

Editorial

COMPLIANCE AND ETHICS IN THE WORKPLACE

Bankers are obsessed today with **"Compliance."** In banking, compliance means complying with regulations, laws, and guidelines, whether internal or external. Its function is to prevent, detect and address any deviations, illegalities, and non-conformities in the bank's operations. Accordingly, the Compliance Department has to ensure that the bank functions within regulations, thus preserving its integrity and reputation in the industry.

It is crystal clear that business compliance is about how an organization adheres all the laws and regulations. But from our point of view, it also refers to how a company/bank manages its business and staff and how it treats the customers. Naturally, HR compliance is adhering to the operational standards set by government agencies, settled in bilateral negotiations, and sanctified by the labour laws. Compliance with such standards is a crucial factor that influences the employees.

It might be challenging to meet all the compliance requirements. Still the litmus test lies in the organisations how to conduct business as per necessary laws and rules, and regulations while strictly adhering to HR compliance needs. Meeting legal obligations and settled positions to protect the employees' safety, welfare, and health is crucial for businesses.

We may take a quick look at the factors that

necessitate HR compliance and labour law Compliance:

- i) To build a positive reputation
- ii) To improve the internal operational safety
- iii) To improve the public image of the organization.

We may infer that compliance by the banks to ethical HR standards is a necessary precondition for ensuring its compliance to umpteen numbers of regulators like RBI, SEBI, PFRDI, government, and the investors.

In contrast to the other sectors, a plethora of audits and inspections take place; attending to them takes away the zeal and enthusiasm of bankers. With depleting human resources in the banking industry, day-to-day functioning becomes nothing less than an arduous task. Though the Rangarajan Committee visualised that computerization would reduce the workload, the situation is diametrically opposite. The officers in the banking industry are made to update, perform data entry, robbing precious time from them in business development, acquiring/retaining customers or serving them, and above all, putting their undivided attention into monitoring credit. Perhaps, one of the prime reasons for de-focused monitoring of advances is that the officers are also glorified data-entry operators in the garb of adhering to compliance. This is precisely where the HR compliance fails to

ensure the optimum utilization of the available human resources without diluting the corporate requirement of meeting the set compliance standard.

Giving into the pressure, compliance is reported routinely, devoid of factuality, and instigated by superiors. Compliance and its matrix have been given such huge importance in rankings and performance evaluation that the officers in operations are made to resort to any method to be ranked top. After that, the officers reporting compliance are held accountable for such inappropriate reporting. Numbers have been given priority over the work culture and ethos. This has become a menace that is robbing the officers' careers and possible other risks. ***This is just not the question of compliance but ethics also.*** Scoring numbers and ranking high is not the ultimate goal of any organization, though it may bring a sense of competition and an urge to perform. For that matter, numbers may not also project a just, correct, and factual situation. It is the quality and fact that matters.

Banks' responsibility is to see that "competition" or "numbers" should not become a source of

breaching the ethics, instigate or force the operating functionaries to mask the reality, prompting false/wrong compliance reports. Such acts may bring in quick laurels and bouquets but will not be in the best interest of the organization in the long run and may even pose a threat to its reputation in addition to regulatory impositions. The ultimate goal of any organization is that it should serve the clientele and the stakeholders without compromising the interest of its employees. This will only ensure growth will be organic and naturally healthy.

Banks should set the goal of compliance as reasonable and well supported by the human resources and the paraphernalia. This alone holds the key. Anything short of this is akin to waging war without protective combat gear. Neither one can win the war nor save his own life.

For this, the bank should ensure compliance with ethical HR standards, which can only guarantee proper seamless compliance with all other regulatory requirements without snatching the joy of work from the lives of its workforce.

HR AND WORK-RELATED ISSUES CONCERNING OFFICERS

Text of AISBOF Circular No. 19/2022 dated 19/03/2022.

We wish to draw your kind attention to several HR and other issues faced by our fraternity, as appended, which are impediments to their wellbeing as well as in day-to-day functioning in various assignments.

a) It has been observed that branches/ offices are suffering from acute connectivity problems on a daily basis, possibly due to the introduction of multiple apps and bandwidth-related issues. An increasing number of global downtimes of CBS operations (9-10 times in the last two months) in the present competitive environment is a serious matter of concern for the officers' fraternity in view of stiff competition in target achievement, business growth and preserving the brand

value of the Bank. In fact, the branches across the country are unable to function smoothly in the last quarter of the current fiscal on account of technical glitches in the CBS. These outages have become almost a routine which is tarnishing the image of the institution as well as inviting unwarranted customer complaints from irate customers. We are of the considered view that our market share will definitely increase if only we could provide unhindered connectivity at branches and processing centres.

b) It is a matter of great concern that the officers are constantly being hammered with threats and are tormented in every possible way viz. misbehaviour, public humiliation, use of derogatory language, undue transfers before completion of normal tenure, cancellation of all types

