

Dated: 15.01.2021

MEMORANDUM OF SETTLEMENT ARRIVED AT BETWEEN THE MANAGEMENT OF PUNJAB NATIONAL BANK AND ALL INDIA PNB EMPLOYEES FEDERATION UNDER THE PROVISIONS OF INDUSTRIAL DISPUTES ACT, 1947 REGARDING POLICY AND PROCEDURE IN RESPECT OF PROMOTION FROM SUB-ORDINATE CADRE TO CLERICAL CADRE AND OTHER RELATED MATTERS.

NAMES OF THE PARTIES

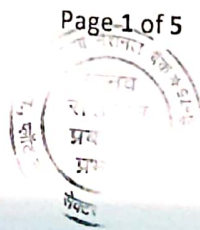
REPRESENTING BANK (S/SHRI)	RESPRESENTING AIPNBEF (S/SHRI)
S.K. DASH, GENERAL MANAGER	B.K. MISHRA, CHAIRMAN
R.K. BAJPAI, DY. GENERAL MANAGER	M.P. SINGH, PRESIDENT
RAJA JEE, ASSTT. GENERAL MANAGER-HR	A.V. PRABHU, VICE PRESIDENT
S.K. SRIVASTAVA, CHIEF MANAGER-HRD	K.K. MISHRA, VICE PRESIDENT
PRATIBHA GAUR, SR. MANAGER-HRD	P.R. MEHTA, GENERAL SECRETARY
NEHA LAKRA, SR. MANAGER-HRD	K.V. RAMNAMURTY, ASSTT. SECRETARY
CHETANSI POSWAL – MANAGER	R.K. GAUTAM, ASSTT. SECRETARY
LOVLEEN TOMAR – OFFICER (HRD)	J.M. MAKWANA, ASSTT. SECRETARY
	AJAY DEOLE, ASSTT. SECRETARY
	SANJEEV BASSI, TREASURER

SHORT RECITAL OF THE CASE

WHEREAS Punjab National Bank (hereinafter called "the Bank") and All India Punjab National Bank Employees Federation (hereinafter called "the Federation") signed a settlement dated 19.6.1991 regarding policy and procedure concerning promotion from Sub-ordinate Cadre to Clerical Cadre and fitment of salary on their promotion and other related matters during the conciliation proceedings before RLC(C), New Delhi.

AND WHEREAS another settlement was signed between the Bank and the Federation on 18.8.2011 in respect of Industrial Dispute raised by the Federation vide letter dated 27.7.2011 demanding that Armed Guards/Watchman and Full Time Sweepers or Farashers or Cleaners who are graduates should not be made to take the written test for promotion to the Clerical Cadre and further that matriculate and non-matriculate candidates who qualify the written test should not be made to qualify the interview.

AND WHEREAS certain modifications have also been done by way of MoU signed between the parties.



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AND WHEREAS, the Federation has been demanding that to have more transparency and to give opportunity to the meritorious candidates, the interview channel for Graduate candidates be discontinued and there should be common written test for all the candidates. The Federation further submitted that Graduate candidates should be given Weightage/Qualification marks for possessing Graduate qualification.

AND WHEREAS after several rounds of negotiations/discussions between the Federation and Bank, the parties have arrived at the terms of settlement as enumerated below.

AND WHEREAS it was further agreed between the parties that the matter be placed before the Dy. Chief Labour Commissioner for signing the same as per requirement of ID Act.

1. VACANCIES

The vacancies identified in the Manpower planning in the Clerical cadre, year-wise will be informed, Circle wise, to the Federation (AIPNBEF), out of which 25% of the identified vacancies will be filled up by way of promotion from eligible employees in the Subordinate cadre and remaining 75% will be filled up by way of direct recruitment. The left over vacancies, if any, to be filled up by way of promotion will be filled up by direct recruitment.

2. ELIGIBILITY

A. An employee in the Subordinate cadre, including Part Time employees in the Subordinate cadre (after conversion of their service into Full Time) will be eligible to be considered for promotion to the Clerical cadre in case he/she fulfills any of the following criteria on the last date prescribed for inviting application:

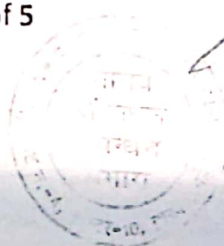
i. is a Matriculate, 10+2 or Graduate with 03 years of service;

iii. is a Non-Matriculate with 08 years of service

B. Notwithstanding anything stated in (A) above, an employee in Subordinate Cadre who is punished for gross misconduct will not be eligible to be considered for promotion to the Clerical cadre for a period of 01 year succeeding the date of the order imposing the punishment. However, he/she will not be debarred for officiating.

C. Further, an employee in the Subordinate Cadre who has been either placed under Suspension or against whom departmental enquiry for gross misconduct is pending or who has been charge sheeted for gross misconduct, can appear for the written test, but will not be promoted to the Clerical cadre till he/she is exonerated of the charge of gross misconduct leveled against him/her.

Provided that if he/she is found to be not guilty and he/she has qualified the written test, he/she will be promoted to the clerical cadre from the date the decision to exonerate him/her from the charge of gross misconduct is taken and a person lower to him/her in merit had been promoted.



Provided further that, in case, he/she is punished for gross misconduct, he/she will not be promoted to the Clerical cadre and also will not be eligible to be considered for promotion to the Clerical cadre for a period of 01 year succeeding the date of the order imposing the punishment. However, he/she will be eligible for officiating.

