

പ്രത്യേകം പ്രഖ്യാപനം (പ്രൈവറ്റ്) ചെയ്തുകൊടുക്കുന്നതിനുള്ള അനുമതി

പ്രത്യേകം പ്രഖ്യാപനം

പ്രൈവറ്റ് പ്രഖ്യാപനം നമ്പർ: 2003/15 ന് പ്രഖ്യാപനം

the Executive Director Memorandum dated 22nd July 2003, has also mentioned that the pension be updated automatically whenever pay scales are revised. In the Office Note dated 2nd July 2003 put up in this regard, it is stated that even the Supreme Court of India has stressed upon the uniform treatment of all pensioners, irrespective of their date of retirement. In fact the Supreme Court has reiterated the need to revise / refix the pensions at periodical intervals to take care of the price rise / inflation, so that the pensioners live with dignity and honour in the twilight of their lives free from want and not merely exist. We are of the firm view that the updation of pension being inbuilt into the Pension Scheme at the time of its introduction in 1990 without the requirement of amending the relevant Regulation 2 (2) of the R.B.I. Pension Scheme, 1990, there is no need to do so as advised by the Government, especially when the Government themselves have updated the Pension of their retirees as per the recommendation of V C.P.C., without amending Rule 34 of C.C.S. (Pension) Rules, 1972 which exactly is the same as Regulation 2(2) of R.B.I. Pension Regulations, 1990. As the Bank has already obtained the Legal Department's views, as well as the opinions from the eminent lawyers, Shri Dipankar P. Gupta and Shri Harish N. Salve, who have opined that the revision of the pension of pre 1997 retirees without amending the R.B.I. Pension Regulations is justified in law (cf letter DAPM. CO. No. RIA 44 / 07.50.01 / 2005 dated 4th April 2006 addressed to Shri P.R.R.Nayar) there is no reason why further updation of pension with reference to the revision of pay scales of serving employees and officers from time to time, and in particular with effect from 1st November 2002 should not be effected, when the Bank is convinced that the same is as per the R.B.I. Act, 1934 the Rule of Law and it is also done out of conviction to do so as per the commitment given to the employees at the time of introduction of the Scheme and not as a matter of "gratis". We are also of the view that "average emoluments" will have relevance only at the time of retirement for fixation of basic pension and not for updation of pension with reference to periodic revision of pay scales of serving employees. We are also of the firm view that updation of pension is an integral and inseparable part of the pension scheme. Contd on P. 2

RESERVE BANK RETIRED EMPLOYEES' ASSOCIATION, MUMBAI.

(Affiliated to All India Reserve Bank Retired Employees' Association)
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Tel. : 2405 084. + Cell. : 9323205016

Shri V.K.Sharma, Executive Director, Reserve Bank India Central Office, Mumbai 400 001
Date: 20th January 2008

P.P.R.
21.1.08

Dear Sir,

Pension Improvement – Stance taken by Government

We enclose a statement (Annexure A) based on the information obtained under the Right to Information Act, 2005, indicating our views on the stance taken by the Government on updation of pension, extension of benefits of family pension uniformly @ 30 % of the last pay drawn and 40% commutation of pension as per the implemented recommendations of V C.P.C. At the very outset, we wish to reiterate that our Association is opposed to deflinking the R.B.I. Pension Scheme from the Central Government Pension Scheme, which it appears to us, is the concerted attempt of the Government so as to deny and deprive the benefits on the untenable and conflicting grounds of repercussions in the Banking Industry. We wish to make the following further submissions for kind and sympathetic consideration of the Bank:

- i. Updation of Pension – At the time of introduction of Pension Scheme, it is evident from the Bank's circular PPD. No. G.45 / 450 / R.II.CP.171D – 90-91. dated 1st December 1990 that the pension of those who retired between 1st January 1986 and 31st October 1987 was updated as indicated in PART II of the Form 7 enclosed therewith, as per the then existing formula without amending Regulation 2 (2) of the R.B.I. Pension Regulations, 1990. This position has been amply clarified by the Bank in Paragraph 1 (i) of circular PPD. No. G.66 / 2180 / R.II.CP.171D – 91-92 dated 13th March 1992, wherein it is categorically stated that updating of the basic pension is unique feature of the Pension Scheme. The Bank, in

ഈ കമ്മ്യൂണിക്കേഷൻ വെബ്സൈറ്റ് വഴി അറിയിക്കുന്നതിനായി കീഴെ പറയുന്ന വിവരങ്ങൾ നൽകുന്നു. ഏതെങ്കിലും കാര്യങ്ങൾ അറിയിക്കാനോ ചോദ്യങ്ങൾ ഉയർത്താനോ അറിയിക്കാനോ സാധിക്കും.

സെക്ഷൻ 7-2-08 ന്

FAMILY PENSION uniformly at 30% of Last Pay drawn and

40% COMMUTATION: - The Governments' contention that the R.B.I.Pension Scheme cannot be equated with the Central Government Pension Scheme is untenable when the Government have themselves admitted in their letter No. F. 22 / 4 /2007. IR dated 25th April 2007 addressed to Shri P.R.R.Nair (Annexure B) that at the time of introduction of pension scheme in Reserve Bank, the various provisions pertaining to the quantum of commutation value, rate of family pension and minimum pension were kept exactly the same as then prevailing in the Government. However, on the untenable grounds of repercussions in the Banking Industry, the Government is now attempting to delink the Reserve Bank Pension Scheme from the Central Government Pension Scheme for extraneous reasons to deprive the R.B. Pensioners of the benefits, notwithstanding the fact that the Pension Regulations framed by the Reserve Bank of India have been broadly based on the C.C.S (Pension) Rules, 1972 (copy of Letter D.O. No 12 / 2 / 26 / 2002 -IR dated 2nd April 2003 addressed to Shri O.Rajagopal, Minister of State for Defence and Parliamentary Affairs by Shri Anand Rao Adsul, Minister of State for Finance enclosed) (Annexure C). What is intriguing is that on one hand the amendments to Reserve Bank Pension Regulations duly approved by the Committee of Central Board proposed by the Bank by following due process, are not being approved by the Government, on the other hand the updation of pension is termed as irregular, under the pretext that procedure of amending Regulation 2 (2) has not been followed by the Bank, which in fact is not required. If as stated by the Government, their scheme cannot be equated with Reserve Bank Pension Scheme, why is it that Dearness Relief is being paid to Reserve Bank pensioners at half-yearly intervals, as in the Government, which is same for serving employees of the Government also, which is not the case in Reserve Bank and why is it that the Life

