

**ALL INDIA BANK OFFICERS' CONFEDERATION (AIBOC)
ALL INDIA BANK OFFICERS' ASSOCIATION (AIBOA)
INDIAN NATIONAL BANK OFFICERS' CONGRESS (INBOC)
NATIONAL ORGANIZATION OF BANK OFFICERS (NOBO)**

STRIKE NOTICE/2019/01

Camp: New Delhi
12th September 2019

**FORM – 1
NOTICE OF STRIKE**

NAME OF UNIONS: ALL INDIA BANK OFFICERS' CONFEDERATION (AIBOC)
ALL INDIA BANK OFFICERS' ASSOCIATION (AIBOA)
INDIAN NATIONAL BANK OFFICERS' CONGRESS (INBOC)
NATIONAL ORGANIZATION OF BANK OFFICERS (NOBO)

NAMES OF ELECTED REPRESENTATIVES

- 1 Shri. Soumya Datta, General Secretary, AIBOC
- 2 Shri. S. Nagarajan, General Secretary, AIBOA
- 3 Shri. K.K. Nair, General Secretary, INBOC
- 4 Shri. V V Tikekar, General Secretary, NOBO

Dated the 12th September 2019

To

The Chairman
Indian Banks' Association
World Trade Centre, Cuffe Parade
Mumbai

Sir,

In accordance with the provisions contained in sub-section (1) of Section 22 of the Industrial Dispute Act 1947, we hereby give you notice that 4 Officers' Trade Union Organizations as stated above, propose to go on **CONTINUOUS STRIKE from Midnight of 25th September to Midnight of 27th September 2019 and INDEFNITE STRIKE from second week of November 2019**, on the following issues:

Opposing	1	Mergers & Amalgamations in banking sector
Demanding:	2	Expeditious Wage revision as per Charter of Demands, with an unconditional and clear Mandate from all banks
	3	Immediate introduction of 5 day week in full, Reduction of cash transaction hours and regulated working hours.
	4	Halting of undue interference in the existing procedure of Vigilance cases by outside agencies, under provisions of amended Sec.17(A) of Prevention of Corruption Act, 2018
	5	Settlement of issues pertaining to retirees-Update of Pension as per RBI formula/Revision of Family Pension without any ceiling, quantum and percentage; Medical Insurance at par with serving employees
	6	Adequate recruitment
	7	Scrapping NPS and reintroduction of Defined Pension Payment Scheme.
	8	Reduction of service charges for customers
	9	Stopping of harassment of Officers under specious plea of non-performance

The Statement of the Case is appended.

Yours sincerely,



(Soumya Datta)
General Secretary
AIBOC



(Nagarajan S)
General Secretary
AIBOA



(K K Nair)
General Secretary
INBOC



(Viraj V Tikekar)
General Secretary
NOBO

Encl: 1. Statement of the Case

Copy to:

1. Chief Labour Commissioner (Central), New Delhi
2. CMDs/MDs/CEOs of all Banks
3. Chief Executive, IBA, Mumbai
4. The Secretary, Department of Financial Services, Govt. of India
5. The Joint Secretary, DFS for RRBs

Yours sincerely,



(Soumya Datta)
General Secretary
AIBOC



(Nagarajan S)
General Secretary
AIBOA



(K K Nair)
General Secretary
INBOC



(Viraj V Tikekar)
General Secretary
NOBO

1. STATEMENT OF THE CASE

Whereas Settlement/Joint Note was signed by the Indian Banks' Association with the employees' unions and officers organisations in the Banks on 25-05-2015 covering revision of wages and improvements in other service conditions for the period from 1-11-2012 to 31-10-2017 and

Whereas the operation of the said Settlement/Joint Note was to end by 31-10-2017 and

Whereas the need would arise to revise the emoluments and service conditions with effect from 1-11-2017 and

