

CIRCULAR NO.83 /2023

DATE : 08.11.2023

TO,
ALL MEMBERS

PENSION EQUALITY PREVAILS: A TRIUMPH FOR SBI FAMILY

We reproduce hereunder the text of the **AISBOF Circular No. 83** dated 08.11.2023, the contents of which are self-explicit.

With warm greetings,

(Amaresh Vikramaditya)
GENERAL

SECRETARY

OUR UNITY : ZINDABAD-ZINDABAD
S.B.I.O.A. : ZINDABAD-ZINDABAD

TEXT

PENSION EQUALITY PREVAILS: A TRIUMPH FOR SBI FAMILY

It is with a great sense of satisfaction that we stand on the threshold of clinching one of the most sought-after and cherished accomplishments in the trade union history of the Bank. The issue of payment of pension at a uniform rate of 50% of the average of monthly substantive salary drawn during the last 12 months as against the existing dual rate of 50% & 40% has been persistently demanded by both the Pensioners' Federation and the Officers' Federation of the Bank for more than two decades, and it is only now that we see light at the end of a dark tunnel with the issue standing poised to be resolved to the satisfaction of the concerned parties. The moment is nothing short of being a historical one.

2. Pension has been a part of our legacy, dating back to the days of the Presidency Banks in 1806. Over the years, there have been improvements through court judgments and bilateral settlements. However, disparities arose, notably in 1999, when the ceiling for pension calculation changed, causing a division among our pensioners governing by same pension regulations. This disparity persisted despite the significant improvements brought about in 2006 following a united indefinite strike by both the Officers' and Staff federations.

3. It was disheartening to note that while 83% of all pensioners received pension payments equivalent to 50% of their substantive salary, a smaller subset of 17% of

pensioners faced discrimination as they were granted pension at a reduced rate of 40%. This disparity within the pensioners' community persisted and called for further attention.

4. While we are in the service of the Bank, we serve the institution with sincerity and honesty, working hard during the prime of our youth and middle ages with the hope that when we reach the age of superannuation, the institution that we nurtured with the sweat of our brow, shall stand us in good stead in our twilight years. But when a section of our fraternity feels having been discriminated against, a sense of dissatisfaction and heartburn creeps in. Such discrimination goes against the fundamental principles of our Constitution and must be rectified.

5. After the historic 7-day indefinite joint strike in April 2006, the Federation diligently pursued the issues with the SBI management. During every quarterly CNC meeting and follow-up discussions with the management, enhancing superannuation benefits remained a constant and essential agenda item. The then Chairman, Sri. O.P. Bhatt, and Secretary DFS, Sri. Mittal, who also served as Co-Director on the Central Board of SBI, displayed a sympathetic approach towards resolving these issues systematically. The management's recommendations, including those related to the 40/50 issue, were forwarded to the Government as part of this ongoing effort.

6. In response to the Federation's request, the then CGM HR, late Sri. B.B. Das, continued to serve on a contract basis for two years even after his official retirement in 2010, assuming the role of an Advisor. He was based in Delhi with the sole purpose of pursuing our pending issues with the Banking Department and DFS. In fact, in 2011, a file was forwarded to the then MoF, late Sri. Mukherjee, from DFS for clearance on one of the crucial matters. The understanding between the Federation and the Management remained consistent: to address these issues in a prioritized and systematic manner.

7. Disheartened by the Government's lackadaisical approach, the Federation of the SBI Pensioners' Association filed a petition before the Hon'ble Supreme Court in 2011, seeking the removal of the 40% clause in pension fixation. Regrettably, when the Department of Financial Services (DFS) learned about our Pensioners Federation's legal action concerning the 40/50 issue, the matter was deemed sub judice, and the file was returned from the Ministry of Finance (MoF) to DFS. Consequently, our Advisor was recalled to Mumbai.

8. In the meantime various other such cases were filed in different High Courts of the country too. In 2013, The Hon'ble Supreme Court transferred all these cases to the Delhi High Court for consideration, where the matter was being argued since then.

9. Hon'ble High Court of Delhi passed an order on 13.04.2023 directing the Petitioner-Federation of SBI Pensioners' Association to submit a representation to the Ministry of Finance, GOI, highlighting it's grievances, and also directed the Ministry of Finance to get the grievances examined by an expert committee which shall submit a report and recommendations to the Court.

10. Accordingly, the Department of Financial Services (DFS) constituted a committee of experts from various departments and representatives of IBA & SBI participated in various meetings since its constitution. The expert Committee provided an opportunity to the Federation of SBI Pensioners' Association and All

India State Bank Officers' Federation (AISBOF) to present their case before the Committee. Accordingly, all the concerned parties viz. the IBA, SBI Management, Pensioners' Federation and AISBOF made presentations before the committee.

11. In the crucible of the committee, diverse perspectives were voiced by the Federations with conviction and clarity. Every individual's contribution, from the persistent efforts of our Pensioners Federation to the steadfast support of individuals in the form of rejoinders, was pivotal. The Bank's representation was commendable, the role of the Indian Banks' Association (IBA) constructive, and we were fortunate to have the expertise of Comrade G D Nadaf, former General Secretary AISBOF and Officers' Director on Central Board of Bank to articulate the Federation's stance, a gesture supported generously by the federation leadership. We extended an offer to the Pensioners' Federation, fostering a collaborative spirit that underpinned our deliberations as a Team – **"Team SBI"**.

12. The expert panel after detailed deliberations has brought out a report which was presented to the Hon'ble High Court of Delhi in its hearing on Nov. 7th, 2023. The culmination of these efforts is the positive report from the Department of Financial Services (DFS), which has unequivocally and unanimously recommended the implementation of a uniform rate of 50% in pension fixation, signaling a victory not just for our members but for the entire SBI Family. The recommendation of the Committee has been accepted by the Competent Authority and to give effect to the same, SBI is required to make amendments to relevant regulations as per section 50 of the State Bank of India Act, 1955. It is only a matter of time now when after following the due process of law, the necessary approval shall be granted in the matter and justice will be served to the section of the Pensioners that was being discriminated against.

13. It would be pertinent to mention that our respected Chairman, Sh. Dinesh Khara, played an indispensable role in resolving this long-standing issue and fostering unity within our SBI Family. His unwavering commitment to the cause and his personal intervention were nothing short of extraordinary. His personal intervention was particularly instrumental in bridging the divides that had persisted for years and our strategic political engagements further cemented our position.

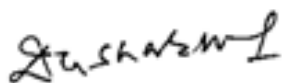
14. Rome was not built in a day. To achieve significant milestones, one has to remain focused, show sincerity of purpose, work hard with an intelligent approach, persevere, present credible arguments & possess negotiating skills. These all are the hallmarks nurtured at AISBOF day in and day out. The resolution of this long pending demand is a testament to our unity and unwavering commitment to the welfare of our members. It embodies our foundational belief that together we can overcome the greatest of challenges.

Let us carry forward this spirit in all our future endeavors.

#OurUnityLongLive

With greetings

Yours comradely,



(Deepak Kumar Sharma)
General Secretary