



ALL INDIA RETIRED BANK EMPLOYEES ASSOCIATION

CENTRAL OFFICE : THIRUVANTHURAM - 695 001

(Regd. No. 938/91)

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Date : 21st February, 2022

The Chief Executive Officer,
Indian Banks Association,
MUMBAI

Respected Sir,

Stagnation Increments – 10th & 11th Bipartite Settlements and 7th & 8th Joint Note.

This is further to correspondence resting with our letter No. IBA/MI/222/2021 dated 05.12.2021.

Respected Sir, we have come across correspondence exchanged including your clarification with regard to payment of Stagnation Increments in terms of 10th Bipartite Settlement/7th Joint Note and 11th Bipartite Settlement/8th Joint Note. Still we find that member Banks who were parties to Joint Notes/Bipartite Settlements have not implemented the provisions of Joint Notes/Bipartite Settlements and paid pension in terms of Pension Regulations, 1995. The following are among a few benefits which the employees/officers are entitled to in terms of these Joint Notes/Bipartite Settlements :

- Payment of Pension reckoning Stagnation Increment in respect of retired Officers, who were in Scale V and retired between 01.11.2017 and 01.11.2020 and also those Officers who were in Scale IV and retired between 01.11.2012 and 01.05.2015. Many Banks have not paid this benefit of 'notional' Stagnation Increment ;
- Commutation amount is also not paid after refixation of Basic Pension on account of additional stagnation increment/s This is also a clear violation of Regulation 41 and 56 read with Rule 6 and 10 of Central Civil Services (Commutation of Pension) Rules, 1981. Payment of Commutation and reduction/recovery thereof from the date of payment is also a subject matter of dispute in Writ Petition No.11067/2020 ;
- Considering these Increments notionally for calculation of last 10 months average in respect of those who retired between 01.05.2015 and 31.01.2016 and between 01.11.2020 and 31.07.2021. This is because their last ten months' service includes period before 01.05.2015 and 01.11.2020, effective dates for payment of monetary benefit in respect of Stagnation Increments.



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- d. Considering stagnation increments due, but not paid in respect of those who were promoted during the period from 01.11.2017 to 01.11.2020 and from 01.11.2012 to 01.05.2015 for fixation of 'Pay' in promoted Cadre/Scale.

While, we are thankful to you for various clarifications issued in respect of payment of benefits out of 10th Bipartite Settlement/7th Joint Note and 11th Bipartite Settlement/8th Joint Note, we still find the member Banks are not considering the additional Stagnation Increment/s, which they are entitled to, while extending pensionary benefits.

It is unfortunate that in most of the issues the Banks interpret Rules/Regulations/Bipartite Settlements/Joint Notes to avoid extension of benefits to eligible employees/pensioners. Certainly, these decisions indicate a negative attitude towards Bank Pensioners. Trying to avoid payment of benefits which are conferred by Joint Notes/Bipartite Settlements is an affront to former employees of these Banks. As model employers, actions should demonstrate their sincerity and recognize service rendered by these former employees.

"70. Social justice is the conscience of our Constitution, the State is the promoter of economic justice, the founding faith which sustains the Constitution and the country is Indian humanity. The public sector is a model employer with a social conscience not an artificial person without soul to be damned or body to be burnt."

These are the words of Hon'ble Supreme Court in its Judgment by well respected Justice Krishna Iyer in *Som Prakash Rekhi v. Union of India* [(1981) 1 SCC 449]. We do hope that the conscience of those who interpret to deny benefits to their seniors, should shake when they think about or remember them on account of interpreting provisions or inventing reasons to deny legitimate benefits to them.

We request you to kindly advise the member Banks to extend these benefits to all eligible pensioners. The cost for Banks by paying these legitimate benefits is not only negligible, but they are also entitled to receive in terms of Joint Notes/Bipartite Settlements. Please advise Banks to extend and pay these benefits.

Thanking you,

With warm regards,

(R K Dhoot)

Secretary General