

OFFICERS' CAUSE, APRIL - 2019



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Editorial

FUTURE PROSPECTS

The current year of performance of the banks will be a mixed bag of success and failures. The last year presented a gloomy picture due to the huge NPA's and the equity requirements of the banks as per the Basel Norms. The Government could not meet the full requirements of the banks. The Banks had to run an extra mile to take care of their several woes. The decision of the Government to merge the 3 banks in the name of consolidation, the periodical release of funds to meet the equity shortfall in some banks by the Government etc., created a total confusion in the financial sector. It is in this back ground, the RBI came out with a series of efforts to ease the NPA's position and to improve the recovery opportunities for the banks. The Government has also brought several legislative measures in order to strengthen the hands of the Banks in the recovery process. The Banks were aggressive in making use of these legal weapons provided by the Government. However, with the verdict of the Supreme Court which declared that the RBI Guidelines issued in the matter of recovery of NPA's is ultravires and cannot be enforced thus releasing several industries from the clutches of the Banks' Managements who had initiated the recovery process under IBC which was considered as a major weapon in the hands of the banks.

It is in this background, the deliberations which took place in the Central Negotiating Council

Meeting between the representatives of the Bank Management and the Federation which also covered the various aspects of the performance of the bank in view of the difficult period which the bank has gone through in the beginning of the year. There was a cordial atmosphere in the bipartite meeting. The Management was also exhibiting a tremendous confidence and hope that the bank would be able to show a sterling performance in the current year. The first two quarterly results were highly discouraging and the workforce were under tremendous pressure to come out of the situation and bring the bank to its original glory and prosperity. The representatives of the Managements have explained at length the various initiatives that the Bank has taken to ensure the sterling performance and restore the original glory of the bank - which suffered a major setback in the last years' performance. The representatives of the Federation expressed their total support and co-operation in all the initiatives of the bank and wanted that the long pending issues of the Federation in particular the welfare area wherein the temporary restraint has been imposed on the grounds of the profitability of the banks be cleared. The recent initiatives of the banks in regard to the credit dispensation and technology intervention in particular the digital technology widely encouraged by the bank has provided a strong base for the good performance of the last quarter. The representatives of the Management have also

expressed their confidence that the current year performance will be highly encouraging and the issues which have been raised by the Federation and which are under consideration of the banks will be pushed forward without any difficulty.

One of the major question that was posed before the Management was the Bank's initiative in the matter of industry level negotiations. The State Bank of India being the largest bank in the country with a huge potential for growth and expansion and the opportunities for the workforce in the bank, should take a pragmatic view on some of the issues which are struck due to stubborn stand of the SBI Management. The Federation made a strong plea that the existing system of negotiations on the salary structure of all the scales should be considered by the Management of the Bank and it should take a lead role in resolving the stalemate created at present in the matter of mandate. There were several instances on earlier occasions, whenever the negotiations reached a dead lock, the

Executives of the State Bank have led the industry in an amicable way and have restored the normalcy in the matter of industrial relations in the banking industry. The stellar role that automatically accrues to the SBI Management due to its sheer size, internal strength and stability due to the cordial industrial relations that it enjoys in the Bank should not be frittered away on certain rigid considerations. On earlier occasions, the Ministry of Finance and the Indian Banks' Association were looking for a balance role by the Management of the State Bank of India, whenever there were bottlenecks in resolving the stalemate in the bipartite discussions. It is our fond hope that the Management of State Bank of India in view of the bright prospects that are predicted in the performance of the Bank will also take a lead role in resolving the present stalemate in the negotiations and ensuring a smooth passage of the bipartite settlement in the banking industry. ■

Organisational Issue

PAYMENT OF DEMONETISATION COMPENSATION TO OFFICERS OF EABS

Text of our letter No:6180/13/19, Dated. 8th March, 2019, Addressed to The Chairman, State Bank of India, Corporate centre, Madam Cama Road, MUMBAI.

Dear Sir,

PAYMENT OF DEMONETISATION COMPENSATION TO OFFICERS OF EABS

We invite your kind attention to the long pending issue of payment of compensation and recovery of compensation amount paid to the officers of erstwhile Associate Banks. The issue of payment of Compensation to the Officers for the late working and working on Holidays during the demonetization period was settled by the HR department at Corporate Centre after repeated discussions in the CNC meeting, follow up meetings. The Corporate Centre advised the Circles to release the compensation to Officers at Circle level in consultation with the Circle Association.

2. Accordingly, the issue was discussed at all the Circles with the Circle Associations and formula

worked out considering the total officers including the Officers of erstwhile Associate Banks and considering the cost involved, it was mutually agreed in the Circles to pay for less number of days as against the actual working by the Officers. The note for compensation was approved by the CMC and the discussion held with the Circle Associations is also recorded in the note. Thereafter, the Payment was released to all the Officers in some Circles and was in the process of being released in other Circles.

3. Suddenly, the Corporate Centre raised telephonic objections on the payments released to the officers of the EABs and ordered for recovery of the amounts already paid to these Officers. This was followed up by written instructions. This resulted in unrest amidst the officers as they were discriminated and the issue was repeatedly raised in the meeting of Officers across the country. We took up the issue again with HR department and have been following up with them including the last follow up meeting held on 30th January, 2019. Now, we have been advised that the issue stands closed and does not warrant to be raised in the forum.

