



VIJAYA BANK RETIREES' ASSOCIATION (Regd)

(Affiliated to AIBRF)

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CIRCULAR 1/2014

Date : 07-01-2014

To, ALL MEMBERS

Dear Friends,

JUSTICE, AT LAST

About 2125 employees , who are among 2505 employees relieved under VRS 2000 in Vijaya Bank, , were illegally denied of the additional weightage up to a maximum of 5 years, for the purpose of calculation of pension. Aggrieved by the illogical and anti-retiree attitude of the bank, our Association and many retirees approached various High courts through writ petitions, seeking justice. Three high courts- the High court of Karnataka, the High Court of Kerala and the High Court of Kerala upheld the contentions of the petitioners and ordered the bank to add the additional weightage for the purpose of pension, the latest being by the High Court of Kerala in WP No:2409/2011, filed by our Association versus the Vijaya Bank. However, the management of Vijaya Bank chose to wage long drawn legal battle against a section of its poor retirees in various courts, taking it upto Supreme Court of India. The CC of our association, which met at Bangalore on 10/08/2013, took a serious view of the situation and decided to pursue the issue, amongst others, through appropriate forums and methods. Accordingly, we submitted detailed memorandum to all the directors of the bank, all the unions in the bank, and to various important public personalities.

Among them, Sri.V. R Krishnalyer wrote a strongly worded letter to the Finance Minister of the Govt of India, calling the action of the bank "a clear case of bureaucratic atrocity against old aged pensioners" and called upon him to prevail upon the Bank's management to fall in line with all the public sector banks, in allowing the pension benefit to "avert the human rights violation".

Alongside, a few directors of the bank , whom we had approached and apprised the issue agreed with our contentions and supported our cause.

Besides,we also approached the Chairman as well as the executive director of the bank and once again explained to them our view points, emphatically denouncing the action of the bank, which the high court of Karnataka had observed as "the extremely scarce time of the court as well as the Bank's resources have been avoidably and unnecessarily expended on an exercise in futility".

With all these developments in the background, the Board of directors of the bank, in their meeting held on 28th December, 2013 have approved a proposal to extend the benefit of 5 years additional service to VRS 2000 optees, for the purpose of calculation of pension.

As a result, an estimated 2125 employees out of about 2505 employees relieved under VRS 2000 will get the benefit of increased pension, difference in commutation and arrears of pension from the date of payment of pension. It is estimated that the financial implication would be to the extent of more than Rs. 34 crore.

Subsequently, on 6th January, 2014, one batch of appeals were heard by the Supreme court. On that day the bank's counsel submitted to the court the decision of the Board of directors to extend the benefit of additional weightage, after hearing the appeals the Supreme Court Judges, Js. T. S. Thakur and Js C. Nagappan, have made the following order:

"Heard. We see no reason to issue any direction at this stage, except that the hearing of these appeals and also the connected appeals shall be expedited. This order shall not, however, prevent the bank from taking any decision in favour of the employees or giving the employees the benefit of any decision, already taken or that may be taken."

On 7th Jan, 2014, another batch of appeals, where we are a party, were heard by Judges Surinder Singh Nijjar and A.K.Sikri. Upon hearing the counsel, the Court made the following order:

"A request is made on behalf of the appellant-Vijaya Bank- for adjournment to place on record an additional affidavit, which, according to the learned counsel would be beneficial to the respondents and therefore, it may not be necessary to adjudicate the matter on merits. The request is accepted. The matters are adjourned by two weeks".

Thus, now it is for the management of the bank to implement the decision of the board of directors. We have today met the CMD, the executive directors and all other concerned authorities and urged upon them to implement the decision without further delay.

Friends, the matter has traversed through long and arduous path. It is not only our Association, but also many others, whose efforts has taken the matter to this level. Among them are Sri. B. Sadashiva Shetty and Sri. Ramamakrishna Gowda and their batch of 225 VRS optees, and Ms. Neela Arun Mohile and others, whose efforts are to be noted and appreciated.

We also appreciate the action of the Chairman, the executive directors, who have taken steps to resolve this long pending, legitimate issue of the retirees. We note the efforts of the workman and officer directors of the bank in resolving the issue and the support extended by the Officers' and workmen unions in taking the issue to a logical end. We thank them all.

Thus, though belatedly, justice has been done to the poor VRS optees, who were made to wait in anguish and agony, for more than 12 years, for no fault of them, to get their legitimate entitlement.

We have met the newly appointed Chairman and managing Director of Vijaya Bank, Sri. V.Kannan, who has taken charge from 1st Jan, 2014 and explained to him various issues relating to retirees, with a request to positively deal with the same. We requested him to implement the Boards decision to extend the 5 years weightage and pension to resignees. The new CMD was very positive and receptive.

We also met the executive directors, and had apprised them of various pending issues, particularly with reference to Grievance Redressal Committee. The ED in charge of personnel was very positive and quick in initiating action.

