**VIJAYA BANK RETIREES' ASSOCIATION (Regd)**

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|  |  |  |  | ***( Affiliated to AIBRF)*** |  |  |
|  |  |  |  | ***Regd Office :* Kochi** |  |  |
|  | ***Central Office :* Shell House, 89, 3rd Floor, J.C. Road, Bangalore - 560 002** |  |
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BANGALORE

05/09/2013.

**THE CHAIRMAN AND MANAGING DIRECTOR**

**VIJAYA BANK**

**HEAD OFFICE,**

**BANGALORE.**

Dear Sir,

**ISSUES AND GRIEVANCES PERTAINING TO RETIREES OF THE BANK.**

“Senior Citizens are treasure to our society. They have worked hard all these years for the development of the nation as well as community. At this age of their life, they need to be taken care of and made to feel special” says the policy of the Government of India.

It is an universally accepted position that the employer has an obligation to ensure that the employees , having served the institution almost life time are provided adequate superannuation benefits so that they are able to live a life of dignity, honour and above all, a comfortable life for having given their sweat and blood to the institution.

A communication dated 5th June, 2013, issued by the Executive Director of our bank states as follows:

“This great institution of ours began its humble journey with tentative steps way back in 1931. True to its name, the bank grew by leaps and bounds, contributed significantly to the nation building, made a difference to millions of people and today is considered a Financial Power House.”

“This saga of success has been made possible as much due to the far sightedness of our visionary founders and leaders over the years on the one hand and on the other, the hard work, grit and determination of each of the Vijayees over the past 82 years.”

However, it is unfortunate that thousands of Vijaya Bank retirees have been struggling for last more than 12 years for resolution of their long pending entitlements and genuine demands. They are denied of their legal entitlements. They are deprived of proper and timely medical treatment. Their genuine demands and grievances remain unresolved. While the bank is basking in the glory of the past, the makers of the history are forgotten. The retirees who contributed significantly to the growth of the bank, with paltry salary and no settled service conditions, are left completely uncared and neglected. Persons at the helm of the affairs do not seem to realize that, one day, they too will be the retirees, if not of our bank, of some other institutions, if they continue to hop from bank to bank.

The central committee of our Association, which met at Bangalore on 10th August, 2013, took stock of the situation prevailing in the bank, in the above background and came to an inescapable and inevitable conclusion that the present grievances and problems are due to the attitude of the management, as can be manifestly seen from the following :

1. DENIAL OF 5 YEARS NOTIONAL WEIGHTAGE TO VRS OPTEES:

In terms of Regulation 29(5) of Vijaya Bank Employees’ Pension Regulations, the qualifying service of an employee retiring voluntarily under this regulation shall be increased by a period not exceeding five years, subject to the condition that the total qualifying service rendered by such employee shall not in any case exceed 33 years and it does not take him beyond the date of superannuation.

Like many other public sector banks, Vijaya Bank also notified a Voluntary Retirement scheme, vide H.O. Circular No: 231/2000 dated 23/11/2000. One of the conditions was that employees who submitted application for VRS cannot withdraw the same under any circumstances. There was no mention in the scheme that additional weightage of 5 years would not be extended. More than 2500 employees opted for the VRS and the bank commenced relieving of the VRS optees from 30.12.2000. 936 employees were relieved on 30/12/2000. It was only in their relieving letter that the optees were informed that they are not eligible for additional weightage in service. No reason was stated for this denial. Some of the shocked employees represented that since the additional weightage is denied, they should be permitted to rejoin the services of the bank. The bank refused their representation. After 936 employees were relieved on 30/12/2000, the bank, during the first week of January, issued a circular stating that additional weightage as per regulation 29(5) of Pension Regulation would not be available to those opted for VRS. Some employees, who had opted for VRS, but are yet to be relieved withdrew their applications. But the bank declined withdrawal of application contending that as per the scheme, the application, once tendered could not be withdrawn. On the whole, 2511employees were relieved under the VRS-2000. As the action of the bank in denying additional weightage was illegal and unconstitutional, the affected retirees of almost all banks challenged the action of the banks through writ petitions in various High Courts. Judgments were delivered in favour of the employees. Banks filed SLPs in Supreme Court against the High Court judgments. The Hon. Supreme Court also held the case against the action of the Banks. Review petitions filed by the banks were also rejected. At this point of time, the Indian Banks’ association advised the member banks that in view of the rejection of the review petitions of the banks by the supreme Court , necessary steps may be initiated to re-fix the basic pension of the retired employees under VRS 2000, by giving weightage as per Regulation 29(5). Accordingly, all public sector banks, except Vijaya Bank and Allahabad Bank complied with the advise of the IBA. This is a matter of attitude of the Managements, especially of the then Chief Executives of these banks.