SUCCESS AWAITS AT THE DOOR WHERE DILIGENCE IS

of leaves, inhumane behaviour, avoidable suspensions, delay in sanctioning of increments, payment of bills, releasing of benefits etc. It has been brought to our knowledge that recently in one circle, CMC members while addressing senior officers in Scale IV and Scale V have threatened them with dire consequences, suspensions etc. and advised them to take VRS by submitting three months' notice. Sir, you will also appreciate that every individual is to be treated with respect and dignity at his/ her workplace which is not only imperative but non-negotiable, and cannot be allowed to be compromised, even the slightest, under any circumstances, whatsoever. Moreover, bullying at workplaces is recognized as violence and it can be in different subtle forms like undue criticism, exclusion, false allegations, constant bantering, humiliation or unnecessary oral/written warnings. This continuous bullying and harassment of our officers are causing irreparable damage to the psyche, health, confidence, morale and performance of our workforce. We are aware that Corporate Centre is genuinely concerned about this malaise and have already initiated measures to address this issue. However, sensitization programs need to be conducted throughout the year to address the need to be courteous and respectful to Internal Customers.

- c) Officers are being called on Sundays/ Holidays rampantly across the country through Corporate Centre has issued a strict advisory on this sensitive issue and has initiated several proactive measures for which we place on record our sincere appreciation. As per reports received from most Circles, the requisition of services of officers is being done without adhering to extant S.O.Ps and without formal approval of the competent authority, despite clear cut instructions issued by Corporate Centre.
- d) Feedback from various Circles indicates that CRO(PB)s are now being posted as DBMs or BMs at many branches, particularly in rural areas, which is clearly in contravention with their role manuals as well as defeating the basic purpose of

their recruitment. On one hand, such officers are facing serious work-related difficulties as they were assigned CBS viewing rights only, and on the other hand, it is violating the OSR for these specialist cadre officers.

- e) After the formulation of the new promotion policy and subsequent clarification regarding the treatment of assignments, we have been given to understand that a large number of officers are to be transferred from Corporate Centre establishments, including GITC and will be repatriated to their respective Circles for completion of the mandatory assignment to make them eligible for promotion in the next promotion exercise for 2022-23. We understand that some of them are handling sensitive assignments, which could adversely affect the annual closing related work.
- f) While clarity in treatment of mandatory assignments has been spelt out in the Corporate Center letter-number HR/ CDS/2021-22/KBP/311 dated 14th March 2022, we have received representations from several MMGS-III officers, who were posted to a branch as BM that was subsequently downgraded to JMGS-I scale incumbency without their knowledge, as well as from those who were posted in JMGS-I scale branches despite being in the MMGS-III cadre, which has made them ineligible for promotion to SMGS-IV. We urge upon your good office to consider such cases sympathetically to enable such officers to be eligible for promotion in the current exercise. Further, to avoid mass transfer orders in the last month of every fiscal for the completion of mandatory assignments, we are of the considered opinion that the effect of promotions to all cadres may be given from a common date viz. 1st April of every year, irrespective of the date of publication of results to address this issue once for all.

We, therefore, urge upon your good office to kindly initiate suitable measures to address the issues flagged in the foregoing.

LEAVE FARE CONCESSION (LFC)/ HOME TRAVEL CONCESSION (HTC) ENTITLEMENT OF AIRFARE

Text of AISBOF Circular No. 23/2022 dated 01/04/2022

We like to draw your kind attention to the fact that the LFC entitlement of any officer was arrived at by taking the apex airfare chart for that sector declared by Air India, which enjoyed the status of 'National Carrier'. After the take-over of Air India by Tata's, it has lost its status as the national carrier. Therefore, no apex fare from any National Carrier is available now which has posed operational problems to the bank in regard to determining the benchmark fare to calculate the entitlement of an official who applies for LFC/LTC.

02. We have compared the recent fare charts provided by various airlines and have found that apex fares quoted by other airlines in certain sectors are often more than that quoted by Air India since it was taken over by the Tata group.

03. We are of the considered view that the entitlement of an officer for LFC/HTC should be based on the apex fare quoted by any airline in that particular sector.

04. We, therefore, request your good office to kindly consider the above suggestion for the benefit of the officers' fraternity.

56TH ANNUAL GENERAL MEETING OF SBIOA – BENGAL CIRCLE A MASSIVE SHOW OF SOLIDARITY

Text of AISBOF Circular No. 18/2022 dated 15/03/2022

Nazrul Manch in the City of Joy - Kolkata was the destination of over 4200 officers of SBIOA (Bengal Circle) as they congregated thereat from nooks and corners of the circle- from Andaman to Sikkim. Such a massive gathering of members could only happen in Kolkata. The 56th Annual General Meeting of SBIOA (Bengal Circle) was the event that beckoned this massive presence on 13th March 2022.

2. The meeting was preceded by the hoisting of the flag of SBIOA (Bengal Circle) by the President, AISBOF, Com. Deepak Kumar Sharma and the undersigned in the august presence of the local management functionaries, the Presidents and General Secretaries of various affiliates of AISBOF and the Circle Association office-bearers. The venue reverberated with thunderous slogans based on "Bank Bachao Desh Bachao", raising the passion of trade unionism in each member present on the occasion. More endearing was the significant presence of women and youth, infusing the conference with vigour and vitality.