Whereas the Unions and Associations submitted common Charter of Demands to the Indian Banks Association in February, 2017 and May, 2017 with a plea to the IBA to take up the demands for discussions and early resolution so that the revised pay scales, allowances and service conditions can be implemented from the due date i.e. 1-11-2017 and

Whereas, having regard to the delay in negotiations and finalising the Settlements in the past, as early as 12-1-2016, the Department of Financial Services, Ministry of Finance, Government of India advised all the Banks as well as the Indian Banks Association to initiate the process of wage revision and conclude it prior to the effective date i.e. 1-11-2017 and

Whereas having regard to avoid the delay in arriving at a settlement, the Department of Financial Services, Ministry of Finance, Government of India reminded the Banks and IBA several times with their reminder communications to complete the wage revision process without delay and

Whereas the IBA commenced the discussions with the Unions on 2-5-2017 with the assurance that the discussions would be completed by October, 2017 and

Whereas in the Conciliation Meeting held on 28.05.2018 CLC(Central) had directed that existing system of settling the wages for officers upto scale 7 to be continued and

Whereas the Negotiating Committee of the IBA held negotiations with the Unions on various dates, the latest being on 29th August 2019 and

Whereas, in every round of negotiation, United Forum of Bank Unions unequivocally demanded that IBA should ensure that all its member banks submit unconditional mandate for facilitating meaningful discussion and

Whereas five member banks viz., **State Bank of India, Punjab National Bank, Bank of Baroda, Union Bank of India and Indian Bank** have given fractured mandate to IBA for wage negotiation. Despite the fact that the majority of the Banks had already submitted 'unconditional mandate', IBA was neither agreeing for any meaningful discussion as per charter of demand and up to scale VII nor was making effort to ensure that the left over banks also submit the 'unconditional mandate' and to substantiate their offer, IBA stated that the financial positions of our Banks are not conducive to offer better wage revision and that the Banks profits have been eroded in the recent years

Whereas in the last meeting held on 29th August 2019, IBA has clearly indicated that the mandate issue is linked to acceptance and introduction of PLP/PLI.

Whereas, there have been several attempts to create a smoke screen to divert attention from the real issues that continue to surround and plague the banks. The core issues are highlighted as below:

1	Mergers & Amalgamations in banking sector
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2	Expeditious Wage revision as per Charter of Demands, with an unconditional and clear Mandate from all banks
3	Immediate introduction of 5 day week in full, Reduction of cash transaction hours and regulated working hours.
4	Halting of undue interference in the existing procedure of Vigilance cases by outside agencies, under provisions of amended Sec.17(A) of Prevention of Corruption Act, 2018
5	Settlement of issues pertaining to retirees-Update of Pension as per RBI formula/Revision of Family Pension without any ceiling, quantum and percentage; Medical Insurance at par with serving employees
6	Adequate recruitment
7	Scrapping NPS and reintroduction of Defined Pension Payment Scheme.
8	Reduction of service charges for customers
9	Stopping of harassment of Officers under specious plea of non-performance

1. Mergers & Amalgamations in banking sector:

We strongly oppose and protest the Government's move of merger/consolidation of Public Sector Banks, which was announced on 30th August 2019. In the name of consolidation, number of Banks are being reduced. The advantages have been misquoted. Just adding two balance sheets will not make a resultant balance sheet stronger. It is very evident, from across the experiences globally, that bank mergers have never been a success. On the other hand, M&As create huge organizations, too-big-to-manage and have a detrimental effect on the economy as a whole. In the garb of branch rationalization, branches will be closed. We have seen this when Associate Banks were merged with State Bank of India. In the name of rationalization, right-sizing of human resources, Voluntary Retirement is offered, which is nothing but instigated termination of services and loss of employment to millions who are directly or indirectly connected with the Public Sectors Banks. In addition, such situation creates humungous pressure on the officers & staff continuing in service as they have to manage the work-load of voluntarily retired personnel. These will have cascading effect on customer services and deprive banking facilities to the common and needy populace.