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Certificate is required to be submitted in November every year as in the case of Government and not in any other month?. Further, Regulation 5 of the Reserve Bank of India Pension Regulations, 1990 states that " *In the matter of application of these Regulations regard may be had to the corresponding provision of the Civil Service Regulations or the Liberalised Pension Rules or the Civil Pension (Commutation) Rules or the Family Pension Scheme for Central Government employees, as the case may be, of the Government of India in so far as they can be adapted for the Service in the Bank, but subject to such exceptions and modifications as the Bank may, from time to time, determine*" (emphasis ours). The provisions of the said Regulation 5 seek not only to provide unfettered freedom of parity with Central Government Pension Scheme but goes much beyond that as per the concluding portion of the Regulation. This position is further confirmed by the V C.P.C. as per the recommendations contained in Paragraph 143.31 of their Report which is reproduced below:

Applicability of recommendations of the Commission to the pensioners of State Government / RBI / Autonomous Bodies

While most of the State Governments adopt the recommendations of the Central Pay Commissions in regard to pensionary benefits, others set up their own Pay Commissions for determination of the pensionary benefits of their employees. Suggestions have been made by a number of pensioners' associations that there should be complete parity in retiral benefits among employees of Central and State Governments and Autonomous Organisations which are financed wholly or partly by the Central or State Governments. While there can be little doubt about the usefulness and advantages of having a uniform pattern of retirement benefits for the employees of Central and State Governments and autonomous organizations, we feel it would not be appropriate for us to put fetters on the discretions and authority of State Governments or autonomous organizations, to determine the conditions of service and quantum of pensionary benefits to their employees, taking into account their own financial position and the peculiar circumstances of each State".

In the context of the above, the matter needs to be decided on merits of each case depending on the capacity to pay, which is unquestionable in the case of Reserve Bank as a dedicated Superannuation Fund has been built by the Bank on actuarial basis over the years which is sufficient to meet the liability to the last pensioner and not on any other extraneous considerations.

In this connection we wish to stress that the basic Family Pension being paid to the widow of one of the Deputy Governor is Rs.1, 140/-, which is certainly lower than the Family Pension paid to the lowest paid Government employee.

The stance of the Government is not only aimed at making Regulation 5 ineffective, inconsequential, irrelevant and meaningless, but also to deny and deprive the benefits of improvements in Pension to R.B. Pensioners which is breach of trust and betrayal of the faith of Reserve Bank Employees, who accepted the Pension Scheme modeled on the lines of Government Pension Scheme based on the Recommendations of IV C.P.C. and Liberalized

D.R. വധന : ഒക്ടോബർ മുതൽ ഫിസം.വാർ വരെ ഉള്ള 2001-100 വില നിവാരണ സൂചികയ്ക്ക് 2008 വരെ 28 ജി.എ.ഐ. തുടങ്ങി മാറ്റം 1-11-02 ന് മുൻപായി വില വർദ്ധിച്ചതും ഇതിനനുസരിച്ച് 2008 വരെ 28 ജി.എ.ഐ. വധനയും, 1-11-02 നു ശേഷം 56% വർദ്ധിച്ചതും 5.04% വധനയും (ഒരു, രണ്ടു, മൂന്നു, നാലു, അഞ്ചു, ആറു, ഏഴു, എട്ടു, ഒമ്പതു, പത്തു) എന്നിവയ്ക്കും 56 കി മുൻപായി വില വർദ്ധിച്ചതും 56 കി മുൻപായി വില വർദ്ധിച്ചതും.

Pension Scheme of Government. There is a need to address the question of invoking the provisions of Regulation 5 approved under Section 58 of R.B.I. Act, 1934 read with Section 7(2) of the Act *ibid*.

As regards Governments' stand that any improvement in the formula for commutation / family pension would have repercussions on the Public Sector Banks and other Financial Institutions (*vide* GOI D.O. letter No. 11 / 5 / 2001-IR dated 10th March 2003, we wish to state that it would not stand judicial scrutiny particularly in view of the judgment of the Kerala High Court in the Writ Petition WP (C) No.12768 of 2006 filed by the

employees of Kerala State Warehousing Corporation Vs. Kerala State Warehousing Corporation and another, where the Honorable High Court has held that the defence that the Government may have to face similar requests from other Public Sector Undertakings is unsustainable. The Court has further held that the stand that other Public Sector Undertakings may come forward with similar proposals is nothing but meekness with no constitutional or legal foundation. Further it is incomprehensible that when there are lakhs and lakhs of Central and State Government pensioners enjoying the benefits of the recommendations of the V C.P.C. without any consideration about implication on their finances, a miniscule number of R.B. pensioners will have financial repercussions elsewhere. We also wish to draw your attention to the duplicity in the Government statement, especially when the Bank has built-up over the years dedicated superannuation Fund on actuarial basis, which is sufficient to meet liability to the last employee. Therefore, the Reserve bank's capacity to pay is unquestionable To conclude, we wish to state that once a decision is taken by the Board as per the provisions of Section 7 (2) of RBI Act and as per the Rules and the Rule of Law, the Government has no reasons to refuse approval of the amendment proposed by the Bank and interfere in the day-to-day affairs of the Bank in the light of the provisions of Regulation 5 of the R.B.I. Pension Regulations, 1990.