3. The meeting commenced with the melodious and rousing rendition of the opening songs, performed by the members of the cultural wing of the Circle Association 'Srijan' and alternate Bengali Rock Band

"Shabdo Galpo Droom". The group, who was instrumental in releasing a musical album comprising a collection of five (5) melodious songs in Bengali on the theme "Bank Bachao Desh Bachao", charged the entire atmosphere with their mellifluous rendition. This was followed by lighting the ceremonial lamp by the dignitaries present on the dais which included Com. Deepak Kumar Sharma, President, AISBOF, Smt. Ruma Dey, Chief General Manager, Kolkata Circle & Chief Guest, Shri Ashok Kumar Mahakul, General Manager (NetWork-III), Kolkata Circle, Shri Manoranjan Samal, DGM & CDO, Kolkata Circle, Com. Asitava Kundu, Deputy General Secretary, AISBOF & President, SBIOA(Bengal Circle), Com. Shubhajyoti Chattopadhyay, Vice-President, AISBOF & General Secretary of SBIOA (Bengal Circle), Com. Nilesh Radia, Deputy General Secretary, AISBOF & President, SBIOA (Ahmedabad Circle), Com. Nagesh V N, Deputy General Secretary, AISBOF & President, SBIOA (Karnataka Circle), Com. Sanjay Kumar Sharma, Vice President, AISBOF & President, SBIOA (Chandigarh Circle), Com. Jatinder Pal Singh Sethi, Deputy General Secretary, AISBOF & President, SBIOA (New Delhi Circle), Com. Sushil Ahuja, Vice-President, AISBOF & General Secretary, SBIOA (New Delhi Circle), Com. A. Appaswamy, Deputy General Secretary, AISBOF & President, SBIOA (Hyderabad Circle), Com. V. K. Bhalla, Senior

WORK IS WORSHIP , DO YOUR DUTY

Vice President, AISBOF & General Secretary, SBIOA (Jaipur Circle), Com. V. K. Premachandran, Deputy General Secretary, AISBOF & President, SBIOA (Kerala Circle), Com. G. R. Jayakrishnan, Vice President, AISBOF & General Secretary, SBIOA (Kerala Circle), Com. Manohar Baboo Devrukhkar, Vice-President, AISBOF & General Secretary, SBIOA (Mumbai Metro Circle), Com. Rupam Roy, Senior Vice-President, AISBOF & General Secretary, SBIOA(N.E. Circle), Com. Kamlakar Singh, Deputy General Secretary, AISBOF & President, SBIOA (Patna Circle), Com. Abhoy Deo Sharma, President, SBISA (Bengal Circle), Com. Goutam Neogy, General Secretary, SBISA (Bengal Circle), Com. Ashoke Kumar Datta, President, SBI Pensioners' Association (Bengal Circle), Com. Dipak Kumar Basu, General Secretary, SBI Pensioners' Association (Bengal Circle), Com. Sanjoy Das, Secretary, AIBOC (West Bengal State Unit) and the undersigned.

4. Following the lighting of the ceremonial lamp, the veterans namely Com. Dipankar Mukherjee, former State Secretary, AIBOC, WBSU & former General Secretary, UBIOA along with SBIOA Seniors Com. Tapan Kumar Bose, Com. Asit Kumar Sinha, Com. Sisir Ranjan Ghosh, Com. Pronab Kumar Sarkar, members of Musical Team of 'Shabdo Galpo Droom' and 'Srijan' namely Shri Rahul Paul, Shri Nilabja Neogi, Ms Riya Dey, Com. Pravas Ray, Com. Anirban Chakraborty and Com. Anirban Naskar, the members of SBIOA (Bengal Circle) namely Com. Dilip Kumar Mandal, Com. Ravi Shankar Kumar, Shri Kanchan Das who participated in "Bharat Yatra" during the entire journey along with the undersigned were befittingly felicitated for their exemplary support to SBIOA (Bengal Circle) by Com. Deepak K. Sharma, President, AISBOF and the undersigned along with Com. Asitava Kundu and Com. Shubhajyoti Chattopadhyay.

5. The revised edition of Handbook on Assigned Roles, a new Handbook on Disposal of Assets of Deceased Account, a magazine "Natun Pata (The New Leaf)" along with a special edition of the journal of the Circle Association- 'Sup-Voice' were released by Smt. Ruma Dey, Chief General Manager, Kolkata Circle and Chief Guest of the meeting.

6. Com. Shubhajyoti Chattopadhyay, General

Secretary (Bengal Circle) in his warm and passionate welcome address greeted the dignitaries and the members. He briefly touched upon the activities and achievements of the Circle Association and also highlighted the various issues taken up during the CNC meetings.