SUCCESS AWAITS AT THE DOOR WHERE DILIGENCE IS

4. The issue came up for discussion during the meeting of President and General Secretaries of the affiliates held at Patna recently and it was reported that the Officers of the EABs feel let down by the Management and they are discriminated. We are of the opinion that the recovery of amounts already paid as approved by the CMC of Circles in consultation with the Circle Associations as directed by the Corporate Centre has not only resulted in discriminatory treatment to these set of officers but is also not in keeping with the HR practices adopted by the Bank especially the visible approach to ensure the best HR practices after your taking over as the Chairman of the Bank. The more serious question that has arisen is the way the recovery was ordered from these officers and the issue of disrespecting

the bilateral understanding reached by the Circle Managements with the Circle Associations as per the directives of the Corporate Centre. It is also disturbing that while the Circle Associations and the Circle Managements adopted the inclusive approach at the cost of lesser compensation to the Officers of the SBI in order to compensate the officers of EABs, the Corporate Centre reversed the decision through an exclusive and discriminatory approach and has now closed the doors on the discussions on the subject. In view of the above, we request you to bestow your personal attention to the issue and arrange to release the payment of the said compensation amount to the Officers of EABs who have not been paid and also restore the amounts already recovered. ■

CROSS SELLING: ISSUES

Text of our letter No:6180/14/19, Dated.8th March, 2019, Addressed to The Chairman, State Bank of India,Corporate centre, Madam Cama Road, MUMBAI.

Dear Sir,

CROSS SELLING: ISSUES

We invite your kind attention to our letter No.6180/11/18 dated 09.03.2018 pointing out the irregular practices in the area of Cross Selling. Thereafter, the then Chairman had addressed the staff on the need and importance of Cross selling which we appreciate. The Bank also issued Circulars advising the functionaries at various levels to ensure that there is no mis-selling. However, it is with utmost pain that we are forced to bring to your kind knowledge that nothing has changed since then and situation has only worsened as far as the Cross selling is concerned.

2. The issue was discussed at length in the meeting of the President and General Secretaries of our affiliates and the affiliates were unanimous in their feedback that mis-selling and forced selling are rampant and this is mainly because of the huge multilayered incentives, foreign trips, undignified felicitations and repeated awards and lavish, glamorous & gala parties. It is also reported that there is huge unrest amidst the staff due to the incentives and Foreign in trips doled out by SBI Life. These incentives have also become the main reason for the disproportionate time allotted by the Controllers at various levels and the pressures for achieving unreasonable targets on a daily basis and this is

hampering the Core Business of the Branch. It was also pointed out that despite the incentive for recovery in AUCA accounts; the focus on recovery of amounts held in AUCA was missing. It is surprising that Management did not object to the foreign trips arranged by SBI Life even during the months of February and March and deputed huge number of executives and officers. During the current year too, such trips are reportedly arranged and for Mumbai Circle, Cruise is arranged for GOA in groups in the month of March starting on a working day.

3. Further, we have been coming across repeated incidences of monitoring of our Officers by the employees of SBI Life in person and through whatsapp groups and many a times our Officers are humiliated on whatsapp groups. The Controllers tend to ignore these humiliations unless raised by the Office bearers of the Association.

4. During the last year, one of our affiliates took up the issue of irregular practices adopted by the employees of SBI Life with the MD-SBI Life, along with the proof. However, SBI Life did not respond to the communications or confirm what corrective actions were taken by them.

5. We have now come across the serious & objectionable methods of promoting campaigns through social media wherein the campaigns are named after Gallantry Awards given to Armed forces and term surgical strike along with photographs our officers in the Military Uniform holding guns are circulated. After investigation of both the cases, it

ARISE, AWAKE, STOP NOT TILL THE GOAL IS REACHED

is revealed that such objectionable pictorial messages are prepared by the employees of SBI Life and circulated in the social media. Yesterday, the employee of SBI Life Circulated the message of Surgical Strike on whatsAPP with photos of our Officers the uniform of Jawans with the help of Photoshop software. These pictorial messages were deleted on the intervention of the Controllers and our Office bearers but the damage was already done as things get circulated in whatsApp immediately across the country. We enclose the two photographs of the images circulated in whatApp groups for your ready perusal. It is indeed sad that at a time when you were the first from the Banking Industry to address the concerns of the Martyrs of Pulwama attack, the employees of SBI Life are using the Armed forces for promoting campaigns in an objectionable manner and tarnishing the image of State Bank of India. This may also attract strictures from the Government.

6. It is with pain that we are forced to bring to your knowledge that our Controllers have forgotten the ethics and social responsibilities and are carried away by the incentives to such an extent that the felicitations, lavish parties in Five Star Hotels are held on the day and in the same Centre, where the One of their colleague committed suicide citing his inability to cope up with workload. Over 100 pictures of the felicitations and party were getting circulated on social media along with the message of the suicide committed by one of the Officer. Can we afford to be so irresponsible?

7. The undersigned have encountered number of occasions when the CRPF Personals on duty at Airport request for various clarifications related to the Interest rate and Loan products. Many a times, they also the raise the issue of forced selling of Insurance Policies at the time of availing of Personal Loans and on other occasions and the undersigned keep

explaining to them that though it is in their interest to have the Insurance, the same cannot be forced. However, it hurts that such feedbacks are not restricted to one part of the country and the issue is same across the country.