In view of the impregnable defence offered by us relating to parallelness between the Reserve Bank Pension Scheme and the Central Government Pension Scheme and since the Reserve Bank Pension Scheme is a replica of the Central Government Pension Scheme, we see no reason in not going a step further to begin with by extending the benefit of 100 % neutralization in Dearness Relief to pre 1.11.2002 pensioners in view of the absolute powers vested in the Bank under Regulation 29 of the Reserve Bank Pension Regulations, 1990, unless there is **fear factor**. We believe that fear of consequences is worse than the consequences themselves. Incidentally the pensioners feel that the Top Management of the Central Bank of the country, known and respected for its integrity and for preserving the autonomy to determine the monetary policy, is being cowed down. In this connection, a reference is also invited to Para 1 (iii) of the Bank's circular PPD. No. G. 66 / 2180 / R II . CP. 171D - 91-92 dated 13th March 1992 read with recommendation of IV C.P.C. contained in paragraph 11.7 of their Report - Part II in terms of which the Dearness Relief to the pensioners should be worked out in the manner recommended to the serving employees.

We request you to kindly consider placing our view in the matter before the Top Management for their kind and empathetic consideration, so that what is legitimately due to the pensioners is neither denied nor deprived.

Very
Wishing you a **Happy and purposeful 2008**. and with warmest regards.
Yours faithfully,

(M.B. Talekar) Gen Secretary

അറിയിപ്പ്
മുഖേ അഡ്വോക്കി
ലേഖനം കിട്ടി 4
പേജിൽ വിവിധ
തീരുമാനം ചോദ്യം
5 കിഴിൻ കൂട്ടം
ഉള്ളിൽ ചിന്ന
10 രൂപയും മുതല
കൊടുക്കൽ തിരുതി
എന്ന കാര്യം 8 പേജുകളിൽ
കൊണ്ട്

ആറാംശമ്പളക്കമ്മീഷൻ റിപ്പോർട്ട്
റിപ്പോർട്ട് മാർച്ച് 31-ാം തീയതിയ്ക്കകം
സമർപ്പിക്കുമെന്നാണ് അനുഭോഗിക
മായി അറിഞ്ഞിട്ടുള്ളത്. റിപ്പോർട്ടിനെപ്പറ്റി
പല അഭ്യൂഹങ്ങളും പറഞ്ഞുകേൾക്കു
ന്നുണ്ട്. അവയ്ക്കൊന്നും യാതൊരു
സ്ഥാനവുമില്ലെന്നാണറിവ്.
PENSIONERS
LINK
JANUARY 2008

പ്രയാഗ മുഖേ ചുതില
ചിട്ടയിൽ

നീക്കിയിരുപ്പ് 3080 കി +
ശ്രീ പി. വി. ഇരപ്പൻ, തിരുവല്ല,
(CHENNAI Refd) 500 കി (NEW)
ശ്രീ M.R.P. Nair, ശ്രീ കെ. വ. സു
Renewal തുക 100 കി വിതരം,
ശ്രീ M.O. Sebastian 200 കി Renewal
ശ്രീ സെബാസ്റ്റ്യൻ അഭിമുഖം,
ആൾ ജെ വള്ളം നന്ദി - ചുട്ടൂർ
ചാർജ്ജ് സീനിയർ ജൂനിയർമാർ
900 കി = 3980 Less വെള്ളം
വരികൾ 1086 =
നീക്കിയിരുപ്പ് 2894 കി

മുതിർന്നവരുടെ അവകാശ
അതിൽ ചെട്ട ത്തു
65 വർഷം കഴിഞ്ഞ ചെട്ട ത്തു
ചെട്ട ത്തു കോടതിയിൽ
ലേഖനം കിട്ടി സുധർ ചേർന്ന
അങ്ങനെയെ സമീപിച്ചു
അവർ ചെട്ട ത്തു ചെയ്യുന്ന
കോടതിയിൽ ചെട്ട ത്തു
തിരുവല്ലം ചെട്ട ത്തു അങ്ങനെയെ
അപേക്ഷിക്കാതെ -
സുപ്രീം കോടതി

സുപ്രീം കോടതി കിട്ടിയ കാര്യങ്ങൾ നന്നാ
ക്കി വിവരിച്ച കൂടുതൽ അങ്ങനെയെ
ഇതു അഡ്വോക്കി ലേഖനം അങ്ങനെയെ
അങ്ങനെയെ ചെയ്തു ചെട്ട ത്തു
പ്രയാഗ മുഖേ ചുതില ചോദിച്ചു
ചെയ്തത്. ഉത്തരമുണ്ടോ?

PENSION IMPROVEMENTS

S. No	Government View	Our Comments
1	Reserve Bank Pension cannot be equated with Central Government Pension (Ref. GOI. DO. Letter No. 11 / 5 / 2001 / IR dated August 08, 2005 addressed to the Reserve Bank and letter F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar - Appendix I)	Former Governor, late Dr. I.G.Patel genuinely desired that Reserve Bank should have a pension scheme for employees of its own. He appointed a Study Group on Pension under the Chairmanship of Shri W.S.Tambe, the then Executive Director and consisting of the representatives of 4 recognised Association / Federation in the Bank. However, the Government of India did not approve the Pension Scheme recommended by the Study Group as a third retirement benefit and insisted that The Reserve Bank Pension Scheme could not be different from the G.O.I. Pension Scheme. Dr. Patel asked the two Officers Associations to give in writing that G.O.I. Pension Scheme then improved by III C.P.C. was acceptable to them, which the Associations did. Dr. Patel relinquished his Governorship thereafter. It was late Shri R.N.Malhotra who took interest in the matter and offered Central Government Pension Scheme to the employees of the RBI in lieu of Contributory Provident Fund, which was historically @ 10 % in the Reserve Bank as against 8.33 % in Government and Banking industry and elsewhere. The Reserve Bank Pension Scheme has been modeled on the lines of liberalised Central Government Pension Scheme and the same was modified as per the Recommendations of the IV C.P.C. All the essential features of the Central Government Pension Scheme have been incorporated in RBI Pension Regulations, which have been approved by the Government in terms of Section 58 of the R.B.I. Act, 1934. The Bank is also committed to periodic updation of pension with reference to every revision of pay scales of the serving employees and Officers vide its circular letter PPD. No. G.66 / 2180 / R II. CP 171 D - 91/92 March 13, 1992. The Governor, late Shri R.N.Malhotra also gave a solemn assurance to the representatives that the improvements that would be brought about by future Central Pay Commissions in the Central Government Pension Scheme would automatically be made applicable to the R.B.I. employees and THIS ASSURANCE HAS BEEN EMBODIED in Reg. 5 of R.B.I. Pension Regulations, 1990. In fact, R.B.I. Pension Scheme is a replica of Central Government Pension Scheme. Therefore, the Government stand is contrary to the facts of the case and is tantamount to breach of trust and betrayal. The stance of the Government will not stand judicial scrutiny
2	The Regulations have been approved under R.B.I. Act, 1934	The Pension Regulations cannot be approved outside the R.B.I. Act, 1934