7. Smt. Ruma Dey, Chief General Manager, Kolkata Circle and Chief Guest of the meeting, congratulated and thanked the officers' fraternity for the yeoman services rendered by them during pandemic and achievement of Circle as it remained amongst the front runners in MD ranking matrix. She appreciated the Circle Association for many of its initiatives and the active participation of officers. She reiterated the importance of customer service and urged on making the Circle complaint free in staff misbehaviour.

8. The undersigned during his inaugural address expressed happiness for the wholehearted participation of members. He warmly congratulated the Circle Association who had done a splendid job by organizing the massive gathering during these trying times. He recollected the historic "Bharat Yatra" conceptualized by AIBOC, which had triggered off a mass protest and had compelled the Government to backtrack and to refrain from tabling the Banking Laws Amendment Act 2021 during the last winter session of the Parliament. However, the intent of the govt. was to hand over all national assets to crony corporate houses and AIBOC would continue to oppose the policies inimical to the interest of the common man. Highlighting the services rendered by the PSBs to the people and the Government, he stated that it was actually a "Bank Nirbhar Bharat". The undersigned made it categorically clear that AIBOC would be fighting tooth and nail to resist Govt.'s move towards privatization of PSBs as well as RRBs. He lauded the HR initiatives of the Bank during the COVID-19 pandemic and the release of a few innovative women-centric benefits on Internal Women's Day. He expressed his pain points which included rampant requisition of officers on Sundays/Holidays without the approval of the appropriate authority and affecting work-life balance, the regressive decision of stopping of 5-in-1 benefits to the officers, who could not complete the mandatory e-learning/RBCs.

Learning, he emphasised, could not be forced upon officers. He informed the house that the Federation had challenged the decision in the court of law. Appreciating the publication of Handbooks which would be helpful for day-to-day banking, he urged on being courteous to the juniors, peers and subordinates in the workplace as well as to all customers to enhance our brand image. He also emphasised the need to ensure that Internal Customers were not subject to humiliation in a public forum and subjected to abusive behaviour. He appreciated the functioning of the Circle Association under the vibrant leadership of Com. Asitava Kundu and Com. Shubhajyoti Chattopadhyay in taking the Circle Association forward. He concluded his speech by giving a clarion call to intensify the fight against the Government by mobilizing public support in large numbers to take forward the #BankBachaoDeshBachao movement across the country before wishing a grand success of the meeting and formally inaugurating the meeting.

9. Com. Deepak Kumar Sharma, President (AISBOF) mesmerized the gathering with his prolific oratory skills. He admired and appreciated the participation of a large number of members of the circle in the Annual General Meeting. He appreciated the publication of various Handbooks by the circle association, which not only helps the members in increasing their knowledge base but will also help in rendering better customer service. Referring to the speech of the Chief General Manager of the Circle, he reiterated that the positive approach should prevail in all walks of life by adopting Work-Life Balance, dignity and respect to all. He appreciated the role of AIBOC leadership for taking forward the fight of "Bank Bachao Desh Bachao" movement. He briefed the members about the pending issues including financial and non-financial which they have raised with the Management of SBI during their visits to the Corporate Centre and in CNC meetings. He expressed his dissatisfaction at the abrupt change in the promotion policy up to Scale-V brought by the bank at the eleventh hour. He referred to certain disastrous initiatives of the Bank like FIMM, Buddy etc. which had resulted in the loss of hundreds of crores of rupees to the Bank. Such misadventures that resulted in such massive losses should be examined and accountability should be fixed accordingly. He said that Bengal was the land of Sri

Rabindranath Tagore. He recalled Tagore's poem – "Where the mind is without fear", and called upon all officers to function fearlessly, to call spade a spade. He recollected the words of Netaji Subash Chandra Bose – 'Tum Mujhe Khoone do, Main Tumhe Azaadi Doonga'. He said that today the need of the hour is to say "Tum Mujhe Shatprishat Sahayog Do, Main tumhe service condition me improvement dunga", for improvement in Service Conditions. He reminded the audience that AISBOF had a glorious tradition of standing up to every atrocity and believed that all the hurdles would be possible to overcome by the concerted support of all stakeholders. He appreciated the role of Public sector Banks in the development of this great country. He appealed to the house to remain united and attend to every call given by the Associations for saving the Public Sector Banks. Before concluding, he congratulated the leadership as well as all the members of the Circle for the wonderful gathering and wished them success for the 56th Annual General meeting.

10. Com. Goutam Neogy, General Secretary, SBISA (Bengal Circle), greeted the congregation. He appealed to intensify the movement of saving Public Sector Undertakings of the country through a joint movement and extended fraternal support.

11. Com. Dipak Kumar Basu, General Secretary, SBIPA, extended fraternal support, thanked AIBOC & AISBOF for taking up the issues of pensions and family pension and expressed confidence in the present leadership in taking forward the issues of retirees to a logical conclusion.

12. Com. Sanjoy Das, Secretary, AIBOC (West Bengal State Unit), appreciated the theme of the meeting "Bank Bachao Desh Bachao" and urged upon fighting against the move of privatization of PSBs with public support.