M&A monopolises banking environment in the country. Every monstrous component of monopolistic environment surface and affects customers – like depriving banking next door, rise in charges and fees, fewer banks, fewer products, less competition and ultimately, customer service. The mergers would result in driving the loyal customers of public sector banks into the fold of new generation private sector banks and NBFCs, which would be inimical to the interest of the common man as they will have to shell out more for basic banking services.

The core problem faced by the Indian banking industry is the enormous pile up of NPAs that have accumulated on account of faulty lending practices and the absence of any effective strategy to recover the amounts from corporate houses and large borrowers. The much publicized Insolvency and Bankruptcy Code (IBC) process has not succeeded in recovering NPAs. On the other hand, it has resulted in substantial haircuts, leading to losses in banks. The absence of strong penal action against the corporate willful defaulters and fraudsters reflect the lack of political will on the part of the Union government and exploitation of inherent system weaknesses by large borrowers than anything else.

In this backdrop, the announced merger/amalgamation of public sector banks is nothing but a diversion away from the core issue of NPA recovery and the overall economic situation of the country. Mergers cannot resolve or clean up the balance sheets; rather the NPAs of the merged entities would simply add it up. The improvement in certain ratios, if any, would amount to mere financial engineering and a mis-adventure, without resolving the actual problems. The recent experience of merger of the SBI Associates with the SBI has already led to humongous losses and NPA accumulation subsequent to merger. Yet, the Finance Ministry seems to have learnt no lesson from it. In a note to the parliamentary Estimates Committee on Bank NPAs, former RBI Governor Dr. Raghuram Rajan had termed bank mergers as a “non-solution” to the NPA problem.

The organizational disruption arising out of mergers would relegate every other activity to the backstage. Banks involved have to invest their precious time to do fire-fighting for next few years, in order to integrate personnel, processes and procedures adversely affecting other banking activities. Mergers will result in different classes of officers & staff within same organization. The industrial relations within the bank is bound to affect not only the officers & employees, but ultimately the very functioning of bank. The announcement of mergers will definitely derail the ambitious \$ 5 trillion economy of the government as Public Sector Banks are expected to drive the growth engine.

Hence, taking into consideration the overall welfare of the people of our country and towards building a healthy economic environment, we urge that mergers, amalgamation, consolidation and any such proposals be scrapped.

2. Expeditious Wage revision as per Charter of Demands, with an unconditional and clear Mandate from all banks

Negotiations have not been carried out on the lines of the Charter of Demands submitted by us, which is based on minimum wages concept. IBA has not shown inclination, in letter and spirit, to conduct meaningful negotiations based on the basic principles on which our Charter of Demands were arrived and submitted – i.e minimum wages concept, delinking from paying capacity, equal work-equal wage, external parity, spirit of Pillai Committee Report to restore parity with civil service officers, against unscientific categorization of branches, to provide conducive and globally accepted norms in working environment to women officers, uniform perks and facilities in the Industry, improvement and updation in pension to ensure a decent retired life to the officers, running scale of wages, rolling back to bank-level 100% medical reimbursement facilities for officers and the dependents etc. With utter dismay, it is being observed that the negotiation is being attempted by IBA completely bypassing what is stipulated in the charter of demand. Rather, new-fangled words/ other extraneous factors viz. Performance Linked Pay based on gross operating profits and Return on Assets are being tabled. We demand wage revision only as per the charter of demand submitted.