8. The list of other unethical practices adopted by the Controllers is huge and to quote a few, the differential treatment meted out by the Controllers to those who could not meet the target of Cross Selling but have done well in the Core Business, the strange and undignified method of felicitations by cake cutting at the hands of the so called non-performing Branch Manager in presence of the representatives of the SBI Life etc. It is our sincere and honest feedback that the root cause for all this is the foreign trips and the incentives that are being doled out.

9. In view of the above, it would be in the interest of the Bank that the payment of incentives/commission to the Officers are stopped and the same are credited to Bank's Commission Account and the Foreign trips are stopped forthwith. We also request you to instruct the Cross Selling department suitably, to stop the interference of employees of SBI Life with our Branches and Officers directly.

10. We understand that the Staff Federation has already requested the Management to credit the commission/incentives on Cross selling to Bank's commission Account rather than crediting to the account of the staff. We therefore request you to bestow your personal attention to the issue and arrange to review the Cash incentives and foreign trips urgently as this will go a long way in weeding out the unethical practices which tarnishes the image of Bank. We hope that you will consider the issue seriously considering the fact that both the federations have suggested for withdrawal of incentives on Cross Selling in the interest of the Bank. ■

1ST GLOBAL BANKING TRADE UNION CONVENTION ANOTHER MILESTONE IN BANKING TRADE UNION MOVEMENT

Text of AIBOC Circular No. 2019/18 dated 21st March, 2019.

QUOTE:

AIBOC, being the largest organization of supervisory cadre in the world, has been leading the trade union movement, inter-twining its objectives with the welfare

of working class. Towards this, another innovating initiative is holding 1st Global Banking Trade Union Convention, converging representatives from across the globe.

The Global Banking Trade Union Convention was held under the auspices of AIBOC and in collaboration with 'The Global Labour University' from 17th to 19th March, 2019 at

WORK IS WORSHIP , DO YOUR DUTY

Thiruvananthapuram, Kerala. The theme of the convention was **"Challenges before the Banking Sector & Trade Union Responses"**. The Convention was attended by delegates from India, Malaysia, Nepal, Germany and Brazil. It was an enlightening experience for all the 155 delegates congregated at TRABOES, a centre of excellence equipped with state-of-the-art infrastructure and ambience.

The Convention started at 2 P.M. on 17th March, 2019 with a flag hoisting ceremony. The flag of AIBOC was hoisted in the presence of all delegates which included Com. Debasis Ghosh, President; Com. D T Franco, former General Secretary, AIBOC, Com. Dr. V Chidambarakumar, former Sr. Vice President, AIBOC and the undersigned. Revolutionary slogans raised by our Kerala comrades was electrifying, did not only set the tone for the Convention but made the moment a memorable one as the flag was hoisted and unfurled.

The inaugural programme started with an adroit and impressive compering of Com. Jyothi K P, detailing the theme and the vision of AIBOC to organise such programme. Com. Debasis Ghosh, President AIBOC; Mr. K N Harilal, member of Planning Board of Kerala and the inaugurator of the convention; Dr. Praveen Jha, eminent economist, Com. D T Franco, former General Secretary AIBOC and steering committee of The Global Labour University; Com. Dr. V Chidambarakumar, former Sr. Vice President, AIBOC, Com. G R Jayakrishnan, President AIBOC Kerala State Unit and Com. Abraham Shaji John, Secretary AIBOC, Kerala State Unit were invited to the dais amidst spontaneous applause. The undersigned welcomed all the delegates to the programme, which was first of its kind, with a brief introduction of The Global Labour University. While welcoming, the undersigned highlighted working environment in the banking sector and challenges, difficulties faced the employees and officers and the responsibility and scope of Trade Unions across the globe to combat the challenges.

In his inaugural speech Shri K N Harilal, Member of Planning Board of Kerala addressed significant areas related to anti-labour and anti-people policies of the government and highlighted a need to form a platform to counter such moves. He congratulated AIBOC for its initiative in organising such an event, which was the need of the hour.

In his opening remarks, Com. Debasis Ghosh,

President AIBOC emphasised the necessity of being united to combat the attempts of the capitalist forces across the world and pointed out the need of organising such a unique program for development and update of knowledge in the field also.

The first session was a panel discussion on **"A Decade after the Global Financial Crisis": Where Does the Banking Industry Stand Today?"** The session was chaired by Com. D T Franco and the panelists were Dr. C P Chandrasekhar, an eminent economist; Dr. Prasenjit Bose, economist and social worker; Com. Raghunathan Krishnan, Assistant General Secretary of Association of May Bank Class I Officers', Malaysia and Com. Hem Bahadur Karki, Treasurer BIFU, Nepal. It was a thought-provoking session. Panelists highlighted the effect of the crisis, the role of Public Sector Banks and that again the looming crisis. Com Raghunathan, the Malaysian delegate spoke on the condition of officers working in Public Sector Banks in Malaysia, who were forced to work on Sundays and Holidays and the pressure of selling third party products. Global Financial Crisis, the reasons and its aftermath, role played by the Public Sector Banks in protecting the economy of the country were the points of discussion.

First day had a surprise. This was a public lecture on an unconventional subject in any trade union congregation ie- **"Artificial Intelligence and its impact on banking sector"**. Artificial Intelligence (AI), is an imminent demon that is expected to rob the jobs, condemn the working-class population. A young AI Engineer of 25 years of age – Shri Ritobroto Maitra, an IIT Graduate, captivated the delegates and audience. It was not only enlightening and brain storming, but took the audience into a different world. He captured the attention through his presentation that involved a **'Deep Learning'** to understand the nuances of Artificial Intelligence. His theme of AI – where to deploy, how to deploy and that it should aid and assist the working class (and not to substitute employment), and the trade union should play its due role in determining the extent of its deployment, were points of highlight. AI was made easy and the fact the session broke the barrier of time and that there was huge participative debate, demonstrated the clarity of the speaker and the importance of subject. Shri Ritobroto not only responded to inquisitive questions from delegates, but also volunteered to take a two days session for AIBOC representatives to understand AI.

