



Association of Retired IOB's Employees (ARISE)

Regn. No.SL. No. 243 / 2003

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14th August 2009

Dear Comrades,

JUSTICE TRIUMPHS LAST HURDLE REMOVED VRS-2000 RETIREES TO GET PENSION ARREARS ON NOTIONAL SERVICE UPTO 5 YEARS

This is the joyous moment in ARISE when the last hurdle to the justice already delivered to our members is removed by the Supreme Court dismissing the Review petition filed by IBA and some banks as *having no reason to back their review petitions.*

It is quite unfortunate that not once, not twice but thrice IBA tried to deny what was due to VRS 2000 retirees stating that Special VRS retirees were of a class different from other retirees. IBA falters whenever its agenda is not dictated by professional interest and ethical values. We are witnessing it in the on-going wage talks.

High Courts rejected IBA's arbitrary classification. Supreme Court rejected IBA's contention. Supreme Court refused to review their own **just and right** decision when IBA with a few other banks approached them with review petitions. While we rejoice now we can never forget the tragic scene in 2000-2001 when VRS-2000 retirees were shell-shocked by the sudden communication from IBA in the midst of implementation of the Special VRS depriving these retirees of their rightful due by an artificial and arbitrary classification of them as a distinct class. This artificial and arbitrary classification has been rejected lock,stock and barrel by the Supreme Court.

VRS-2000 retirees are doubly pleased, more than for the monetary arrears, for the Highest Court of our country holding them, the **Special VRS(VRS-2000) retirees, not at all different or distinct from other Voluntary retirees.** The Highest Court has declared the law. We only look forward to the managements in all banks to respect the law and extend all the benefits that are being extended to normal VRS retirees to Special VRS (VRS-2000) retirees. *We are confident that our management will not fight shy any more to extend the banklevel benefits without any discrimination to VRS-2000 retirees too.*

At this juncture we have to acknowledge with gratitude that our Bank management, immediately after the Supreme Court's original judgement, directed the department to be ready to pay the pension arrears as soon as communication is received from IBA. In fact quite a good number of bank managements were getting ready to pay. Unfortunately IBA decided to go for Review by the Supreme court and things got delayed/stalled. We understood the predicament and difficulty of these managements in not being able to implement the Supreme court's judgement pending disposal of Review petitions whatever be the legal position. Well, "*All is well that ends well*".

On the day (12/8/2009) Supreme Court order dismissed the Review petition our Bank's Chairman and Managing Director Mr. S.A. Bhatt was in Delhi and our Vice President Mr.K.V.Acharya had an occasion to meet him at a bank's function and requested him to pass instructions for early payment. President of IOBOA, Mr.J.D.Sharma supported the request. We are grateful to IOBOA for their constant support to us. We are also thankful to all the unions in the Bank and in the industry who have been espousing the cause of retirees. Chairman & Managing Director assured of immediate action. We are thankful to him.

Now that one discrimination is ended we have to direct our focus on ending other discriminations. *There is a larger discrimination affecting all retirees which is non-implementation of Pension updation.* IBA specifically communicated at the time of pension settlement that Pension would be on the lines of Central Government Pension. When it comes to new recruits the Government wants Banks to extend only contributory pension as obtaining for Central Government employees on the ground none in public sector should get what Central Government employees are not getting. But when it comes to existing and past employees the same government is not insisting on Banks extending what the Central government employees are getting. It is a strange logic of parity where Bank officers' pay scales were brought down in the name of relativity in 1978 but nobody whispers about relativity now when there is wide disparity due to implementation of sixth pay commission. Nobody speaks of gross disparity due to the stupendous improvement made in Pension benefits by the sixth pay commission. Nobody speaks of continued denial of pension updation to Bank employees. 'Bottom-line' plea is a false plea. Banks can afford to lend at Sub-PLR; Banks can give extra interest/card-plus rate to select depositors; Banks can declare hefty dividends; Banks can waive and write-off due to an unscientific NPA concept; Banks can spend limitless on technology up-gradation and outsourcing without regard to infrastructure potential, logistics, needs etc. If Banks' Bottom-line can bear all these it can as well bear payment to ensure parity to bank employees past and present.

We look at IBA not as an adversary, but as a representative of Banks. Representing Banks need not exclude protection and promotion of employees' interest. Interest of employees and institution is not mutually exclusive. There can be no painting without a canvass and an unpainted canvass wins no admirer. We look upon IBA to protect its employees when the Government is zealously protecting its employees. IBA should take it as an insult that this disparity is ever getting wider with every pay commission implementation.

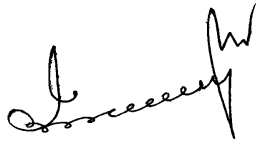
*'One Rank – One Pay' has been recently upheld by the Supreme Court in SPECIAL LEAVE PETITION (CIVIL) NO. 12357 of 2006 in **Union of India and another Vs. SPS Vains (Retd.) and others.** Supreme Court rejected classification based on retirement date as irrational and arbitrary and hence violative of Article 14 of the Constitution. *What is unconstitutional for others is unconstitutional for Bank employees too. Should not IBA endeavour to remove unconstitutional service conditions?**

We will try all channels available to us, legal channel included to end all discriminations. We have to augment funds, not from donations from others but from our own sources. *If we believe in our cause we cannot continuously look to others for help.* Only when you do not flinch when your pocket pinches you are true to your cause. We request our members to donate liberally to strengthen our funds position to take up these tasks.

More than the funds it is the cadre that is required for any movement. We cannot have anybody away or out of our fold. We want all our members to enroll atleast two past retirees into the fold of ARISE.

With warm regards,

Yours Comradely,



(K.S. RENGARAJAN)
PRESIDENT



(S.B.C. KARUNAKARAN)
GENERAL SECRETARY

ARISE ZINDABAD !
OUR UNITY ZINDABAD !

Awaz Do - Hum Ek Hai
Awaz Do - Arise Jai Ho

We also thank our activists Mr. N. Srinivasan, Mr. N. Sampath, Mr. K. Srinivasan, Mr. N. Ramasastrulu, Mr. P. Padmanabham, Mrs. SuseelaVenkataraman, Mr. V.K. Venugopal, Mr. K. Mallikarjunrao, Mr. S. Krishnamurthy, Mr. V.R. Balasubramanian and Mr. Sewaram who approached different High Courts to get the above relief.

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