Most of the member banks have already given unconditional mandate to IBA. This has been the practice since 1979 when the uniform regulations on officer's wages and service conditions were introduced. From 1979, on 7 consecutive occasions, i.e in 1984, 1989, 1995, 2000, 2005, 2010 and 2015, Joint Note Agreements have been signed by IBA with Officers' Associations covering wage revision for all scales of officers from Scale I to Scale VII. Officers' regulations, which deals with wages and service conditions of officers is a composite Regulation covering all scales of officers and excluding Scale IV to Scale VII Officers is unfair. The fact that the majority of the member banks have submitted the unconditional mandate is ignored by IBA. IBA instead of persuading five member banks viz State Bank of India, Punjab National Bank, Bank of Baroda, Union Bank of India and Indian Bank, has been indifferent towards our logical demand and taken stand to restrict the wage revision up to Scale III. No perceptible initiative is observed from IBA to impress upon the remaining member banks for submitting the unconditional mandate. The regressive approach of IBA would cause disruption and divide among employees, which will not augur well for the Indian Banking Industry. Moreover, this approach of the IBA will directly have disastrous impact in the livelihood of lakh of employees. This uncalled-for attitude of IBA would never benefit any stakeholder in the banking industry. Hence, we demand IBA to initiate immediate action resulting in submission of unconditional mandate by all the remaining member banks

In the light of the ambitious \$5 trillion economy, the Bank officers are expected to a major role in driving the growth engine and have to shoulder humongous workload to fulfil such expectations, which they have been doing despite acute shortage of manpower and other constraints. It is the bank officers who are implementing all the schemes of the government through their dedication, diligence. Hence, we demand that bank officers deserve equity and justice.

3 Immediate introduction of 5 day week in full, Reduction of cash transaction hours and regulated working hours

The 4 officers organisations have submitted a substantiated, logical reasoning for introduction of 5 Day week Banking. Across the globe 5day week is a norm. Even in our country, most of the progressive, forward-looking corporates, organizations, Government and quasi-Government Organizations have been functioning 5 day a week, which enables the officers and employees to have balanced work life so that they are motivated and can contribute significantly.

With the focus on digital banking, Alternate channels, Internet Banking, POS facilities, on-line payment systems, the introduction and 5 day week and reduced cash transaction hours will lead to the augmentation of digital transactions. As such, declaring remaining Saturdays as holidays will have no impact.

Now, banks are conducting cash transactions till one hour prior to close of office hours. Thus, the branches are left with only one hour to aggregate, verify and complete the process of cash counting, re-counting and lodging into the vault. This has a telling effect on closure of the branches for the day, elongating working hours of officers, constraining them to overstay in the branches. Now a very substantial numbers of bank branches are single officer branches. Till the closure of cash, officers will be constrained to handle cash related transactions and is confined to the desk, depriving of much required attention to other areas like lending, business development and compliance related work.

Now that ATMs have been deployed in every part of the country with high density, digital banking like internet banking, mobile banking has occupied pivotal place in transactional banking. Further, the Government's has been propagating digital and electronic banking in a big way to reduce the importance and volume of physical cash transactions. In keeping with these, it would be in fitness of things to reduce the cash transaction hours to 4 hours. This will have the following advantages:

- a. Dependency on cash in the society will be reduced
- b. Citizenry will adopt better and faster digital, electronic mode of banking
- c. Will bring down the cost of operations of banks, paving way for reduced service charges
- d. Will bring down the cost of printing currency and its management by Reserve Bank of India
- e. Provides much needed time to operating functionaries to complete the day's work well on time.
- f. Enables officers to engage themselves in compliances and business development activities.

While the office hours of banks are well defined, officers have been subjected to unregulated working hours. Each officer in the industry is made to work unreasonably beyond office hours. While it is an accepted international norm that one cannot work efficiently, applying mental faculty, beyond 8 hours, officers are forced to work for 10-12 hours a day, exposing not only the officers to health risks, but also multiplying the consequential operational risk to the banks. Longer working hours have negative impact on the level of performance, quality of decision, culture of the organization and the industry, in addition to enslaving him to work, discarding familial and social obligations.

IBA/Government has not shown any demonstrative inclination on the issue.

4. Halting of undue interference in the existing procedure of Vigilance cases by outside agencies, under provisions of amended Sec.17(A) of Prevention of Corruption Act, 2018

PCA Amendment to Sec 17 (A) provides that police cannot initiate any enquiry against any person unless authority competent to remove him from his office, at the time when the offence was alleged to have been committed, conveys its approval. This aims to protect a person against any harassment, mis-placed complaints, false-allegations etc.