13. Comrades, the 56th Annual General Meeting in Kolkata was yet another show of strength and solidarity of supervisory trade unionism. The massive gathering, participation of women and youth indicated the innate strength that we possess. It demonstrated the urge of the officers to be united. This also provided us with an opportunity to interact with them, understand and get connected to the ground, to forge a bonding so that the trade

unionism and the legacy flourishes and proliferates for the Common good of the officers' fraternity, working class and the bank as well.

14. We congratulate the vibrant leadership of our affiliate, SBIOA (Bengal Circle) and the members, who made the event an outstanding success. Later in the

day, the reports from SBIOA (Bengal Circle) indicated active participation by the members during the business session and about the meaningful deliberations by the participants, which proved that the meeting achieved its objective with profound success.

FRATERNAL SUPPORT TO NATIONWIDE GENERAL STRIKE ON 28TH & 29TH MARCH CALLED BY CENTRAL TRADE UNIONS AND SECTORAL FEDERATIONS/ ASSOCIATIONS

Text of AIBOC Circular No. 10/2022 dated 21/03/2022.

You are aware that almost all Central Trade Unions and Sectoral Federations/ Associations have called two days nationwide general strike on 28th & 29th March'22 on several issues including opposing privatisation of Public Sector Undertakings, Banks and other Financial Sector, price rise et al.

02. The issues on which they have decided to call

the strike are very close to us. Some affiliates of UFBU also are taking part in the strike. We request all our affiliates to address Dharnas / Demonstrations convened in support of the strike, if invited and convey our fraternal support for the cause.

03. In this connection, we advise our affiliates that our members shall not demand or accept any keys and shall not perform clerical duties on the days of strike.

23RD GENERAL COUNCIL MEETING OF SBIOA (PATNA CIRCLE) MASSIVE SHOW OF SOLIDARITY

Text of AISBOF Circular No. 22/2022 dated 29/03/2022

26th March 2022 would be written in golden letters in the annals of the history of SBIOA (Patna Circle), which witnessed a massive exhibition of solidarity and unity. All roads led to S.K. Memorial Hall, near Gandhi Maidan, Patna as over 3000 members congregated at the venue from every nook and corner of the states of Bihar and Jharkhand to attend the 23rd General Council, which incidentally commemorated the 50th year of foundation.

02. The entire area of the meeting venue bore a festive look and leaders from all affiliates and senior functionaries of the bank were greeted with drumbeats and accorded a warm welcome. Slogans resonated across the venue and the enthusiasm amongst members was simply infectious. The event started with the hoisting of the Association flag by Com Deepak Sharma, President, Com Kamlakar Singh, President and Com Ajit Kumar Mishra, General Secretary of Patna Circle respectively and the undersigned in presence of other affiliate leaders and

activists.

03. Com Kamlakar Singh, Com Ajit Kumar Mishra, President and General Secretary of the Circle Association were welcomed on the dais by the organizers amidst thunderous applause. Com Deepak Sharma, President of AISBOF and the undersigned along with Presidents and General Secretaries of all circles were accorded a warm welcome on stage. The show of 'Unity in Diversity' was amply demonstrated as the anchor of the program Com Pallavi Prashar greeted them in their native language.

04. A standing ovation and a rousing reception were accorded to the Chief Guest of the program Shri O.P. Mishra, DMD (HR) & CDO. In fact, his gracious presence in the meeting as Chief Guest elevated the importance and significance of the meeting to a new dimension altogether. Shri Surender Rana, CGM, Shri Manoj Kumar Gupta, Shri Mrigank Jain, Shri Sunil Arora, General Managers along with Shri Sanjay Prakash, DGM (IR) were also accorded a warm welcome.

OUR LIFE IS WHAT OUR THOUGHTS MAKE IT

05. The office bearers of other Circle Associations present on the dais included:

Com Nilesh Radia & Com Pinakin Brahmabhat	President General Secretary	Ahmedabad
Com Nagesh VN & Com S K Srinivas	President General Secretary	Karnataka
Com Asitava Kundu & Com Shubhajyoti Chattopadhyay	President General Secretary	Bengal
Com Madan Kishore Jain & Com Sanjeev Sabhlok	President General Secretary	Bhopal
Com Saubhagya Kumar Panda & Com Arun Kumar Bishoyi	President General Secretary	Bhubaneswar
Com Sanjay Sharma	President	Chandigarh
Com Nallaperumal Pillai	President	Chennai
Com Jatinder Pal Singh Sethi & Com Sushil Ahuja	President General Secretary	Delhi
Com Appaswamy S	President	Hyderabad
Com Vinay K Bhalla	General Secretary	Jaipur
Com V K Premchandran & Com G R Jayakrishnan	President General Secretary	Kerala
Com A K Agnihotri & Com Pawan Kumar	President General Secretary	Lucknow
Com Mohan S Gohil & Com Manohar B Devrukhkar	President General Secretary	MMC
Com Udaram Hedao & Com Bhushan Mahajan	President General Secretary	Maharashtra
Com Rupam Roy	General Secretary	North East
Com Suryanarayana Rao	Vice President	Amaravati Circle

