheme.

The new Scheme as applicable to the officers/ employees in service would be continued beyond their retirement/superannuation/resignation, etc. subject to payment of stipulated premium by them.

**While reimbursement to the officers / employees shall be made by the Banks as hitherto, the Scheme shall be administered by the Banks through a scheme worked out between IBA/Banks and Insurance companies and officers / employees would in no way be directly bound by the terms and conditions of such scheme or arrangements.**

**The above stated scheme would not supersede the continuation of any bank-level arrangement or scheme providing for reimbursement of medical expenses, which is not covered herein, that may be in operation in any Bank.**

**The new Scheme would also cover the existing retired officers/ employees of the Banks and dependent spouse subject to payment of stipulated premium by them.**

**Continuity benefits coverage to officers / employees on retirement and also to the Retired Officers / employees, who may be inducted in the Scheme.**

DOMICILIARY HOSPITALIZATION: Domiciliary Hospitalization shall be covered under this scheme and would mean medical treatment for an illness/disease/injury which in the normal course would require care and treatment at a hospital but is actually taken while confined at home under any of the following circumstances: (clause 2.11)

- a) The condition of the patient is such that he/she is not in a condition to be removed to a hospital or
- b) The patient takes treatment at home on account of non-availability of room in a hospital.

**DOMICILIARY TREATMENT: Treatment taken for specified diseases which may or may not require hospitalization as mentioned in the Scheme under clause Number 3.1 (clause 2.12)**

In terms of the above, it is obvious that the retirees are also covered under all the benefits of the scheme enumerated in the annexure to Joint Note, including domiciliary hospitalization.

Accordingly, retired officers from all our member banks have enrolled to the scheme with the absolute understanding that domiciliary treatment expenses are also covered and many have submitted their claims.

However, it is now informed by certain insurance companies that retired officers are not eligible to claim under domiciliary hospitalization which is not fair and contrary to the understanding reached by UFBU with the IBA.

The Bank retirees were inducted and encouraged to opt for the group mediclaim policy based on the attractive features. Now when large number of retired officers have exercised their option to buy the policy, their accounts have already been debited for payment of premiums and policy has come into force with effect from 1.11.2015, to **advise them at this stage by TPA /Bank Management / IBA that domiciliary treatment expenses coverage will not be available to retirees is nothing but gross violation of the guidelines enumerated in the scheme, suppression of the vital clause of the policy and non-disclosure of vital information from policy holders.// Unquote.**