PENSION TO RESIGNEES:

In our previous circular, we had informed about this issue. As already informed, the Karnataka High Court, while delivering judgment dated 18/04/2012 in WP Nos: 24158-24160/2011 and 24162-24180/2011 filed by C. Narasimhappa and 21 others-all are our members-against Vijaya Bank, had allowed the writ petitions and quashed clause no: 7 of H.O.cir No:10191 dated 7/9/2010 which stipulated that "the option to join the pension scheme shall not be extended to those employees, who ceased to be in the service of the bank in any other manner other than the categories mentioned herein above". The bank challenged this judgment in Writ Appeal no: 2956-2977 of 2012 before the division bench. This appeal was dismissed by the division bench on 30/7/2012. Thereafter, the bank filed SLP bearing Nos: 35402-35423/2012 before the supreme Court of India. During the course of the hearing for admission, the bank withdrew the SLP and again went before the High Court of Karnataka with a revision petition, bearing No: 68/2013, and 331-351/2013. On 4/4/2013, Sri. C. Narasimhappa and others filed a Civil Contempt of Court petition bearing No: CCC(civil)677-679/2013 for non-compliance of the judgment of the division bench. The review petitions were dismissed on 25/10/2013. Challenging the dismissal of the review petition, the bank filed a SLP once again, before the supreme court bearing No:SLP(C) 20811-20832/2013. The SLPs were dismissed by the Supreme Court on 6/12/2013. On 6/12/2013, the former Chairman and managing Director appeared before the High Court and filed a memo seeking 6 weeks' time to implement the court order. In compliance of the memo, the Board of directors of the bank, in their meeting held on 28/12/2013 has decided to extend option to join pension scheme to 22 petitioners only. We have already pointed out to the bank that as per the order dated 18/04/2012, all the eligible resignees are to be extended with one more option to join the pension scheme. We are pursuing this issue. We are proud to state that it is our Association that has initiated and co-ordinated the legal process in this regard.

ENHANCEMENT IN RE-IMBURSEMENT OF MEDICAL EXPENCES:

A scheme for reimbursement of Rs.1500/- per year, towards expenses incurred for Medical Checkup on declaration basis was introduced for employees who retire on super-annuation vide H.O.Circular No:188/2007 dated 12/11/2007. This was enhanced to Rs. 2500/-per year vide H O circular no:13307 dated 9/11/2013. The bank had instructed to avail the difference amount of Rs. 100/- for the year 2013 before 31/12/ 2013. Some of our members have represented to us that they were not aware of this enhancement and hence, they could not avail the same before 31/12/2013 and now the concerned branches are not allowing it. We have immediately represented the matter to the concerned authorities at H.O. We are glad to inform our members that the concerned authorities have taken instant decision in the matter and I-Net messages have been sent on 7/1/2014 to all branches and R.Os from Personnel Dept (Policy Cell), instructing them to pay the difference of Rs.1000/- for the year 2013, before 31/3/2014. All our members are requested to note this and inform the same to other eligible retirees and avail the re-imbursement. Our effort to extend this facility to VRS optees is continuing.

ENHANCEMENT IN EXGRATIA AMOUNT TO PRE 1986 RETIREES :

The ex-gratia payments to pre-1986 retirees / surviving spouses has been enhanced as follows: for surviving pre-1986 retirees, the existing Rs. 300/- plus DA is enhanced to Rs. 350/- plus DA. In respect of surviving spouses, it has been enhanced to Rs. 175/ plus applicable DA. This will be effective from 17/12/2013.

TWO DAYS BANK STRIKE ON 20TH AND 21ST JANUARY, 2014:

The UFBU has decided to observe two days' bank strike on 20th and 21st Jan 2014, for 48 hours, starting from 6 a.m. on 20.01.2014 to 6 a.m. on 22.01.2014, demanding immediate wage revision for bank employees and officers and for stopping retrograde banking sector reforms. AIBRF is fully supporting the strike.

MASSIVE RALLY CUM DHARNA AT DELHI BY BANK RETIREES :

AIBRF has decided to hold a massive Dharna and rally at Jantar Mantar, New Delhi on Friday, the 7th March, 2014 protesting against the indifferent attitude of the government towards long pending demands of the retirees. The demands include updation of pension, 100% DA neutralization to all retirees, Hospitalisation reimbursement to retirees, medical insurance, welfare measures to retirees, discussion between Retirees and IBA/Govt on issues concerning retirees etc etc. More than 5000 bank retirees from different banks will be participating in the programme. The rally will be addressed by MPs, leaders of UFBU and other leaders.

GRIEVANCE REDRESSAL COMMITTEE :

During our discussions with various authorities of the bank , we have once again conveyed our strong views in not constituting the redress geievance committee in the bank. We are assured that the committee would be constituted soon.

We Wish All our Members

*A Happy Sankranthi and
A Healthy, Peaceful and Prosperous New Year.*

With greetings,

Comradely yours,



(C. GOPINATHAN NAIR)
PRESIDENT



(K. VISHWANATH NAIK)
GEN SECRETARY