CLEAN YOUR OWN STABLES FIRST; 24.5.07 ന് പുറപ്പെടുവിച്ച
 മറ്റൊരു ലക്കത്തിൽ മോശം കാര്യങ്ങളെക്കുറിച്ച് എഴുതിയ ലക്കത്തിൽ
 കൂടി കർമ്മ സമാഹരണത്തിൽ മുമ്പുപറഞ്ഞ അർത്ഥത്തിൽ ആയിരിക്കണം
 സർക്കാർ സ്ഥാപനങ്ങളിലെ മുൻപുപറഞ്ഞ തരത്തിൽ കർമ്മ സമാഹരണത്തിൽ
 അന്നത്തെ പ്രതികാരങ്ങൾ ഉൾപ്പെടെ വിവിധ വിഭാഗങ്ങളുടെ പ്രതികാരങ്ങൾ
 മേൽ പ്രസ്തുത പ്രസിദ്ധീകരണത്തിൽ അതിനുശേഷം വിവിധ വിഭാഗങ്ങളുടെ
 നേർമുന്നോടുകൂടി കർമ്മ സമാഹരണങ്ങൾ നടന്നുകൊണ്ടിരിക്കുന്നു. ഈ ലക്കത്തിൽ
 വ്യക്തമാക്കുന്നതുപോലെ കർമ്മ സമാഹരണങ്ങൾ നടന്നുകൊണ്ടിരിക്കുന്നു. ഈ ലക്കത്തിൽ
 ഉൾപ്പെട്ട R.13.1. Pension Fund കർമ്മ സമാഹരണത്തിൽ വിവിധ വിഭാഗങ്ങളുടെ
 പ്രതികരണങ്ങൾ പ്രസിദ്ധീകരിച്ചുകൊടുക്കുന്നതിനായി R.13.1. (റോൾപുസ്റ്റർ
 ടബിൾ)

മറ്റൊരു ലക്കത്തിൽ ഉൾപ്പെടെ "PENSIONERS'
 LINK" RETIREES HITGUT, THE HINDU OF
 VARIOUS DATES

3	Regulation 2 (2) of the Pension Regulations defines average pay as average of 10 months last pay drawn at the time of retirement, and therefore updation of pension is irregular as the same contravenes the above Regulations as per law (Ref. GOI letter DO No. 11 / 5 / 2001 / IR dated August 08, 2005 addressed to the Bank)	At the time of introduction of Pension Scheme in 1990, the average pay of the pensioners retired between 01.01.1986 and 31.10.1987 was updated on the basis of the recommendation of the IV CPC and liberalized pension scheme of the Central Government notwithstanding the provisions of Regulation 2(2) of R.B.I. Pension Regulations, 1990 vide C.O. circular letter PPD. No. G 45 / 450 / R II / CP / 171D - 90-91 dated December 01, 1990. The Government also updated the pension of the pre 01.01.1996 pensioners, as per the formula suggested by the V C.P.C. without amending Rule 34 of the C.C.S. (Pension) Rules, 1972 relating to average emoluments and has also taken a decision to the effect that the pension shall not be less than 50 % of the minimum of the scale applicable to the Grade in which the pensioner retired, as per the recommendations of V C.P.C. This in effect means that that the provisions of Rule 34 of C.C.S. (Pension) Rules, 1972 will be inoperative for the purpose of updation of pension vide G.O.I. letters O.M. Nos. 38 / 86 / 03 - P & PW (4) dated 26.04 2004 as amended by O.M. of even number dated 08.02.2005 and 45 / 1 / 2004 - P & PW (G) dated 26.10.2005 (Reference - Swamy's Pension compilation), excepting for fixation of basic pension at the time of retirement. Apart from this, there are several Supreme Court judgments relating to the updation of pension, where the Apex Court has reiterated time & again that there should be periodic updation of pension to take care of price rise. In Central Government Pension Scheme also there is no provision for updation of pension. In Reserve Bank, however, the regulation neither precludes nor prohibits the Bank from updating pension. Denying pension updation would be against the law of the land as per the Supreme Court judgments.
4	The revision of pay scales of Reserve Bank is made after 5 years unlike Central Government (Ref. letter F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar)	This has no relevance to the substantive issue of updation of pension. The Government is unwittingly trying to compare the position in Reserve Bank, while reiterating that the position obtaining in the Government cannot be compared with Reserve Bank. The position obtaining at the time of introduction of the Pension Scheme in the Reserve Bank in 1990 was no different. Further, while the Central Pay Commissions are appointed after every 10 years, the Central Government employees including pensioners were granted interim relief (twice during I.I.1986 to 31.12.1995). Further, the Dearness Allowance was converted into Dearness Pay and the Dearness Relief into Dearness Pension on 1.4.2004 pursuant to the recommendations of V C.P.C. Both these components are counted for the purpose of Dearness Allowance / Dearness Relief.