Defeating its own Amendment, instructions have been issued by the Government that in all cases where a disciplinary proceeding has been classified under Major Penalty proceedings, approval be accorded for initiating enquiry by investigating agency as a matter of routine. This is not in order. This is misplaced and sends a wrong signal to the officers and staff who deal with and take financial decisions.

Our reason for objecting this is well substantiated. Classification of any case of mis-conduct is carried out based on the internal circular instructions, and investigations from the point of view of compliances of laid down norms, than on any strong evidence as is expected in a criminal investigation. The objective of internal enquiry is entirely in divergence with the one done by police/investigative agencies and is not fool-proof. Further, classification of cases into major and minor is based on the broad thinking and from the perspective of the executives, who would have acquainted with the case based only on the report submitted by an officer of the bank, who certainly lacks the skill and depth of an investigative agency and is one sided-affair.

5.Settlement of issues pertaining to retirees-Update of Pension as per RBI formula/Revision of Family Pension without any ceiling, quantum and percentage; Medical Insurance at par with serving employees

Retirees of the banking Industry are worst hit. Their basic pay is frozen on the date of superannuation, and is never revised in subsequent Bipartite settlements. Worst kind of discrimination is prevailing amongst different groups of retirees in the matter of payment of Dearness Allowance. Pension on Special Grade Pay is denied. Family Pension to the spouse of the deceased employees is too meagre to lead a minimum level of dignified life. Although Bank Pension Regulations are framed on the lines of RBI/ Central Government Pension Scheme, no steps have been taken to remove the discrimination and place it at par with RBI/Central Government employees. A section of SBI pensioners are denied pension @50% of Basic Pay. These issues were noted in the Joint note dated 25/05/2015 signed by all parties in the settlement but no forward moving steps have been taken so far to address the issue. Similarly, a meaningful medical insurance scheme needs to be introduced to take care of the ones who have contributed their major part of their life to the Organisation, show due respect and regards.

Steep increase in medical insurance premium: Regarding Medical facilities for the retirees our objections have been that:

- The policies for serving employees and Retirees have not commenced from a common date as was suggested.
- Retirees have not given multiple options to choose from i.e. coverage of Rs 1 lakh, Rs 2 Lakh, Rs 3 lakh and Rs 4 lakh to broaden the coverage of the policy. This flexibility needs to be extended for the super top up policy also.
- The premium imposed for medical treatment in respect of officer retirees is absolutely unfair, illogical and unacceptable. It appears that this pricing has been fixed in such a manner so as to drive away the retirees from the purview of the scheme. This issue requires immediate intervention and suitable initiatives to be taken for logical reduction of premium.
- Our suggestion for lesser premium rate for single beneficiary like family pensioners, etc. has been ignored.
- IBA should send communiqué to all Banks to subsidise/bear the Insurance premium of Retirees as is done for EDs/MDs of Banks as most retirees are likely to face extreme difficulty in arranging funds for the renewal.
- IBA may advice member banks to give interest free loans to retirees recoverable in easy instalments for payment of premium.

Our other suggestions were that a comprehensive affordable health care policy covering the interest of bank men (both Serving & retiree) should be negotiated upon. It is also suggested that instead of annual renewal, the policy should co-terminate with the validity of wage settlement period with further provision of renewal on payment of pro rata premium post termination of policy date and delay in finalisation of future wage accord. IBA should also approach the Ministry of Finance to exempt GST on Banks health care policy being a part of staff welfare measure not strictly falling within the definition of business transaction. IBA has not addressed the issues raised by us and unilaterally implemented the revised scheme.