The second day of the convention started with a panel discussion on ***"The Experience of Bank Mergers & Movements to save Public Sector Banks"***, which was chaired by the undersigned. During opening remarks, the undersigned spoke on the subject of mergers by narrating the excerpts from a recent Capitol Hill testimony on the issue of merger of two big US Banks of the US Federal Reserve Chairman Jerome Powell by Senator Elizabeth Warren, who had expressed her concerns by stating that ***"Everyone else pays the price for diminished competition, for worse service, for higher prices, for employee lay-offs"*** The panelists were Dr. Prasenjit Bose, eminent economist and social worker; Dr. Parthapratim Pal, economist and Professor IIM Kolkata; Com. D T Franco, former General Secretary AIBOC and Com. Raghunathan Krishnan, Assistant General Secretary of Association of May Bank Class I Officers', Malaysia. Both Dr Bose and Dr Pal gave presentations to highlight the NPA crisis and the financial engineering done by the Government to justify the amalgamation of Vijaya Bank, Dena Bank and Bank of Baroda. Both pledged their support to AIBOC and offered all assistance for research and developmental work. Com DT Franco stressed upon the need to connect with the common people to build resistance to the merger move. Com Raghunathan also highlighted how the Public Sector Banks were facing crisis in Malaysia. A number of pertinent questions were asked by delegates, which were answered by the panel. This session was very interactive with large number of delegates speaking, encompassing the possible reasons, objectives and motives and as to how these could be addressed. The delegates in the Convention were in unison denouncing mergers in banking space.

The second session of the second day was on ***"Technological Change in Banking and Trade Union Responses"***, chaired by Com. Rupam Roy, Secretary AIBOC. The panelists in the brainstorming session were Dr Usha Ramanathan, eminent legal researcher and social worker; Shri Ritobroto Maitra, AI engineer; Com. Tom Pasemann, Trade Unionist from German Savings Bank and Dr. Christoph Scherrer, German economist and political scientist, professor of globalization and politics and Executive Director of the International Centre for Development and Decent Work at the University of Kassel. It was a very informative session on the current perspective of banking industry. The audience enjoyed the sparring session between the two panellists viz. Dr Usha Ramanathan and Shri Ritobroto Maitra. Dr

Usha Ramanathan's assuring conclusion that Banks are nearly ***"unsubstitutable"*** and ***"irreplaceable"*** in the near future was encouraging.

The last session of the second day was a panel discussion on ***"Purposes and Challenges for Public Banks: Rural Development in India, National Development in Brazil, Keeping Public Banks on Mission"***. The panel was chaired by Dr. Praveen Jha, economist and professor of JNU; Dr. Javier Ghibaudi, economist, PhD in Urban and Regional Planning from Federal University of Rio de Janeiro, Assistant Professor of The Federal Fluminense University of Rio de Janeiro and Professor Meenakshi Rajeev, presently chair professor at Reserve Bank of India Institute for Social and Economic Change, visiting professor of University of California, USA and Kassel University, Germany. Panellists and delegates were deeply engrossed in the session, which again broke the barrier of time, till late evening. Various factors affecting rural development, and most importantly the issues revolving around rural credit, declining investment credit, unscientific method of assessing yield of crop while arriving at insurance claims etc., were discussed. Large number of delegates participated in the interactive session.

At the beginning of the third day a public lecture on ***"Challenges before Public Sector Banks"*** was given by Dr. Christoph Scherrer. It was revealed that the issues affecting PSBs in India are global in nature and the scenario of banking industry especially Public Sector Banks are more or less same.

The last session was panel discussion on ***"Challenges before Public Sector Banks and Trade Union Responses"***. It was chaired by Com. Dr. V Chidambarakumar, former Sr Vice President, AIBOC. The panelists included Com. G V Manimaran, Sr Vice President AIBOC; Com. Pradip Biswas, Vice President & former General Secretary BEFI, Dr. Christoph Scherrer, Dr. Javier Ghibaudi and Com Raghunathan. All the speakers did bring in huge value addition, thought provoking deliberations. The session too, was very interactive and enriching. The discussion was encompassing in few areas. Participation of youth, strengthening of trade union movement, the possible evolutions in trade union were the points of discussion, which threw focussed light on many aspects. Participation was very encouraging and in fact, infectious. Panellists shared their thought and responses which was highly appreciated.

BE TRUTHFUL, BE FEARLESS

The convention ended with valediction session, presided over by Com Debasis Ghosh, President, AIBOC. Com GV Manimaran, Sr Vice President, AIBOC, Com Sanjay Manjrekar, Sr Vice President AIBOC, Com D.T. Franco, former General Secretary, AIBOC and steering committee member of GLU, Dr Christoph Scherrer, Chairperson of GLU and the undersigned addressed the convention. The Convention ended with rendition of the National Anthem.