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The views expressed here are those of the
 Editor and not those of the RBREA, KOCHI

4ാം പേജിന്റെ നിമിത്തമാണ് ഇത്. ഇതിൽ ഉൾപ്പെടുത്തിയിരിക്കുന്ന വിവരങ്ങൾക്ക് എന്തുപേരിൽ പരിശോധന നടത്തേണ്ടതാണ്? ഇതിന്റെ ഉപനിമിതമാണ് ഇതിൽ ഉൾപ്പെടുത്തിയിരിക്കുന്ന വിവരങ്ങൾക്ക് എന്തുപേരിൽ പരിശോധന നടത്തേണ്ടതാണ്?

5	RBI employees governed by industrial D.A. unlike Central Government employees (Ref. Letter F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar)	The Dearness Relief being paid to the pensioners of the RBI on half-yearly basis as in the Government, as against on quarterly basis to serving employees of the Bank, which is not the case in Central Government.
6	Any improvement in the formula for communication / family pension shall have repercussions on Public Sector Banks and financial institutions (Ref. Letter F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar).	In paragraph 143.31 of V.C.P.C. Report, the Commission has stated that the Autonomous Organizations including RBI should have unfettered freedom to determine the retirement benefits to their employees depending upon their capacity to pay. The Bank has built-up over the years dedicated superannuation Fund on actuarial basis, which is sufficient to meet liability to the last employee. Therefore, the Reserve bank's capacity to pay is unquestionable. The Central Government did not consider such repercussions on the State Government finances, which implemented the recommendations of V C.P.C. Further, in the Case of Central Government the payment of pensions is being made from Current Receipts. Shri C.G.Chaturvedi, the then Joint Secretary, Ministry of Finance on his letter No. F. 11 / 4 / 2003 - IR dated 20 th April 2005 to the Chairman, NABARD (Appendix II) had clarified that NABARD Pension Regulations, 1993 are on the lines of the Scheme formulated for the Public Sector banks and that the two schemes are independent of each other. We may also invite your kind attention to the fact that improvements in pension scheme in Public Sector banks are negotiated bilaterally, which is not the case in R.B.I.
7	In the VII Bi-lateral Settlement, the incremental cost of retirement benefits including pension form part of the overall increase of 12.25% for that settlement (Ref. Letter F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar)	This is not relevant to the RBI, as the pension matters did not form part of bipartite settlement reached between the Associations / Federation and the Bank for revision of pay scales w.e.f to 01.11.2002. The S.B.I. was also kept out of the purview of VII Bi-partite Settlement for pension matters. The position also remains unaltered in the VIII bipartite settlement in Banking Industry. Further, reopening of the settlement in the Banking Industry will be violative of the Industrial Disputes Act provisions.
8	Reserve Bank Family Pension Scheme cannot be compared with Central Government Family Pension Scheme (Ref. Letter F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar)	Position obtaining in the RBI vis-à-vis the Central Government in respect of Family Pension was identical. This is so because of provision of Regulation 5 of Pension Regulation, 1990. The said Regulation empowers RBI to bring about the improvement without prior approval of the Government, which is not the case in the Industry, where the words " with prior approval of the Government" form part of a similar Regulation approved by the Government for the Banking Industry. The stance of the Government, therefore, is to make the above regulation inoperative, ineffective and meaningless.

9	There is no parallel between service conditions of Central Government employees and RBI employees (Ref. Letter F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar and DO letter No. 12 / 2 / 2 / 2006 / IR dated September 12, 2006 addressed to Shri P.C.Thomas by Shri Pawan Kumar Bansal, Minister of State for Finance (Appendix II)	What is sought to be compared is Pension Scheme and not Service Conditions in their entirety.
10	The pay scales of RBI employees are not comparable with Central Government employee (Ref. Letter F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar)	This is not relevant to the basic issue of Pension Scheme.
11	The pay scales of Officers in Grade E and above are even higher than that of Secretary of Government of India (Ref. F. No. 22 / 4 / 2007 / IR dated March 30, 2007 addressed to Shri P.R.R. Nayar)	Between 10.01.1096 and 31.10.2002, the position was totally opposite. With the impending recommendations of VI CPC, this would undergo a change, which will reverse the trend. This being ongoing process, has no relevance to substantive issue of improvement in pension in Reserve Bank. This issue needs to be addressed. Elsewhere the Government has sought to compare the service conditions in Reserve Bank with the service conditions of Central Government employees. To sum up, the issues raised by the Government harbour / border around technicalities and extraneous considerations and lack substance. While the Government have termed the updation of pension as irregular since the procedure for carrying out amendments to the relevant Regulations has not been followed, the Government is refusing to grant approval for amending regulations relating to family pension, and commutation. This is dichotomy. This is a kind of situation where " Head I (Government) win, Tails you (R.B.I. Employees) lose " exists. The Government is determined to deny the benefits of improvements in pension to Reserve Bank employees any which way / some how / anyhow. The substantive issue relating to updation of pension, family pension and commutation need to be addressed in the context of Supreme Court judgments and provisions of Regulation 5. In the context of the present imbroglio, it is not possible to find solutions within the square. Solutions can only be found outside the square.

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മുൻപെ നിട്ടവരിൽ അഡ്വോക്കേറ്റുമാർ ഉൾപ്പെടുത്തിയ RETIREES
MAFGET എന്ന മുന്നിരയിൽ നിന്ന് 9-2-08 ന് നടത്തുന്ന റാലി
യെപ്പറ്റി.

**Make 9 February 2008 Rally a Great Success-
Get Ready for Dharna**

As announced in the last issue, a massive rally of the RBI retirees will be held on Saturday, 9 February 2008 at Bhandari Mandal Sabhagruha, Hetkari Mahajan Wadi, Opp. Waman Hari Pethe, Ranade Road, Dadar (W). In spite of the best efforts on the part of the Association, the main issues affecting retirees, viz., periodical updation of pension, 100% neutralisation in D.R., 40% commutation, Family Pension uniformly at 30% of the last pay drawn and substantial improvements in ex-gratia of pre-1986 retirees still remain unresolved due to totally unjust and illogical stand taken by the Ministry of Finance and, not to a small extent, due to lack of concern and / or hesitation to take decisions on the part of Reserve Bank Management.

