

COORDINATION OF BANK PENSIONERS' AND RETIREES ORGANISATION

(Federation of SBI Pensioners' Associations, AIBPARC, RBONC, AIRBEA and FORBE)

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CBPRO/ DA disparity/10/2024

Date: August 17, 2024

The Chairman
Indian Banks Association,
Mumbai.

Respected Sir,

Sub: 1) Removal of DA disparity adversely affecting the Pensioners of prior to 1st November 2022

2) Extension of notional benefit of 100%DA neutralization to Pre-November 2002 Pensioners to compute the quantum of ex-gratia

We draw your kind attention to the following disparities (of which you are aware of) with the hope of an early redressal.

A) In respect of Pensioners who retired prior to 01.11. 2022:

The new pay scales of Award staff and officers as per provisions of 12th Bipartite Settlement /9th Joint Note have been constructed after merging Dearness Allowance corresponding to 8088 points to the Basic Pay as on 31.10.2022 after adding the agreed loading thereon. While doing so, simultaneously the Consumer Price Index (CPI) Series was changed from 1960 = 100 to 2016 = 100 for the purpose of DA calculation not only to serving employees/Officers but also to the Pensioners who retired and the Family Pensioners of those deceased employees/officers died after 01/11/2022. Whereas, the CPI series i.e. 1960 = 100 remain same as hitherto in the case of pre- 2022 Pensioners/Family Pensioners.

You are also aware of the fact that the GOI discontinued the CPI series under 1960=100 as far back in the year 1982 to apply CPI 1982=100 series and thereafter changed the CPI series on two occasions, one in the year 2001 and another in 2016. Yet, you chose to continue the same CPI series under 1960=100 by the application of certain factors for arriving at CPI points in the matter of DA payment, of course treating all the Pensioners alike in view of the provisions under earlier Bipartite Wage Settlements/Joint Notes agreed to between IBA & UFBU.

We feel that the recent division of pensioners into pre and post 01.11.2022 retirees for the purpose of payment of DA under two different CPI series adopted after the implementation of 12th BPS & 9th Joint Note is unfounded, devoid of logic and irrational. This discriminatory treatment has led to artificial classification within the homogeneous group of pensioners. Consequently, the Pensioners prior to 01.11.2022 have been adversely hit and prejudiced.

In this connection, we draw your kind attention to the provisions contained in Regulations 37 of the Bank Employees Pension Regulations, 1995 and also sub-regulation 11 (a) of Regulation 23 of SBI Employees' Pension Fund Regulations, 2014 which are reproduced hereunder for your ready reference:



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REGULATION 37 OF BANK EMPLOYEES PENSION REGULATIONS, 1995

"Dearness Relief: -

(1) Dearness relief shall be granted on basic pension or family pension or invalid pension or on compassionate allowance in accordance with the rates specified in Appendix II."

And the relative Appendix II provides as under:

"Dearness relief shall be payable for the half year commencing from the 1st day of February and ending with 31st day of July on the quarterly average of the index figures published for the months of October, November and December of the previous year and for the half year commencing from the 1st day of August and ending with the 31st day of January on the quarterly average of the index figures published for the months of April, May and June of the same year."

SUB-REGULATION 11(a) OF REGULATION 23 OF SBI EMPLOYEES' PENSION FUND REGULATIONS, 2014:

"11) (a) Dearness relief shall be payable for the half year commencing from the 1st day of February and ending with the 31st day of July on the quarterly average of the index figures published for the months of October, November, and December of the previous year and for the half year commencing from the 1st day of August and ending with the 31st day of January on the quarterly average of the index figures published for the months of April, May, and June of the same year."

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Since the Index figures as specified in the above-mentioned Bank Employees Pensions Regulations, 1995 and SBI Employees' Pension Fund Regulations, 2014 are published only by the GOI and at present under CPI series 2016=100 which is belatedly agreed to be adopted by you under Clause 35 of 12th BP Settlement / 9th Joint Note (including State Bank Of India) for the calculation of DA percentage, the payment of DA on the basis of CPI 1960=100 series for the pre-2022 Pensioners goes against the spirit of the above-mentioned Regulation 37 contained in the Bank Employees Pension Regulations 1995 and sub-regulation 11(a) of Regulation 23 contained in SBI Employees' Pension Fund Regulations, 2014.

Therefore, there is an urgent need to remove this illegality and discrimination meted out to the Pensioners who have retired prior to 1.11.2022 and the pre-2002 family pensioners as well. We request you to rectify the position by setting right the disparity caused on account of the said anomaly due to the application of CPI series 1960=100.

It will not be out of context in this regard to draw your attention to the Minutes drawn and signed by the representatives of both IBA and UFBU on 8th March 2024 providing for discussions on the Residual Issues which is slated to be sorted out within 6 months i.e. within 8th September 2024 and more particularly the Serial No.11 of the said Minutes which provides specifically for such discussion on the following issue:

"DA Scheme for all Pensioners to be at the uniform index of 8088 points".

We, therefore, reasonably hope that there will be an early resolution of the above-mentioned issue within the definite time frame as envisaged in the minutes.

B) In respect of Pensioners prior to 01.11.2002:

The long pending grievance of the pre-2002 Pensioners, viz. the discrimination which was there



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from 1st May 2005 got rectified through the MOU signed between the representatives of IBA & UFBU on 28/07/2023 wherein the DA at 100% Neutralization was agreed to be paid to Pre-November 2002 Pensioners w.e.f. 1st October 2023. We place on record that IBA played a very positive role in redressing the said long pending grievance of the Pensioners who retired prior to 01.11.2002. The pensioners belonging to the same bracket again became victims of deprivation of a legitimate benefit at the time of payment of ex-gratia, as agreed upon in the 12th Bipartite Settlement/9th Joint Note.

The arrears of ex-gratia were made payable from 1st November 2022 on the basis of the gross pension paid to the Pensioners as on 31st October 2022 whereas the effect of payment of DA at 100% Neutralization was agreed to take effect only w.e.f. 01.10.2023. As a result of which, the benefit of DA payment at 100% Neutralization did not accrue to those who retired prior to 1.11.2002 while extending the benefit of eligible ex-gratia based on the gross pension as on 31st October 2022. Several representations have been sent to IBA by one of our affiliates viz. AIBPARC in this regard. We hope that the same is under your active consideration. We once again request you earnestly to extend the benefit of 100% DA neutralization notionally for the purpose of calculation of ex-gratia so that the aged Pensioners who suffered a loss on account of the denial of retrospective implementation of 100% DA neutralization might get adequate relief at this age.

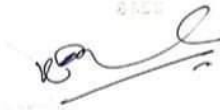
We shall be thankful if you kindly look into the issues with sympathy and favour.

With kind regards,

Yours faithfully,



Dipak Kumar Basu



K.V. Acharya

Joint Convenors,
CBPRO