It was a new beginning in the glorious history of the Confederation to have conducted the first ever Global Banking Trade Union Convention in association with The Global Labour University. Sessions, participation and the deliberations were extremely informative and participative. Eminent academicians, Trade Unionists and social workers from India and abroad had taken part in the Convention. Many new ideas were discussed in this three days Convention, which would definitely enrich us in the days to come. AIBOC has opened a new vista in Banking Trade Union movement not only in the country but also globally and it was

visible in the very first convention. This success of the Convention is encouraging. AIBOC intends to organize similar programmes, coordinating with other global Trade Unions in the Banking sector to unitedly fight against the anti-people and anti-labour policies and make banking industry a better place to work in.

Last but not least, the undersigned wishes to place on the record the sincere appreciation and gratitude to Team AIBOC - Kerala State Unit led by Com. G R Jayakrishnan, President and Com. Abraham Shaji John, Secretary for their excellent coordination and arrangements, which made the Convention a grand success. The enormous responsibility shouldered by the state unit during these three days was exemplary and was appreciated by all. The foreign delegates were effusive in showering accolades on the theme of the Convention and the arrangements. We also deeply acknowledge the active support extended by all the affiliates by deputing their delegates to make the 1st Global Banking Trade Union Convention a milestone in the banking trade union movement. ■

42ND ANNUAL GENERAL BODY MEETING OF SBIOA, BHUBANESWAR CIRCLE A MASSIVE PARTICIPATION – STUPENDOUS SHOW OF UNITY AND SOLIDARITY

Over 1500 comrades from all parts of Bhubaneswar Circle had assembled in a fantastic manner to participate in their Annual General Body Meeting at KITT University Hall in the city of Bhubaneswar on 3rd March, 2019. The Circle leadership and the Federation leadership along with the leaders of the fraternal organizations were present on the occasion.

2. The Programme Co-ordinator Com. Pinusubha Minz welcomed Com Arun Kumar Bishoyi, the President and Com Sambit Mishra, the General Secretary of the Association on the dais. They welcomed all the other dignitaries with flower bouquet, to the dais.

3. The dignitaries who were present on the dais included, Smt. Praveena Kala, Chief General Manager, Bhubaneswar Circle, S/Shri D.S. Mishra, GM NW-I, Goutam Bhattacharya, GM NW-II, J.S. Hiremath, GM (I&A), S.T. Lama, DGM&CDO Bhubaneswar Circle and other DGMs of Modules & LHO.

4. The dignitaries who were present on behalf of

the organizations were Com Ramkumar Sabapathy, General Secretary of the Federation, Com Ajit Kumar Mishra, General Secretary, SBIOA, Patna Circle, Com Kamlakar Singh, President, SBIOA, Patna Circle, Com Sanjeev Agarwal, Vice President, SBIOA, Lucknow Circle, Com Arun Srivastava, DGS, SBIOA, Lucknow Circle, Com Sanjeev Sablok, General Secretary, SBIOA, Bhopal Circle, Com Madan Kishore Jain, President, SBIOA, Bhopal Circle, Com Sanjay Kumar Sharma, President, SBIOA, Chandigarh Circle, Com Vipin Berri, DGS SBIOA, Chandigarh Circle, Com B. Sukkaiah, President SBIOA, Hyderabad Circle, Com Sabuj Mistry, President, SBIOA, Bengal Circle, Com Mithun Dutta, Assistant Secretary, AISBOF, Com S.P.Behra, General Secretary, SBISA Bhubaneswar Circle, Com Anand Sankar Jena, President, SBISA, Bhubaneswar Circle, Com Bansidhar Setthy, General Secretary, SEWA and Com Sabyasachi Swain, DGS, SBIOA, Bhubaneswar Circle and AIBOC State Secretary, Odisha.

5. The programme was inaugurated by lighting the

OUR LIFE IS WHAT OUR THOUGHTS MAKE IT

lamp and paying tribute to the portrait of Com N.N.Das and Com P.V.S. Murthy. Thereafter Homage was paid to martyr soldiers who sacrificed their lives in the terrorist attack in Pulwama (J&K).

6. Com Sambit Mishra, the General Secretary of the Circle Association rose to extend a warm welcome to all the dignitaries and the members who were present on the occasion amidst thunderous applause and slogans from the members of the Circle Association. Com Sambit Mishra, a popular leader of Bhubaneswar Circle Association is also the Sr.Vice President of the Federation and has served the organization for the last several years in various capacities before taking up the onerous responsibility of leading the Circle from the front. He is loved by the membership across the Bhubaneswar Circle and an inspiring leader for the Officers of the Circle. In his inaugural address, he deliberated on the need for the communications between the staff and the management. He urged upon the membership to make close relationship with the colleagues, seniors and peers to build a team to maintain the work life balance. He assured that the Leadership will definitely take all the pending issues at right place and at right time and ensure a good settlement.

7. Thereafter, Com Ganesh Chandra Mishra, Former General Secretary Com L.K.Mishra, Former President of the circle, Com Vivekananda Das, Former President of the circle, Com Bhupendra Kr. Das, Senior Vice-President of SBI Pensioner's Association, Com B.B.Sathpathy, Former Vice President of Association, Com. Alok Jana, SBIOA Seniors of SBIOA Bhubaneswar Circle were felicitated.

8. Smt. Praveena Kala, the Chief General Manager, Bhubaneswar Circle was highly impressed with the wonderful conduct of the meeting and the huge gathering of officers at one place. She also expressed her thanks to the Circle leadership for giving her an opportunity to participate in the General Meeting of the Association. She expressed concern about work life balance which is not maintained at ground level and pointed out that the work Life has to be managed by every officer on his own. She urged upon the Officers of the Circle Association to make the Circle No 1 PAN India in the implementation of Work-Life Balance and spend a quality time with family members.