The rally will take stock of the situation and decide about further course of action. A day's Dharna in March 2008 has already been announced. The details in this regard will be finalised at the rally.

Each one of you is requested not only to attend the meeting without fail, but also ensure presence of all your retired colleagues.

Remember, instead of merely saying what Association is doing for me, think what you can do to strengthen the unity of retirees, which is the only guarantee of success in this struggle for justice.

**ARISE, AWAKE AND UNITE TO BUILD
A STRONG ASSOCIATION**

Dear Members,

You all are aware that our Association has been relentlessly pursuing the issues concerning retirees. With our persistent efforts we have been able to secure following improvements during the last two years:

1. Enhancement of Medical Assistance to pre-1.1.86 retirees.
2. Lumpsum payment for Annual Health Check-up to members of MAF Scheme.
3. Cashless Hospitalisation including 136 Day Care procedures.
4. Extension of library facilities to retirees for home reading.
5. Holiday Homes / VOFs / transit flats for children of retirees.

There are still undernoted unresolved issues with serious financial implications which are adversely affecting the interests of present as well as future pensioners. These issues will have to be addressed with organizational strength and it is imperative to build a strong organization for resolution of these issues by exerting organizational pressure for a better tomorrow;
HOPE BEING ELIXIR OF LIFE.

- i. Ongoing updation of pension with reference to every revision of pay scales of serving employees and officers in the Bank.
- ii. Extension of 100% neutralization in Dearness Relief to pre-1.11.2002 pensioners with effect from 1.2.2005.
- iii. Updation of family pension uniformly at 30% of last pay drawn as per the implemented recommendations of the V.C.P.C.
- iv. Doubling the amount of Family Pension for 7 years or upto the age of 67 years of the deceased employee consequent on

- enhancement of retirement age from 58 to 60 years.
- v. Enhancement in ex-gratia to pre-1.1.1986 retirees.
- vi. Covering under the Pension Scheme a few employees who resigned between 1.1.1986 and 31.10.1990 after rendering 20 years of service in the Bank.

ഈ രാജ്യ ചുമതലക്കാരൻ ശ്രമിച്ചുകൊണ്ടിരിക്കുന്ന ട്രാഗിക് സാഹചര്യം അഡ്വോക്കേറ്റുമാർ ഉൾപ്പെടുത്തിയ റാലിയിൽ കർഷാൽ ഉൾപ്പെടുത്തിയിരിക്കുന്നു.

PROPOSAL FOR FAMILY GET TOGETHERS.

ANY TAKERS ? (മുൻപെ സംഗമങ്ങൾക്ക് പ്രേരണയെന്ന ആശയം തോന്നിയിട്ടുണ്ടോ?)

അഡ്വോക്കേറ്റുമാർ കഴിഞ്ഞ 2 വർഷമായി ചെയ്ത പ്രവർത്തനങ്ങളിലും, ബിസിനസ്സ് പ്രോഗ്രാമുകളിലും പങ്കെടുക്കുന്നതിനും അങ്ങനെയുള്ള ചുമതലകളിലും ഇടപെടുന്നതിനും സാധ്യതയുള്ളവർക്ക് സഹായിക്കുന്നതിനും അതിനായി അംഗങ്ങൾ അഭിപ്രായപ്പെട്ടിരുന്നു. തൊഴിലാളികൾക്ക് വെളിച്ചം കിട്ടാനും അംഗങ്ങളുടെ ഈ അഭിപ്രായങ്ങൾ മോശപ്പെടുന്നതാകാതെ, അംഗങ്ങൾ കമ്മ്യൂണിറ്റിയിൽ തിരുത്തലോടുകൂടി ചർച്ചകൾ നടത്തണമെന്നും അഭിപ്രായപ്പെട്ടിരുന്നു. അങ്ങനെയൊരു സമ്മേളനം സംഘടിപ്പിക്കുന്നതിനും അംഗങ്ങൾക്ക് സഹായം നൽകുന്നതിനും അഭിപ്രായപ്പെട്ടിരുന്നു. അങ്ങനെയൊരു സമ്മേളനം സംഘടിപ്പിക്കുന്നതിനും അംഗങ്ങൾക്ക് സഹായം നൽകുന്നതിനും അഭിപ്രായപ്പെട്ടിരുന്നു. അങ്ങനെയൊരു സമ്മേളനം സംഘടിപ്പിക്കുന്നതിനും അംഗങ്ങൾക്ക് സഹായം നൽകുന്നതിനും അഭിപ്രായപ്പെട്ടിരുന്നു.

നിന്നിടയിലും പ്രതികരണങ്ങൾ ആയിട്ടുണ്ട്. അംഗങ്ങൾക്കും മുൻപെ സംഗമങ്ങൾക്കും പങ്കെടുക്കാനും കൂടുതൽ 10 മുതൽ 2 വരെ സർവ്വീസിലായിരിക്കുന്നവർക്ക് വിനോദ പരിപാടികളും പ്രത്യേക ഉൾപ്പെടുത്തി ആദ്യത്തെ 100 കി.മീ. ദൂരം സാഹചര്യം നൽകി മുൻപെ സംഗമങ്ങളിൽ പങ്കെടുക്കുന്നവർക്ക് അംഗീകരിക്കുന്നവർ ദി.നം 94470-55230 നമ്പറിൽ SMS അയക്കുകയോ പേൺ ചെയ്യുകയോ അല്ലെങ്കിൽ ഒരു പേജ് കമ്പ്യൂട്ടറിലോ അയക്കുകയോ ചെയ്യാം.