3. METHOD OF PROMOTION

The method of promotion will be on the basis of performance of an eligible employee in the Subordinate cadre in the written test. The written test will be of 100 marks and would relate to job test (comprising of Deposit Mobilization Schemes, Customer Service, Retail Loans and KYC norms etc), English and elementary knowledge of CBS. The minimum qualifying marks in the written test will be 40% for General candidates and 35% for SC/ST candidates.

QUALIFICATION MARKS FOR GRADUATE CANDIDATES

Further, the Graduate candidates will be eligible for 05 Qualification Marks for possessing Graduation qualification and accordingly, the weightage of written test undertaken by them will be of 95 marks.

4. RESERVATION

The reservation, if any, for SC/ST and PH employees in promotion from Subordinate Cadre to Clerical Cadre will be as per the guidelines issued by the Govt. of India from time to time.

5. POSTING AFTER SELECTION

The eligible employees in the Subordinate cadre who qualify the written test, will be arranged in order of merit and the candidates to the extent of number of vacancies to be filled up through promotion would be considered for giving offer for promotion to the Clerical Cadre as Single Window Operator 'A'. In case of equality of marks in the written test, the employee with longer length of service in Subordinate cadre would rank first.

For the purposes of posting, the aforesaid merited candidates would be arranged in the order of their length of service in Subordinate Cadre (in full pay scale) and the posting will be given for the parent Circle if there exists a vacancy otherwise, the posting will be given in a Circle of 05 choices, subject to vacancies, given by the employee in his/her application for promotion in order of preference or a Circle where vacancies exist

In respect of physically handicapped employees, and the employees having children with special needs while giving postings, the Govt. guidelines issued from time to time in this regard will be followed.



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Those workmen in Subordinate Cadre who are non-Matriculate and are promoted to Clerical Cadre, will be eligible for further promotion after they acquire minimum educational qualification not less than Matriculation.

6. FITMENT ON PROMOTION

An employee in the Subordinate cadre upon promotion to the Clerical cadre will be given fitment in the Clerical cadre as per the fitment formula agreed to between the parties from time to time, signatory to the settlement.

7. PROBATION

All promote Clerks will be on probation for a period of 06 months.

8. CONSEQUENCES ARISING OUT OF REFUSAL TO ACCEPT PROMOTION

On refusal to accept promotion or failure to report at the place of posting within the specified period in Clerical Cadre or on seeking reversion from Clerical Cadre to Subordinate Cadre, the concerned workman will stand debarred from promotion in Clerical Cadre for a period of one year from the date of such refusal or reversion. However, he/she will not be debarred for officiating.

An employee promoted from Subordinate cadre to Clerical cadre can seek reversion from Clerical cadre to Subordinate cadre within 03 months of his/her reporting in Clerical cadre.

9. OPPORTUNITY TO OFFICIATE IN CLERICAL CADRE

The Bank management may provide opportunity to workmen in the Subordinate Cadre (including Sweepers drawing Full scale wages), other than Armed Guards, Chowkidars, on the basis of branch wise seniority, to officiate in Clerical Cadre, who are either Graduate with a minimum 01 year of service or have passed 10+2 or equivalent or Matriculation with a minimum 02 years of service. This opportunity to officiate in Clerical Cadre will be given as per the requirement of the bank and subject to fitness of the workmen concerned to work in the higher post. Such officiating opportunity will, however, not be given in a routine manner or as a matter of course.

No opportunity to officiate in Clerical Cadre will be given to the Non-Matriculate Subordinate staff and to the Armed Guards & Chowkidars, even though they are Matriculates, 10+2 pass or Graduate.

However, if an employee is not interested to officiate in Clerical Cadre when called upon in writing or otherwise to officiate in Clerical Cadre, he/she will have to give in writing as such and he will not be considered for officiating/promotion for one year from the date of refusal.

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10. OPERATION OF SETTLEMENT

This settlement shall be binding on the parties till mutually agreed for further modifications.

11. FORUM FOR REMOVAL OF DOUBTS/ DIFFICULTIES

If any doubt or difficulty arises regarding interpretation of any provision of this Settlement, the matter shall be taken up only at the level of Human Resources Management Division, Punjab National Bank, Head Office, New Delhi and All India Punjab National Bank Employees' Federation for mutual discussion and settlement.

Signed between the parties at New Delhi on this 15th day of January 2021.

FOR PUNJAB NATIONAL BANK

FOR ALL INDIA PNB EMPLOYEES FEDERATION

1. (Signature)
(R.K. BAJPAI)
DY. GENERAL MANAGER

1. (Signature)
(M.P. SINGH)
PRESIDENT
2. (Signature) 15/1/2021
(P.R. MEHTA)
GENERAL SECRETARY

2. (Signature)
(S.K. SRIVASTAVA)
CHIEF MANAGER-HRD

WITNESSES

1. (Signature)
(SUMAN SAURABH)
CHIEF MANAGER-LAW

1. (Signature)
(K.V. RAMNAMURTY)
ASSTT. SECRETARY

2. (Signature)
(NEHA LAKRA)
SR. MANAGER-HRD

2. (Signature)
(J.M. MAKWANA)
ASSTT. SECRETARY

SIGNED BEFORE ME

(Signature)
15/01/2021

(SMT. SANDHYA NANDY)
DY. CHIEF LABOUR COMMISSIONER (C)

NEW DELHI
SANDHYA NANDY
DY. CHIEF Labour Commissioner (C)
Ministry of Labour & Employment,
New Delhi