9. Com Ramkumar Sabapathy, the General Secretary of the Federation expressed extreme happiness on the occasion and appreciated the militant comrades for attending in large numbers. He appreciated the Chairman of the Bank for the quick decision to waive the outstanding loans & payment of insurance to the families of martyr jawans who lost their lives in the terrorist attack at Pulwama and expressed that we should create a corpus for those jawans who get injured in the border. He shared that the circular on Work Life Balance is not implemented in true letter and spirit as 15 to 18% of officers across the Circles attended offices on 2nd & 4th Saturday /Sundays and appealed the members to bring about the required changes in themselves so that they can have a perfect work life balance. He complimented the Confederation for the new initiatives taken under the vibrant leadership of Com Soumya Datta and assured that the AISBOF will extend total support to the Confederation. He assured that aspirations of the members for a unconditional mandate and decent salary revision will be ensured. Narrating the reasons for the stalemate in the talks of salary revision, he explained that after submission of Charter of Demands in May 2017, talks did not move in the right direction as five banks have given restricted mandate. Further, the AIBOC has demanded that the principles adopted for the construction of pay scales in seventh pay commission be extended to the Bank Officers. He informed that the Proposal of the IBA to introduce performance linked pay linked to growth in Operating Profit and return on assets has been rejected by the UFBU. He assured the members the attempt of the IBA to divide us on the basis of scales would not be allowed and appealed the membership to be prepared to fight against the injustice.

10. He expressed concern on the increasing trend of Suicides in the Public Sector Banks and more particularly in our Bank. While he agreed that work related pressures may not be the reason in every case, he stated that the issue needs to be analyzed with an open mind and remedial measures taken by the management to arrest the trend. He shared that as per the feedback received; the Shortage of manpower and the disproportionate pressure for cross selling is leading to frustration amongst the young officers. He clarified that the Federation is not against Cross Selling but is against the commission on Cross selling being credited to the Officer's account and foreign trips that are being doled out. He shared that the AISBOF endorses the view of the Staff Federation that the Commission on Cross selling must be credited to Bank's commission account rather

LET US BUILD A STRONG AND SELF RELIANT INDIA

than the account of the Officers and a balanced approach should be adopted to ensure that Cross selling is not done at the cost of Core Business of the Bank. He also appreciated the Management for releasing the long pending demand of Executive Health Check-up to MMGS-II officers and assured that the issued will be pursued further to cover all the Officers. He appreciated the Management for extending the legal and financial support to serving/retired officers of the Bank and their family members against cases arising out of bona fide execution of bank's work during their service period. were long pending issues of Federation which have already been settled. He appreciated the HR team at Corporate Centre and in Circles for their efforts to ensure that Promotion exercise is completed by 10th May and all transfers by June 30th. He shared that Federation has taken up many improvements including the Lease rental facility and is hopeful that the improvements will be released soon.

11. Sh. R.K. Mishra, General Manager, Network-I, Bhubaneswar Circle expressed that Work life balance has to be managed by ourselves only. There are some suicidal cases in the banking industry due to generation gap between new entrants and seniors, which creates menace in social media like Facebook, Twitter etc. Parents of Y-Gen officers are more concerned and caring with their children but the same is missing in the Branches.

12. Sh. Goutam Bhattacharya, General Manager, Network-II, Bhubaneswar Circle expressed that today's leadership is very inclusive and committed. Team game for a common goal gives less pain and good result. He requested all to work together as

a team. He assured that those members, who are posted in difficult centers in the Circle, will be repatriated well in time.

13. Com Sanjeev Sablok, General Secretary, Bhopal Circle expressed that the working environment is same in the entire country. Work life balance now is recognized by the Bank also. We demanded five days banking, but it may create more pressure in the industry, if sufficient employees are not recruited. He acknowledged the work pressure of a Branch Head, who has to perform more or less 108 types of job without any error. Previously, the post of a Branch Manager used to be a lucrative one but now-a-days it is seen as a nightmare by the officers.

14. Com. Ajit Kumar Mishra, General Secretary, Patna Circle, highlighted the challenges in the Banking system and assured that unity will show the right path to cope up with the upcoming challenges.

15. Com S.P.Behara, General Secretary, SBISA Bhubaneswar Circle expressed his thanks to the Circle leadership for giving him an opportunity to participate in the General Body Meeting of the Association every year. He expressed that presently the attack on banking industry is not only coming from management but also from Government. The Government shows its inability for better wage revision quoting the losses. He assured to stand beside AIBOC for their valid and genuine demands. He urged upon the members to be united for a better wage revision and wished all the success.

18. Comrades, the 42nd Annual General Body Meeting of the Bhubaneswar Circle Association will be recorded in the golden letters in the history of the Circle Association for the militant and exemplary show of unity.

INTERNATIONAL WOMEN'S DAY 2019 - BALANCE FOR BETTER

"She believed she could, so she did"

Text of AIBOC Circular No. 2019/15 dated 8th March, 2019 .

Greetings on this momentous occasion of International Women's Day 2019! 8th March has been a red letter day in the history and an international quest for women emancipation. AIBOC, as always, celebrates this day with full fervour and zest. We renew our pledge to ensure against any discrimination and injustice on the basis of gender.