06. Com Kamlakar Singh and Com Ajit Kumar Mishra President and General Secretary honored and welcomed the Deputy General Managers, yesteryear leaders and other guests. The function was inaugurated by the lighting of the lamp by Chief Guests. At the very outset, Kumari Shailja daughter of Com Ajit Mishra performed a mellifluous rendition of Sarasvati Vandana which was appreciated by everyone present in the auditorium. On the occasion, of marking the 50th year of purposeful existence of the Circle Association, Shri O.P. Mishra, DMD (HR) & CDO, the Chief Guest of the program formally released three books viz. Sup-Power, Know Your Leaders and Disciplinary Proceedings.

07. Com Ajit Kumar Mishra was greeted with thunderous applause and was accorded a standing ovation as he delivered his welcome address. In his warm welcome address, he touched upon the rich history of undivided Bihar and expressed his happiness to welcome all to the celebration of the Golden Jubilee year of the SBI Officers' Association

(Patna Circle) The Circle Association which was formed in 1972 with a strength of only 580 members has now has 7000 members and is a vibrant wing of AISBOF. This was made possible by the sacrifice, toil and sweat of the veterans. The Circle Association has reached a pinnacle of glory due to the responsible trade union movement and for having espoused the cause of members in the right earnest. He thanked all the dignitaries on the dais for attending the function. He also took this opportunity to announce that Com Amaresh Vikramaditya, Executive Committee member, has been unanimously chosen to shoulder the responsibility as General Secretary of SBIOA, Patna.

08. Shri O.P. Mishra, DMD (HR) & CDO, in his keynote address expressed happiness that Patna Circle was leading all Circles in MD Ranking consecutively for the last 7 months. He congratulated the officers for their stellar performance. He acknowledged the contribution of the officers and the performance

LET US BUILD A STRONG AND SELF RELIANT INDIA

reflected that the Management and Association were working in tandem. He said that Bank and the Federation were working in unison for the welfare of the staff. He mentioned the high expenses ratio of the bank and also said that each welfare measure involves substantial cost. He stressed the importance of customer service, adapting to market preferences and minimization of disciplinary cases, making State Bank as most preferred bank and also stressed the need for data purity. He expressed his happiness that Association was grooming young and congratulated Com Amaresh Vikramaditya, the General Secretary-designate. He expressed concern about sharing information/problems on social media platforms. He stated that it was a distinct possibility that competitors of our esteemed institution were employing professionals to sully the image of our bank by posting negative comments and posts on social media. He called upon all to exercise caution. He also stressed the importance of leading a healthy lifestyle. He also called upon the Association to groom young and women to take forward the flag of the trade union. He lauded the role and contribution of Com Ajit Kumar Mishra, who would be laying down his office on 31st March 2022.

09. Shri Surender Rana, CGM, Patna Circle, congratulated the Circle Association on its 50th Anniversary and expressed happiness to witness the large gathering. He congratulated the officers of the Circle for their contribution to the outstanding achievement of the Patna circle by emerging 1st in ranking for consecutive seven months. He said that he believed in positivity as often stressed by the Chairman of the bank. He touched upon the need for ensuring quality customer service. He acknowledged the various staff welfare measures initiated by the bank and mentioned the recent measures like the spectacle reimbursement facility. He urged the need to improve balance sheet numbers, operating profit, data purity etc.

10. Shri Manoj Kumar Gupta, Shri Mrigank Jain, Shri Sunil Arora, General Managers greeted the members during their addresses.

11. Com. Deepak K. Sharma, President of AISBOF, took the podium amidst huge applause. As usual, with his exemplary oratory skills, he enthralled the audience. He congratulated the Patna Circle officers who gathered in large numbers to attend the historic event of the 50th anniversary. He congratulated Com Ajit Kumar Mishra for his able

leadership and contribution to the trade union movement. He was vocal about the capability of the officers of the bank and the dedication displayed in Patna Circle which had been amply reflected in achieving excellence in all areas. He also pointed out that the Federation has been raising issues for the benefit of the fraternity over the years, many of which have since been fructified. In this context, he stated that the demand for reimbursement of spectacles was first flagged by the Federation in 2012. He drove home the importance and the need of **#BankBachaoDeshBachao** movement and placed on record that it was due to the initiative of the Confederation, which was one of the prime reasons for the deferment of the banking amendment bill during the winter session of the parliament. He appreciated the efforts of Patna Circle in the movement.

He informed the house that there were many issues pertaining to the officers' fraternity and have been flagged to the corporate centre by the Federation leadership. He congratulated Com Sunil Kumar and the undersigned for their contribution to the successful achievement of the 8th Joint Note settlement. He thanked DGM (IR) for his contribution to staff welfare measures. He was very vocal that the Federation has been flagging issues of working environment and welfare measures. He touched upon the burning issue of connectivity and difficulties faced by the branches.