In the meanwhile, the High Court of Mumbai also pronounced judgment in favour of the retirees of our bank. Instead of implementing the advise of the IBA and considering the ultimate position taken by the Supreme court, our bank filed SLP in Supreme Court, against the Mumbai High Court decision. The same is pending. Our Association has filed a writ petition before the High Court of Kerala, which is also pending. We are also an intervening party in respect of the SLP filed by the bank, before the Supreme Court. Our Association and the hapless retirees have to spend huge amount of money from our scarce resources and out of their not yet up-dated pension, whereas bank has huge resources to spend.

 It is also pertinent to note the observation of the Division Bench of Karnataka High Court, which is reproduced for your immediate reference which should be an eye opener for the bank managements of these banks.

***‘We mention this for the reason that it appears to us that***

***the extremely scarce time of the Court as well as the***

***Bank’s resources have been avoidably and unnecessarily***

***expended on an exercise of futility’.***

Unless a situation arises, no individual is made accountable for the huge expenses incurred by the Bank to pursue a case that has already been decided by the highest Court of the country and the expenditure may not be recovered from the those who took the unreasonable decision.

Thus it can be seen that it is a question of attitude of the management that has denied the legal entitlement of these retirees, which can be set right by the present authorities and give meaning to the high sounding words and verbiages. Our request is that the Bank, which has, unreasonably dragged the issue to the doors of Supreme Court can as well withdraw the SLP and extend the weightage to the VRS optees, who are entitled for the same.

1. PENSION TO THOSE WHO HAVE RESIGNED/ COMPULSORILY RETIRED FROM BANKS’ SERVICES:

This is yet another glaring instance of the negative attitude of the management towards the retired employees of the bank. Even after a clear judgment from the Hon. High court of Karnataka, the Bank has been dragging its feet without extending the much deserved option to this category of the retirees. In this case also, other banks have extended the benefit. Our bank has not. Again a matter of attitude.

1. GRIEVANCE REDRESSAL MEETINGS:

In response to our representations to Government of India, and as suggested by the Parliamentary Standing Committee on Personnel and Public Grievances in this regard, the Indian Banks’ Association, vide their communication no: CIR/HR&IR/GS/2008-09/3059 dated 30/03/2009, has advised all banks to establish grievance cell at corporate offices of the Banks and to hold discussions with the representatives of Retirees Associations periodically. Though, after long elapse of time and after repeated follow up from our side, a Grievance cell is constituted at the H O of the Bank, as communicated to us vide bank’s letter No: PER/PA&PD/3247/2009 dated 14/10/2009, no discussion has taken place between us and the committee, till date. Such meetings are regularly held at periodical intervals in other banks like Canara, Syndicate, Corporation, SBM etc, and we have even furnished copies of the minutes of such meetings. This only shows the lack of concern and the negative attitude of the management towards its retired employees.

1. MEDICAL FACILITIES:

Retired employees, being in advanced age of their life, naturally require more and effective medical care and treatment. Because of huge costs involved, unless employers come forward and lend a helping hand, required Hospitalisation and medical treatment has become out of reach of retirees. Realising the realities and with a concern to their retirees, banks have evolved various schemes , often as a tie-up arrangement with Health Insurance companies, to meet and treat the medical requirement of retired employees. Our bank has not evolved any schemes, except a paltry annual re-imbursement of Rs. 1500/- and this is not extended to VRS retirees, which is a serious discrimination. Other banks are treating them equal with superannuation retirees.

1. It is an indisputable fact that the stature and the progress of an institution is the result of the hard work and contribution of not only those presently working but also of those who toiled and retired from the services of the institution even when the service conditions were not well settled as of now. Considering this, several banks have formulated different welfare schemes for the benefit o their retirees. Such schemes assist the retirees to take care of their financial needs for medical treatment, rest and recuperation, a decent and dignified retired life etc. Accommodation in Holiday homes are provided to retirees at various centers. Separate welfare funds are contemplated exclusively for retirees. The government of India, Dept of Banking, has advised banks to set a side a portion of Staff Welfare Fund for exclusive use of retirees. In our Bank, nothing has been done in this direction.

 We also wish to inform you with pain and legitimate indignation that there are serious discriminations shown between VRS retirees and superannuation retirees in our bank. Additional rate of interest extended to senior citizens is reduced.

The Central Committee took a serious view of the situation and has decided to call upon the management of the bank to immediately settle and resolve the above and other related issues, failing which, it has been decided to pursue the issues through appropriate forums and methods as deemed fit by the Association. We, therefore, urge upon you to come forward with a positive attitude towards the long pending, legitimate and genuine issues and grievance of the retirees and settle the same. We would like to add here that today’s serving employees will be tomorrow’s retirees and the present retirees were the persons who built this institution brick by brick, in the past.

They deserve a better treatment.

Yours faithfully,

(B,MANOHAR SHETTY) (C.GOPINATHAN NAIR) ( K.VISHWANATH NAIK)

CHAIRMAN PRESIDENT GEN SECRETARY

CC:

1.The executive Director

 Vijaya Bank, H O, B.lore.

2. All General Managers,

 Vijaya Bank.