The theme for International Women's Day this year

is Balance for Better. It is a call-to-action for driving gender balance across the world, while also asking people how will you help make a difference? Let there be balance and the balance for the better. The balance of power strives to maintain symmetry and equilibrium and will lead to a better future, a happier world and a progressive humanity. A gender balanced workforce and gender diversity in the public sphere will make the world a more beautiful, cohesive and considerate place to live in.

The essence International Women's Day should just

DUTY FIRST, RIGHT NEXT

not be confined only to the symbolism attached with it. The fact that both genders are important as two sides of the same coin, two wheels of the same chariot and command the same degree of respect should be ingrained and socialized in each individual from childhood. We express our gratitude and salute all women in making the world a better and more beautiful place to live in. Everyone has a role to play, all the time, everywhere.

The society at large has to come together to change, accept and assimilate this change and change the mindset for a better, healthy and sustainable emancipation. While the goal and ambition of any civilized society should be to recognize and respect the women, it is matter of deep concern and distress to hear the instances of atrocities perpetrated against women every other day. The statistics from National Crime Records Bureau suggests that crimes against women are on the rise, especially the cyber-crimes. Our Confederation is determined to propagate the need for 'Gender- Sensitivity' in our workplace. We encourage more and more women to pursue organizational activities. As the number of women in PSU Banks is increasing by the day, we are elated to witness the emergence of women leaders in various

affiliates. We are confident that our women comrades will participate in all organizational activities, hold the mantle and lead from the front.

We are sensitive and alive to the challenges our women face in their working environment. In this background, we have incorporated specific women centric issues in our Charter of Demands submitted to IBA to ensure fair, balanced and much required service conditions with a friendly and familial working atmosphere. We do hope to clinch several benefits including the introduction of much awaited 'Work from Home'.

We urge upon all our Affiliates/State Units to organise symposiums, conventions throughout the year involving our lady members as we need to remind ourselves that the spirit of Women's Day is not merely confined to one particular day. On the contrary, we have to strive throughout the year to create awareness for ensuring equal rights and equal opportunity for them, in the society. **"A woman is human. She is not better, wiser, stronger, more intelligent, more creative or more responsible than a man. Likewise, she is never less. Equality is a given. A woman is human"** - Vera Nazarian

Judicial Verdict

[2019 (160) FLR 942]
(KARNATAKA HIGH COURT)
B.V. NAGARATHNA and MOHD. NAWAZ, JJ.
W.A. No. 100617 of 2017 (L-TER)
October 31, 2018

Between
MANAGEMENT, KARNATAKA AGRO INDUSTRIES CORPORATION LIMITED
and others
VIJAY KUMAR and others

Industrial Disputes Act, 1947—Section 10 (4-A)—Dismissal—Reference— Misconduct—Admission of misappropriation—Documents of admission of misappropriation bear signatures of three managers of appellants—Confession of employee is extracted confession—Confession prior to charge-sheet procured under undue influence—In absence of corroborative evidence, reliance on it rightly not placed—Single Judge has rightly directed the Corporation to pay compensation—Hence, order of Labour Court rightly quashed and claim of deceased employee rightly allowed—And appeal dismissed. [Para7]

JUDGMENT

B.V. NAGARATHNA, J.—There is a delay of 62 days in filing the Writ Appeal. We have, however, heard respective learned Counsel for the Appellants as well as the Respondents on merits so as to ascertain as to whether the Appeal would call for any interference.

The legality and correctness of Order dated 1.6.2017 passed in Writ Petition No. 68570/2010 has been assailed by the Management of Karnataka Agro Industries Corporation Limited in this Appeal.

2. Briefly stated, the facts are that Vijayakumar Shankar Rao Basutkar (since deceased) was discharging his duties as a Messenger (Class-4

NEVER BEND BEFORE THE INSOLENT MIGHT

Employee) in the Appellant-Corporation. Contending that Vijayakumar Basutkar had committed certain acts of misconduct, he was dismissed from service by Order dated 27.7.1996. Being aggrieved by his dismissal, Vijayakumar Basutkar assailed the same by filing a Claim Statement under section 10 (4-A) of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act', for the sake of brevity). He sought for setting aside of the Order of Dismissal and for reinstatement with full Back Wages. The Labour Court, by its Award dated 21.7.2003, partly allowed the claim statement by setting aside the Order of Dismissal and directing reinstatement with continuity of service and all consequential benefits, but without any entitlement as to Back Wages.

Being aggrieved by the said award, Appellant-Corporation as well as deceased Employee preferred W.P.No. 44307/2004 and W.P. NO. 31271/2004 before this Court. By Order 3.10.2017, learned Single Judge of this Court dismissed the Petition filed by the Claimant Vijayakumar Basutkar (since deceased) and partly allowed the Writ Petition filed by the Management and remanded the matter to the Labour Court for fresh adjudication.

The Labour Court at Bijapur reconsidered the matter and passed a fresh Award on 5.1.2010 dismissing the Claim Petition filed by the Employee. Being aggrieved by the said award, he preferred W.P. No. 68570/2010 before this Court. The learned Single Judge, by Order dated 1.6.2017, has allowed the Writ Petition by setting aside the order of the Labour Court dated 5.1.2010 passed in KID No. 78/1996 and directed the Appellant/Corporation to pay a sum of ₹ 7.5 Lakhs (Rupees Seven Lakhs and Fifty Thousand Only) to the Legal Representatives of the deceased Workman by three separate Cheques in a sum of ₹ 1.25 Lacs each in favour of two sons and ₹ 5 Lakhs in favour of the widow of the deceased Employee, within a period of three months from that day, failing which, the Compensation shall bear simple interest at 9% p.a. from 1.9.2017 till the date of actual payment and the responsible persons and officers would also be responsible to face contempt action. Being aggrieved by the order of the learned Single, the Appellant- Corporation has preferred this Appeal.