12. The undersigned during his address congratulated SBIOA (Patna Circle) for celebrating the 50th anniversary of the association. He stated that all Circles were consciously drafted with representatives of the youth in various tiers of the organisation. The selection of Com Amaresh Vikramaditya, who had joined the bank in 2009 as a Probationary Officer as the General Secretary designate, was a revolutionary decision as it would encourage the youth across the country to espouse the cause of members by working for the association. He recollected the contribution of SBIOA (Patna Circle) under the astute leadership of Com Ajit Kumar Mishra during the Covid pandemic. The Association leadership went out of the way to support members and the society from admitting patients to the hospital, arranging oxygen cylinders, medicines to making arrangements for the funeral. He profusely appreciated the yeoman service rendered by Com Ajit Kumar Mishra and his entire team, which enhanced the image of the Bank in society. He placed on record the contribution of Com Sunil Kumar in the signing of the 8th Joint Note. He said that for the first time, every segment of officers has got their due

DUTY FIRST, RIGHT NEXT

share in wage revision. Family Pension revision to 30% without any cap was a dream fulfilled. He expressed unhappiness that Government did not recognize officers as front-line warriors, though they were the fraternity who implemented the schemes of the Government.

He touched upon the issues bothering the officers' fraternity in the Bank. He expressed in no uncertain terms about the way the business figures were being achieved. He said that there were several instances of fraud surfacing in branches that were headed by recipients of Chairman's club membership. The rat race for the first position was inimical to the bank. In the past, there were instances when a particular circle had been a frontrunner in virtually every parameter. Now, a lot of irregularities have been unearthed. So, any achievement can only be appreciated if it stands the test of time. The bank should encourage all to work complying with systems and procedures.

He said the Federation had been demanding change in promotion policy so that each officer has an opportunity to complete all assignments, get ample exposure and be ready to shoulder higher responsibilities. The fast-track promotion policy pursued in all PSU Banks has proved to be counter-productive. He appreciated the role of DMD (HR) & CDO in formulating a promotion policy for the overall benefit of the bank giving weightage to branch/operational assignments/exposure.

He denounced the linking of Mandatory, Role-Based Certification to 5-in-1 allowances. The benefits were a result of negotiation by the Association with the Bank that had existed since the pre-Pillai days. The mobile bill reimbursement was to facilitate customer service. Hence, the decision to stop these reimbursements to officers who could not complete the mandatory learning lessons/RBCs was retrograde and regressive. He informed the house that along with Com Deepak K Sharma, President, he too did not complete mandatory learning to consciously demonstrate their stand on the issue. If the 5-in-1 of members were stopped, the leaders should also take the hit, he said. He questioned the efficacy of the extant training system. Learning, he said, cannot be forced. He said that the Federation was forced to pursue legal recourse to set right the gross injustice once for all.

He stressed the need to ensure quality customer service. He urged upon the members to ponder for a while before turning back any customer. At the same time, he touched upon the treatment of internal

customers. While the bank was extremely sensitive on the issue of customer services, it was unfortunate that our officers were subjected to ill-treatment by controllers in public forums. He appreciated the concern of DMD (HR) & CDO on this contentious subject, however, he urged that action should be taken against such perpetrators.

Talking about the cost of welfare measures, he said that the bank has been magnanimous all along in ushering in welfare measures. However, for introducing new welfare measures cost should not be the only criteria. He said that the bank has incurred substantial expenditure on many initiatives like In-touch Branches, Buddy, FIMM, etc, which have been aborted later. There needs to be accountability for these decisions.

He touched upon the disparity that arose on account of enhanced special allowance to staff. He requested DMD (HR) & CDO that a Grade Pay should be introduced from JMGS to DMD level to obviate disparity in salary between officers and workmen.

He appreciated the efforts of DMD HR, DGM (IR) and Team HR at CC for their continued support. He expressed confidence that they will ensure that the interest, dignity and respect of the officers' fraternity were taken care of.

He touched upon the unique movement unheard in the annals of banking trade union history – i.e. **#Bharat Yatra**. He recalled the start of the journey, the threats, challenges, intimidation, mammoth gatherings, town hall meetings, Prabhat pheri, evening gatherings roadside meetings etc, which evoked tremendous response from the public and generated public awareness about the ill motives of the Government. He recollected the innocuous question of a journalist – **"Will you be able to reach Delhi"** at the commencement of the Jatha to which he had replied **"Rok sake to Rok Lo.!"** He recollected that all the comrades had displayed grit and gumption as they traversed the length of the country from Kolkata and Mumbai to Delhi culminating in a massive show of strength at Jantar Mantar Delhi, where the undersigned had said **"Picture abhi baki hai, mere dost!."** Amidst thunderous applause, he said **"AIBOC Jhukega Nahin"**.

He concluded his address by placing on record the colossal contribution of Com Ajit Kumar Mishra in espousing the cause of the members and for proving tremendous support and encouragement in taking

NEVER BEND BEFORE THE INSOLENT MIGHT

the Federation forward.