6. Adequate recruitment

There has been no meaningful recruitment in keeping with the requirement of the Banks for the past three decades, despite our demands, taking up the issue with IBA and Government. While business has been growing, the staff strength has been dwindling. This decade is termed as decade of retirement. Large number officers and staff have retired, and are retiring. Any further delay in recruitment obstructs capacity building and vacuum will be created. Knowledge bank within the bank is likely to dwindle, eventually leading to failure of banks.

Further inadequacy of human resources has led to humungous pressure on the Officers & staff. Unbearable work pressure has become cause of discomfort, inconvenience and even suicides. It is a matter of deep concern to observe the increasing trend of suicides committed by the officers in banks. Over 100 such incidents are being reported every year, especially youngsters. There are many reasons for the unbearable pressure in working environment. Unrealistic business targets, inadequate staff, protracted working hours, denial of social life, pressure of work on holidays, atrocious behaviour of executives, inhuman treatment, extra-ordinary pressure to sell third party products, etc have made officers to reach a point of dejection. Demands for a meaningful work-life balance, regulated working hours, 5 day week to rest, recuperate and rejuvenate which could be best possible measures against suicide attempts have not been implemented despite persistent demand. It is demanded that for every case of suicide the board to the banks should conduct an independent enquiry and stringent penalty to be inflicted to anyone who is found to be responsible for such unfortunate occurrences.

Clerical to Officers' Ratio has been at abysmally low level. Non-augmentation of human resources has been mother of all problems, which has deep ramification on business, recovery and customer service, in addition to worrying incidence of suicides of bank officers

7. Scrapping NPS and reintroduction of Defined Pension Payment Scheme

Pension under National Payment System (NPS) is not defined pension and hence uncertain. In existing Pension scheme in Banking Industry, Pension is pre-determined. But in NPS, while contribution is determined, the return is not defined. It depends on the capacity of the fund to generate return causing frustration amongst the post April 2010 recruitees. In NPS, an employee has to indicate his risk appetite at the time of joining in the fund viz. Low risk, Medium Risk and High Risk. But as no switching is allowed, and the performance of the fund may vary depending upon risk pattern indicated at the time of joining, the market behaviour will determine the Pension to be received by an employee. Further, the contribution is made @10 % of Basic Pay + DA of the concerned employee leading to a huge accumulation of fund. But the rate of return on any established fund sometime shows negative return over a time horizon leading to apprehension that at the time of retirement the corpus fund may not be sufficient to generate a pension benefit befitting the living standard at that particular time. Pensionary benefits are vital for the leading a dignified life post-retirement and should not be left to the vagaries of capital market. Removal of uncertainty is pre condition for ensuring whole hearted alignment with job and for this superannuation benefit should be defined. There has been no initiative on the part of IBA and Government to review NPS.

8. Reduction of service charges for customers

Post-computerisation, with expanding customer base, increasing business volume, it was expected that the banking services would become more affordable. On the contrary, the service charges imposed on the customers for various services, including non-maintenance of minimum balances, ATM transactions etc have sky-rocketed. Common man of the country is put to inconvenience. Banks are now being looked as profit-mongering with and injudicious in recovering hundreds of crores as minimum balance charges etc. Banks have been running reputation risk as this is portrayed by media, resulting in customer dissatisfaction. In a country where majority of population continue to be agriculturists, small businessmen and working class, less-privileged, it is in the fitness of things that banking should be made more affordable by reducing service charges for customers. It is an irony that banks do write off lakhs of crores of large borrowers, but the common man is squeezed by levying unreasonable service charges and fees.

9. Stopping of harassment of Officers under specious plea of Non performance

It is noticed that few banks have been issuing communication to list out the non-performance and harassing them. It is a well-known fact that performance just not depends upon Officers. Performance is sum and substances of opportunity, economic conditions prevailing in that geography, required support, infrastructure and necessary human resources made available. Under these circumstances, isolating the officers, issuing letters not only demoralizes, but also put them in to discomfort and agony. We urge that harassments of officers should be stopped on the plea of non-performance.