എല്ലാം മുതിർന്നവർക്കുവേണ്ടി

-ചെറട്ട് ബാലകൃഷ്ണൻ, തലോർ

മുതിർന്ന പൗരന്മാർക്കും വയസ്സായ അച്ഛനമ്മമാർക്കും ജീവനാംശം ഉറപ്പുവരുത്തുന്ന ബിൽ ശീതകാലസമ്മേളനത്തിൽ തന്നെ പാർലമെന്റ് പാസ്സാക്കി. കഴിഞ്ഞ വർഷം അവതരിപ്പിച്ച ബില്ലിന് സെലക്ട് കമ്മിറ്റി നിർദ്ദേശിച്ച ഭേദഗതികൾ കൂടി സ്വീകരിച്ചാണ് ബിൽ പാസ്സാക്കിയത്. ബില്ലിലെ വ്യവസ്ഥകൾ പ്രകാരം വരുമാനമുള്ള മക്കൾ അച്ഛനമ്മമാരെ നോക്കാൻ ബാധ്യസ്ഥരാണ്. പരാതികൾ സ്വീകരിക്കാൻ ജില്ലകൾ തോറും ട്രൈബ്യൂണലുകൾ സ്ഥാപിക്കും. കുടുംബക്കോടതികളിലെപ്പോലെ ഇത്തരം ട്രൈബ്യൂണലുകളിൽ അനുരഞ്ജനത്തിന്റെ മാർഗ്ഗങ്ങൾ കൂടി ആരായും. അച്ഛനമ്മമാർ മക്കൾക്കു നൽകിയ സ്വത്ത് തിരിച്ചുവാങ്ങുന്നതിനും ബില്ലിൽ വ്യവസ്ഥയുണ്ട്. രക്ഷിതാക്കളെ ഉപേക്ഷിക്കുന്ന മക്കൾക്കെതിരെ ക്രിമിനൽ നടപടികൾപോലും സ്വീകരിക്കുന്നതിന് ബില്ലിൽ വ്യവസ്ഥയുണ്ടാകും.

മക്കൾ മാതാപിതാക്കന്മാരെ പരിരക്ഷിക്കാൻ ബാധ്യസ്ഥരാണെന്ന് ഇതിനുമുമ്പും സുപ്രീംകോടതി പോലും ചില വിധിന്യായങ്ങളിൽ പരാമർശിച്ചിട്ടുണ്ട്.

കടമയും കടപ്പാടും കാലഹരണപ്പെട്ട കടകഥകളായി മാറിയ ജീവിത സാഹചര്യത്തിൽ പ്രായമായവർ കുടുംബത്തിനൊരു ബാധ്യസ്ഥയായി മാറിയിരിക്കുകയാണ്. നമ്മുടെ മാതാപിതാക്കളൊക്കെ ഇക്കാര്യത്തിൽ തികച്ചും ഭാഗ്യവാന്മാരായിരുന്നു. നമുക്കവരോടുണ്ടായിരുന്ന കടപ്പാടിന്റെ ഒരംശം പോലും ഇന്നത്തെ തലമുറക്കില്ലാതായിപ്പോയി. ഒന്നിലധികം മക്കളുണ്ടെങ്കിൽ പല വീടുകളിലും വയസ്സായ അച്ഛനമ്മമാർക്ക് റെട്ടേഷൻ സമ്പ്രദായമാണ്. ശീലിച്ച സമ്പ്രദായങ്ങളും അനുഭവിച്ച കഷ്ടപ്പാടുകളും ഒന്നോർത്തുനോക്കാൻ പോലും നമുക്കിന്ന് സാധിക്കാതായി. ഈ ബില്ലിൽ മറ്റൊരു വ്യവസ്ഥകൂടിയുണ്ട് - ജില്ലകൾ തോറും വേണ്ടത്ര വ്യവസ്ഥകൾ നിർമ്മിക്കുക.

സംസ്ഥാന സർക്കാരും മുതിർന്നവർക്ക് ഒട്ടേറെ ആശ്വാസം നൽകുന്ന ഒരു വയോജന നയത്തിന് രൂപം നൽകിയിട്ടുണ്ട്.

പക്ഷെ മറ്റു പല നിയമങ്ങളെപ്പോലെ ഈ നയങ്ങളും നടപ്പാക്കാനുള്ള വ്യക്തത സർക്കാരിനില്ല. അസംഘടിതമേഖലയിലെ വ്യവജനങ്ങൾക്ക് പെൻഷൻ നൽകാനുള്ള ഒരു പദ്ധതി കഴിഞ്ഞ ബഡ്ജറ്റിൽ ധനമന്ത്രി പ്രഖ്യാപിച്ചിരുന്നു. എന്നാൽ, അതും നടപ്പിലാക്കിയതായി തോന്നുന്നില്ല. 'സീനിയർ സിറ്റിസൺ' - ഏതെങ്കിലും മനോഹരമായ പദം ബസ്സിന്റെ ഒരു സീറ്റിലെഴുതി വെച്ചിടുന്നു. പക്ഷെ, പ്രായമായവർ ഇന്നും കമ്പിയിൽ തുങ്ങി യാത്ര ചെയ്യുന്നു. തീവണ്ടിയാത്രയിൽ ലഭിക്കുന്ന സൗജന്യം ബസ്സ് യാത്രയിൽ അല്പം പോലും നമുക്കു ലഭിക്കുന്നില്ല. സർക്കാർ ബസ്സുകളിലെങ്കിലും മുതിർന്ന പൗരന്മാർക്ക് അല്പം സൗജന്യമനുവദിച്ചുകൂടെ. ചില സ്വകാര്യ ലാബുകളിൽ പരിശോധനകൾക്ക് മുതിർന്ന പൗരന്മാർക്ക് ഒരു നിശ്ചിത ശതമാനം സൗജന്യം ലഭിക്കുന്നുണ്ടെങ്കിലും സ്വകാര്യ ആസ്പത്രികളിൽ അവർ ചില ഡിസ്കൗണ്ടുകാർഡുകൾക്ക് നൽകുന്ന സൗജന്യം പോലും മുതിർന്ന പൗരന്മാർക്ക് ലഭിക്കുന്നില്ല.

