

STATE BANK OF INDIA OFFICERS' ASSOCIATION

(BENGAL CIRCLE)

(Registered under Trade Unions Act 1926-Regd. No. 6908)

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IP No. 500077

Circular No. 96/2018

Date : 31.07.2018

To All Members (Please Circulate)

We reproduce hereunder the Circular No. 78 dated 30.07.2018 issued by the General Secretary, All India State Bank Officers' Federation, the contents of which are self-explicit.

With revolutionary greetings,

Soumya Datta
(General Secretary)

To all our Affiliates / Members:

RECTIFICATION/AMENDMENTS REQUIRED IN CONNECTION WITH PAYMENT OF PERSONAL ALLOWANCE

We have today sent a communication to the Management on the captioned subject. A copy of the same is enclosed for information.

2. All our members/affiliates are requested to await further developments in this regard.

With greetings,

(Y.SUDARSHAN)
GENERAL SECRETARY

No.7508/35/18

DATE: 30.07.2018

To,
The Deputy Managing Director & CDO,
State Bank of India,
Corporate Centre,
Madame Cama Road,
MUMBAI - 400 021.

Dear Sir,

RECTIFICATION/AMENDMENTS REQUIRED IN CONNECTION WITH PAYMENT OF PERSONAL ALLOWANCE

Please refer to the discussion we had with you with regard to Fitment formula, along with Sri. G. Muthuswamy. In this connection, as discussed I am forwarding certain points for issues of clarification and rectification in the instructions which will help in sorting out the anomalies and pay way for a smooth automation.

2. The concept of Personal Allowance was introduced with effect from 1.11.2002. In terms of the Circular CDO/P&HRD-IR/65/2006-07 dated 7.2.2007 para No. 9 (iii) the Personal Allowance once sanctioned would continue till the officer reaches the Basic Pay of Rs. 22,900/- which was the maximum of MMGS-II, with automatic movement and stagnation increments. The relevant paragraph is reproduced for ready reference.

3. "Further, in the case of those officers who are promoted to officer JMG on or after reaching the maximum or would notionally reach maximum of clerical pay scale..... in addition to the adjusting pay an amount of Rs. 560/- will be paid as Personal Allowance..... from the date of Promotion or 1.11.2002 whichever is later. The Personal Allowance of Rs. 560/- will be payable till the officer reaches the basic pay of Rs. 22,900/-"

Soumya Datta
General Secretary
Mobile : 9830044737

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4. As can be observed from the above the Personal Allowance was to be paid till the officer reaches the basic pay of Rs. 22,900/- irrespective of the grade/scale of the officer. The basic pay was the only Criteria.

5. However, while issuing the Circular CDO/P&HRD-IR/112/2011-12 dated 20.3.2012, vide para (vii) it was stated as under:

"..... the said personal allowance will be payable till the officer reaches the basic pay of Rs. 34,200/- in MMGS-II/...."

6. The extraneous insertion of the word "in" in the para above has created a lot of anomaly.

7. **We therefore request you to remove the word 'in' and reiterate the Original Paragraph as stated above.(para 2).**

8. Further, certain clarifications have been issued vide Circular letter CDO:IR:1104 dated 29th August, 2013, which are contrary to the earlier understandings. At this juncture, we would like to draw your attention to the fact that since 1.2.1984, the subject of Fitment formula for promotion of clerical staff to officer grade has been a bipartite issue between the Bank and the All India State Bank Officers' Federation and each settlement used to be reduced to writing and an MOU/Agreement used to be entered into. Any amendment or issuance of clarifications used to be discussed and only upon reaching consensus, the clarifications used to be issued or the terms used to be amended. However the above referred Circular letter was issued without discussing with the Federation. We therefore request you to revisit the clarifications based on the suggestions made by us here under.

1. The Para 4.(i) of the above Circular states "In case of those officers who are promoted to Officers JMGS- I on or after reaching the maximum clerical pay scale....."

Our suggestions: The para should be amended as:

"In case of those officer who are promoted to officers JMGS-I on or after reaching the maximum of clerical pay scale or would notionally reach maximum of clerical pay scale......"

2. The Para 4 (vi) states:

"While accepting a 'Comparable Officer', the sanctioning authority would ensure that the said comparable officer himself is not getting the personal allowance by building a case of 'had he been a clerk' basis and is actually eligible for payment of personal allowance in his/her stand alone capacity.

Our suggestions: We are of the considered view that, in as much as the Para 4 (v) had clearly stated as to what is meant by 'Comparable Officer' there was no need to elaborate it further', as stated above. This elaboration has created more confusion/anomaly than clearing the doubts.

9. In this connection, we would like to state that, the concept of "had he/she continued as clerk' is the back bone of the fitment formula. The entire fitment formula hinges on the 2 main concepts viz., (1) Continuous Comparison to ascertain the notional stage in the clerical scales & (2) Had the Promoted Officer continued as a clerk.

10. We are unable to understand as to how an officer would be eligible for personal allowance on stand alone basis without ascertaining his notional stage based on 'had he/she continued as a clerk' basis.

11. We therefore request you to annul the para No. 4 (vi) and reiterate only the Para 4(v).

Para No. 4 (vii)

12. "The Concept of 'had he been clerk'.....

..... Thus any claim of Personal Allowance by Officers other than in grade/scale JMGS-I based on had he been clerk/inter-se anomaly basis is not maintainable".

Our Suggestions:

The very fact that the Personal allowance is payable upto the maximum of MMGS-II clearly shows that inter-se anomaly examination cannot be restricted to only upto JMGS -I.

13. Further, extension of the protection on the above said basis to MMGS - II and MMGS - III Officers has been a well settled matter. We invite your kind attention to the C.O. Circular No. Per/17/1994, where the subject of extension of the 'Continuous Comparison' concept to MMGS - II and MMGS-III has been amply clarified.

14. In view of the foregoing, we request you to withdraw the above clarifications and reiterate the earlier instructions.

Thanking you,

Yours sincerely,



(Y.SUDARSHAN)
GENERAL SECRETARY