13. Com. Sunil Kumar, Advisor AIBOC, spoke on contemporary issues with the oratory skills he was well known for. He criticized the policy of the Government drafting the officers of the bank for Panchayat elections, which was affecting the functioning of banks and customer services. He said that there was a need to fight against the privatization of banks.

14. The function was concluded with a Presidential address and vote of thanks by Com Kamlakar Singh,

President, SBIOA (Patna Circle).

15. Comrades, the General Council of Patna Circle was historical. It coincided with the 50th year of its foundation. The takeaway from the event is very clear. The members are ready to take the bank to new heights of glory. At the same time, there is discontent and angst against the prevailing working condition at the ground level which requires urgent attention.

Federation congratulates team Patna Circle for this historic General Council.

[2021 (169) FLR 220]
(KARNATAKA HIGH COURT)
SATISH CHANDRA SHARMA and V.SRISHANANDA,JJ.
Writ Appeal No. 4001 of 2019 (L-TER)
January 28, 2021
Between
CANARA BANK, H.O. Rep. by its ASST.GENERAL MANAGER BENGALURU
And
C.KRISHNAPPA

Compulsory Retirement-Charge of misconduct-Shortage of cash found on three occasions-Later on cash found in cash section-Order of reinstatement with 50% back wages only-Order of learned Single Judge set aside-Appeal partly allowed. [Paras 4 to 8]

JUDGMENT

SATISH CHANDRA SHARMA and V.SRISHANANDA,JJ.-The present writ appeal is arising out of the order dated 14.6.2019 passed by the learned Single Judge in Writ Petition No.3264/2012.

2. The facts of the case reveal that the respondent is a sub-staff with the appellant-Bank and there was a shortage of cash to the tune of ₹ 10,000/- on three occasions. A charge sheet was issued on 23.11.2004 and thereafter the Disciplinary Authority had imposed punishment of 'compulsory retirement' based on the findings of the Enquiry Officer. Being aggrieved by the order of the Disciplinary Authority, the respondent had preferred an appeal before the Appellate Authority and the appeal was rejected on 3.10.2005.

3. Finally, the matter was referred to Central Government Industrial Tribunal (hereinafter referred

to as 'CGIT' for short). After scrutinizing the entire evidence the CGIT has arrived at a conclusion that there was missing cash of ₹ 10,000/- containing ₹ 100/- bundle of notes and it was traced immediately and in those circumstances as there was no evidence regarding embezzlement or mis-appropriation the CGIT has passed an award holding that the respondent is entitled for re-instatement with full back wages and consequential benefits on 10.10.2011 in CR No.37/2006, against which the writ petition was preferred and the learned Single Judge has upheld the order of the CGIT. However, has granted 75% of the back wages to the employee in question this Court has carefully gone through the order of the learned Single Judge. In para No.9, the learned Single Judge has held as under:

"Crux of the matter in the present petition is, "Whether petitioners have proved the alleged charges leveled against the respondent or not?"

Perusal of the records indicate that there is no iota

TIME AND TIDE WAIT FOR NONE

of evidence to prove that petitioner is responsible for shortage of ₹ 10,000/- in cash section on three occasions for sometime, during the Bank working hours, even though, petitioner was working in the Branch including in the cash section, since he was a sub-staff (peon). In all three occasions a sum of ₹ 10,000/- was shortage in the cash branch for sometime and it was found in the cash counter only. Branch officials have suspected the petitioner is involved in such mischief even though there was no evidence but having regard to para. 12 of CGIT and the the fact that it is not an isolated incident on three occasions sum of ₹ 10,000/- was shortage in the cash section and later on found by the respondent and he had handed over to the concerned Branch Official. In view of these facts and circumstances, respondent is not entitled for 100% backwages instead he is entitled to 75% backwages. The award of the CGIT is modified to the extent indicated above."

4. The learned Single Judge has held that there is no iota of evidence to prove that petitioner is responsible for shortage of ₹ 10,000/- cash and therefore, there is no evidence in respect of alleged misconduct and the same is also reflected from the order of CGIT.

5. Another important aspect of the case is that the

learned Single Judge has held that on three occasions a sum of ₹ 10,000/- was short in the cash section and later it was found in the cash section only, however on mere suspension of Branch Officials the employee has been made a scapegoat in those circumstances a direction to reinstate the employee with 75% backwages has been issued.

6. This Court after hearing the learned Counsel for the parties is of the opinion that the interest of justice would be sub-served if 50% of back wages is awarded to the respondent as he was under suspension during the enquiry.

7. Resultantly, the order dated 14.6.2019 passed by the learned Single Judge in Writ Petition No. 3264/2012 is hereby set aside. The respondent employee shall be entitled for reinstatement in service along with all consequential benefits, however the grant of backwages is confined to 50% of the wages as per his entitlement.

8. Accordingly, the appeal is partly allowed. Consequently, pending IA.2/19 for stay stands disposed of.

Appeal Partly Allowed.

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