



# ALL INDIA BANK PENSIONERS' & RETIREES' CONFEDERATION

(A.I.B.P.A.R.C.)

C/O BANK OF INDIA OFFICERS' ASSOCIATION

(EASTERN INDIA BRANCHES)

BANK OF INDIA, KOLKATA MAIN BRANCH

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Circular No. 27/18

09.04.2018

(For circulation among all the members of the Managing Committee as well as the Governing Council of AIBPARC, Special Invitees, State Secretaries and Advisors of AIBPARC.)

Dear Comrades,

**Sub : Representation of CBPRO before the Chief Executive, IBA dated 05.04.2018 on extension of 2<sup>nd</sup> option to resignees with pensionable service**

We reproduce hereunder the copy of the above letter for favour of information of our members.

With best wishes,

( SUPRITA SARKAR )  
GENERAL SECRETARY

QUOTE :

Dated: 05.04.2018

The Chief Executive  
Indian Banks' Association,  
Mumbai

Dear Sir,

## **Extension of 2<sup>nd</sup> option of Pension to Resignees with Pensionable Service**

We refer to our various letters requesting you to advise the Member Banks to permit extension of 2<sup>nd</sup> option of Pension to Resignees/Prematurely Retired Officers/Employees more particularly after the judgment of Hon'ble Supreme Court in respect of a group of resignees who were extended the said benefit. Despite our several requests, IBA has not yet disposed off the matter favourably in respect of eligible and similarily placed officers in other Banks. In this connection we wish to advise that Pension Regulation 32 provides for pre-mature Retirement Pension even to such employees who are pre-maturely retired from service after completion of service of ten years on account of orders of the Bank in the public interest or for any other reason specified in Service Regulation or Settlement if such employee was entitled to Pension on Superannuation on that date.

We also wish to highlight the facts that the cases of resignees would rank prior to the compulsorily retired employees/officers and also pre-maturely retired employees/officers who are allowed the benefit of extension of 2<sup>nd</sup> option for Pension in terms of Pension Regulation 32 and 33 respectively. Sir, you will appreciate that those employees /officers who are retired by the Banks pre-maturely or compulsorily carry an alleged misconduct unlike those employees/officers who opted for premature cessation of service on their own volition with good record of service. Under such circumstances it defies reasoning, logic and equity to arbitrarily deny Pension option to those who have resigned after completing pensionable service on or after 1<sup>st</sup> November, 1993. Such a denial would also amount to violation of the Provision of Article 14 of the Constitution of India. Moreover as opined by Shri S.D. Kelkar, Senior partner, Kelkar and Associates, legal retainer of IBA and reproduced in IBA's letter no.

HR&IR/CIR/G2/BRK/4684 dated 16.03.2018 addressed to Chief Executives of Member Banks which are parties to the Bi-partite Settlements, **Banks being "State" within the ambit of the Article 12 of the Constitution of India should act in a fair and reasonable manner and should not restrict only to those who demand it.**

It is in this backdrop we once again make an earnest request to you to extend the benefit of 2<sup>nd</sup> option of Pension to Resignees/Prematurely Retired Officers/Employees of all the Member Banks in terms of the judgment of the Hon'ble Supreme Court pertaining to Vijaya Bank.

We look forward for an early and favourable response.

With regards,

Yours faithfully,



**A.Ramesh Babu**



**K.V.Acharya**

**Joint Conveners**