കിട്ടുന്ന പെൻഷനിൽ നിന്ന് ഒരു വലിയ തുക ഭൂരിഭാഗത്തിനും ഇന്ന് ചികിത്സാ ചെലവുകളിലേക്ക് മാറ്റിവെക്കാനേ തികയുന്നുള്ളൂ. ജനപ്രതിനിധികൾക്കും മുൻ മന്ത്രിമാർക്കും എം.എൽ.എ.മാർക്കും കുടുംബത്തിനുമൊക്കെ ജീവിതകാലം മുഴുവൻ മെച്ചപ്പെട്ട ചികിത്സാ സൗജന്യങ്ങളും മറ്റാനുകൂല്യങ്ങളും ലഭിക്കുന്നുണ്ട്. പെൻഷൻ തുക ശമ്പളത്തെ കടത്തിവെട്ടുമെന്ന സി.എ.ജി.യുടെ റിപ്പോർട്ടുകൂടി ആരാം ശമ്പളക്കമ്മീഷൻ കണക്കിലെടുക്കുമെന്നുള്ളതുകൊണ്ട് കേന്ദ്ര പെൻഷൻകാർക്ക് നിലവിലുള്ള ആനുകൂല്യങ്ങൾ നിലനിർത്തുന്നതിനുവേണ്ടിയുള്ള ചെറുത്തുനില്പ് ദീർഘകാലം തുടരേണ്ടിവരുമെന്നാണ് തോന്നുന്നത്.

Parents and Senior Citizens' (Welfare and Maintenance) Bill 6.12.2007 നംബർ 19-12-07
 ട്രൈബ്യൂണൽ റിപ്പോർട്ട് ചെയ്തതിനെത്തുടർന്ന് ബിൽ ഉടപ്പോൾ രാഷ്ട്രീയ കമ്മിറ്റിയിലെ ചില അംഗങ്ങളുടെ അനുമതിയില്ലാതെ ബിൽ പാസ്സാക്കിയതിനെത്തുടർന്ന് ട്രൈബ്യൂണൽ റിപ്പോർട്ട് ചെയ്തതിനെത്തുടർന്ന് ബിൽ ഉടപ്പോൾ രാഷ്ട്രീയ കമ്മിറ്റിയിലെ ചില അംഗങ്ങളുടെ അനുമതിയില്ലാതെ ബിൽ പാസ്സാക്കിയതിനെത്തുടർന്ന്...

"പെൻഷനേഴ്സ് ലിങ്ക്" ഗ്രൂപ്പിന് 2008 ലക്കത്തിൽ പ്രസിദ്ധീകരിച്ച പേരവനം

Caring for the old
 The editorial "A duty that cannot be abdicated" (Dec. 11) is right in concluding that what senior citizens really require is a tight social security net in order to live with the grace and dignity they deserve. But this cannot be achieved by legislation alone. We have to start from the beginning, that is, by educating children, adolescents and even young adults on their duty to look after their parents in their old age. Love, not legislation, should bind children and parents. Those who have read Gandhiji's autobiography will recall how the story of Shrovan's devotion for his blind parents inspired him, and contributed to the evolution of his personality. The theory of trusteeship adumbrated by the Mahatma and exemplified by C. Rajagopalachari, Jayaprakash Narain and many other Gandhians of a bygone era is sure to help if understood and taught in schools.
 K. Vedamurthy, Chennai

The law will be difficult to implement. We have seen many old people getting admitted to the old age home run by us, based on false information given by them and their children. On one occasion, a man brought an old woman along saying she was a servant and was no longer able to work. The woman too said the same thing. After admitting her, we discovered that the man was her son. She pleaded with us not to send her back as her son's house was hell for her. The son never came back to see her. In many cases, the sons and daughters do not turn up even when their parents pass away. When this is the reality, I am not sure how the law is going to change things. If the old are kept at home just to comply with the law, it will only create more problems for them.
 V. Muralidharan, Thiruvananthapuram

It is unfortunate that the young are being forced to look after their parents. Let us be pragmatic. Let parents set aside a part of their earnings in their prime itself so that they do not have to depend on their children in the evening of their lives. If it is not possible, it would be better not to beget children.
 The Hindu, 8-12-07 R. Narendran, Chennai

To love and take care of parents should be a natural instinct of children and should not be forced on them by law. We have laws dealing with dowry, child labour and the like. Have the crimes been eliminated? Values of love, affection and respect for parents should be inculcated both at home and school. This will lead to children taking care of their parents in their old age.
 C. Ranganarayanan, Chennai

For those employed in the unorganised sector with marginal wages, saving for old age is next to impossible. The plight of the salaried class is no better. The expenses incurred by those in employment on the education and marriage of their children, and buying a house leave them with insufficient funds after retirement. The problem has no easy solution. There is no doubt that the young should take care of their parents. But the law providing for the imprisonment of those who do not is ridiculous. It will only lead to the aged parents being burdened with the additional responsibility of looking after the wife and children of the jailed son. Long term planning on the part of everyone can be the only sure remedy to the problem.
 I.S. Kanthimathinathan, Chennai

മുതിർന്ന പൗരന്മാർക്കും വയസ്സായ അച്ഛനമ്മമാർക്കും ജീവനാംശം ഉറപ്പുവരുത്തുന്ന ബിൽ ശീതകാലസമ്മേളനത്തിൽ തന്നെ പാർലമെന്റ് പാസ്സാക്കി. കഴിഞ്ഞ വർഷം അവതരിപ്പിച്ച ബില്ലിന് സെലക്ട് കമ്മിറ്റി നിർദ്ദേശിച്ച ഭേദഗതികൾ കൂടി സ്വീകരിച്ചാണ് ബിൽ പാസ്സാക്കിയത്.