3. We have heard learned Counsel for the

Appellants and learned Counsel for the Respondents, and perused the material on record.

4. Appellants' Counsel drew our attention to Ex.M17 and Ex.M18, copies of which have been made available to the Court, to contend that the said letters have been written and signed by the deceased Employee admitting misappropriation of ₹ 51,085.75, he has also further stated that the said amount could be deducted from the Monthly Salary; that it is on the basis of the said documents that the Labour Court dismissed the Claim Petition filed by the deceased Employee and the said order did not require any interference by the learned Single Judge, however, the learned Single Judge has set aside the dismissal of the Claim Petition and allowed the Writ Petition and awarded Compensation of ₹ 7.5 Lakhs to be paid to the Respondents herein. Learned Counsel submitted that when the deceased Employee in his own handwriting and with his own signature had admitted his guilt of misappropriation and when the said documents were proved by the Management/Corporation (Appellants herein), there was nothing further to be established by the Corporation; that the Labour Court rightly placed reliance on the said exhibits and dismissed the Claim Petition filed by the deceased Employee; that the learned Single Judge ought not to have interfered with the Award passed by the Labour Court. Learned Counsel for the Appellants, contended that the impugned Order calls for interference in this Appeal.

5. Per contra, learned Counsel appearing for the Respondents contended that the Order passed by the learned Single Judge would not call for any interference as reasons have been assigned as to why Ex.M17 and Ex.M18 could not be relied upon and therefore, the learned Single Judge, by the impugned Order, has rightly set aside the Award passed by the Labour Court. He submits that there is no merit in this Appeal and hence, the Appeal may be dismissed.

6. Having heard learned Counsel for the respective parties and on a close perusal of the material on record, the impugned Order as well as Ex.:M17 and Ex.M18, which are in Kannada language, we find that the said documents viz., Ex.M17 and Ex.M18 have been signed by the deceased Employee. No doubt, on a reading of the said documents, it gives an impression that the deceased Employee had

OFFICERS' CAUSE ENGLISH MONTHLY-RNI. NO. 36617 / 81 TOTAL NO. OF PAGES 12 APRIL - 2019

REGN.NUMBER.KRNA/BGE/202/2018-2020 REGD. NUMBER.527/MDS PUBLISHED ON

10TH OF EVERY MONTH-POSTED AT BANGALORE PSO, MYSORE ROAD, BANGALORE - 560 026

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admitted misappropriation and his guilt, and had permitted the Appellants-Corporation to deduct the misappropriated amount of ₹ 1,085.75 from his salary. Be that as it may. We also notice that Ex.M17 is not a simple communication admitting the guilt made by the deceased Employee; it also bears the signature of G.B. Teggi, Manager, A.D. Gorpade, Deputy Manager and K.N. Kulkarni, Manager. We do not understand as to why if the Employee had admitted his guilt by virtue of his letter-Ex. M17, the said letter should also bear the signatures of the aforesaid three Managers. This clearly indicates that the confession of the Employee is not a confession in the true sense; it is only an extracted confession at the behest of the aforesaid three Managers who have counter-signed the said confession. Further in Paragraph 11 of the impugned Order learned Single Judge has stated that Exs.M17 & M18 were recorded even prior to the service of the charge-sheet and his confession was procured under undue influence of the three Senior Managers who have countersigned the confession of the Workman. The learned Single Judge further notes that the Employee was a Class-IV Employee; a lowly paid and not fully qualified Employee; he was only 8th standard pass and had simply surrendered to the dictates of the senior officers who procured the confession statement. In the circumstances, the learned Single Judge has not

placed any reliance on Ex.M17 as well as Ex.M18, particularly, in the absence of any corroborative evidence placed by the Corporation or for that matter any independent evidence to establish the guilt of the Workman.

7. Having regard to the fact that the Appellant-Corporation is not fully functional and is virtually closed, instead of remanding the matter to the Labour Court for fresh consideration, the learned Single Judge, in his discretion, has directed the Corporation to pay the Compensation of ₹ 7.5 Lacs in favour of the Legal Representatives of the deceased Employee. We do not find any infirmity in the reasoning of the learned Single Judge or in the direction issued by him so as to compensate the Legal Representatives of the deceased Employee. As the learned Single Judge has rightly quashed the order of the Labour Court and in a sense has allowed the Claim Petition filed by the deceased Employee, we do not find any merit in this Appeal. Hence, the Writ Appeal is dismissed.

In view of dismissal of the Appeal, I. A. No. 1/2017 and 2/2017 would not survive for consideration and they also stand dismissed.■

Appeal Dismissed.

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St.MARK'S ROAD, BANGALORE - 560 001

Printed, Edited and Published By Shri. Ramkumar Sabapathy on behalf of AISBOF at State Bank Building St.Mark's Road, Bangalore-560001 and printed by Shri. Ranga Reddy, at L. V. Graphic 3968, 7th Cross, 2nd Main, Gayathri Nagar, Bangalore - 560 021