



## ALL INDIA BANK OFFICERS' CONFEDERATION

(Registered under the Trade Unions Act 1926, Registration No: 3427/Delhi)

State Bank Buildings, St. Mark's Road, Bangalore – 560 001

**CIRCULAR NO.13**

**DATE: 04.03.2013**

**TO ALL AFFILIATES / MEMBERS:**

**Unwarranted provocations and attacks on trade union rights  
in State Bank of India**

We reproduce hereunder the letter No. UFBU/125/2013/ dated 4-3-2013 addressed to Mr.K.R.Kamath,Chairman,IBA and also to the Secretary ,Financial Services,Minister of Finance,Government of India. New Delhi for their early intervention.

With greetings,

**(D.S.RISHABADAS)  
GENERAL SECRETARY**

Our attention has been drawn to the recent disturbances to cordial industrial relations in State Bank of India. You are aware that State Bank of India is the largest public sector Bank in our country and is a flagship institution in the entire financial sector. The Bank represents nearly 1/3rd of the entire public sector banking and also employs more than 2,15,000 employees and officers. Hence the Bank is really unique in terms of the size, volume of business and number of workforce. It is expected that industrial relation in such a leading institution should be ideal and an example to others to follow. But we are constrained to observe that the industrial relations have deteriorated in the Bank which is causing anxiety and concern to us.

**INDUSTRIAL RELATIONSHIP BETWEEN ALL INDIA STATE BANK  
OFFICERS' FEDERATION AND CHAIRMAN, STATE BANK OF  
INDIA**

The All India State Bank Officers' Federation is the sole bargaining agent for the officer community with the Management. The

organization has a rich history and tradition of having succeeded as an independent, apolitical trade union organization representing the largest number of supervisory cadre in the entire world. It is now in the threshold of completing 50 years of its long journey of conviction, commitment and dedication to the cause of the Bank Officers' community in the banking industry and the people of our country

### **Genesis of the Issue:**

The new Chairman took charge of the bank during April 2011. In May 2011, there was a meeting between the leaders of the Federation / Circle Association wherein we had been assured to look into all the outstanding issues with the Federation and a few issues were flagged for urgent consideration.

- Since then there was no real progress in addressing the issues though a few meeting was held.
- The Federation was compelled to issue a strike notice to strike on 8<sup>th</sup> and 10<sup>th</sup> November 2011. The strike was withdrawn on 5<sup>th</sup> November 2011 on the assurance of the management that discussions will remain and positive view will be taken on all the issues.
- Contrary to the assurances the top Management's attitude towards the Federation changed and every action of Federation was treated with disdain.
- Top Management personnel in all the Circles who used to participate in Association functions have now withdrawn from participation at the direction of the Chairman.
- All bi-partite forums like Central/Circle Negotiating Councils were not conducted at regular intervals.

### **Present Crisis:-**

- During August 22<sup>nd</sup> and 23<sup>rd</sup> of 2012 United Forum of Bank Unions called for a strike on number of issues including 5 day week in banking Sector, in which we participated.
- When there was so much of aspiration amongst the membership for 5 day week, the announcement by the Chairman of having seven day banking in State Bank of India came as a rude shock.
- There was a spontaneous expression of the apprehension by the membership and to bring to the attention of the top Management a peaceful lunch time demonstration was

- conducted all over the country in administrative offices on 28<sup>th</sup> August 2012.
- In response to the demonstration the general secretaries of all Circle associations were issued a letter dated on 28.8.2012 cautioning them "to deist from such actions in future". This was in the nature of administrative warning which is a minor penalty and the cause of action ended there.
  - The Federation showed enormous restraint, but on 22<sup>nd</sup> September, 2012 without any cause of action another letter was served on General Secretaries asking why they should not be proceeded against under Section 36AD of Banking Regulation Act.
  - Without waiting for a response, on 27<sup>th</sup> September 2012 all Presidents and General Secretaries were indiscriminately charge sheeted for legitimate Trade union action.
  - The Federation maintained utmost restraint in the face of such attacks curbing legitimate Trade Union right.
  - The Federation leadership sought a meeting with the Chairman on 4<sup>th</sup> October 2012 before submitting the reply to the Charge Sheet to avert untoward incidents in the industrial relations. However, the Chairman used this opportunity only to abuse the leadership of the Federation. He was not willing to address the issues.
  - On 8<sup>th</sup> October 2012 the Chairman addressed the entire workforce of the Bank through **webcast** and throughout his speech spit venom and fire on the leadership of the Federation. He also went to the extent of saying that the demonstration that was held on 28<sup>th</sup> August 2012 was a heinous crime on the part of the Federation and he would be vindictive against the leadership. He also stated that he will take action against the Presidents and General Secretaries of all Circle Associations and will not take action against the other officers.
  - He has filed a case against the Federation at Mumbai High Court demanding Rs.100 crores as damages for bringing down the image of the Bank through a demonstration and asking the Honourable Court to restrain us from any agitation.
  - The Honourable Mumbai High Court appointed a mediator to mediate and settle the issues and the mediation failed due to the adamant attitude of the Chairman.

### **Vindictiveness, Intimidation and coercion by the Top**

### **Management**

- Issue of charge sheet after the cause of action has been effectively extinguished by the letter dated 30<sup>th</sup> August 2012.
- Deliberately serving the charge sheets even late in the night at the residences of the presidents and general secretaries humiliating them.
- In the case of Com. Thaokar G S of Mumbai Circle association a Chief Manager flew down from Mumbai to Aurangabad to serve the Charge sheet.
  - Subsequently Com. Thaokar was placed under SBIOSR 19(3).
- Caveats were served on all Presidents and General Secretaries and in certain cases at 10 different courts.
- Even after the statement of defence were submitted well in time, no action was taken till 30<sup>th</sup> November 2012, thereby invoking the rule 19(3) in the case of two other senior office bearers.
  - The Disciplinary Authorities were not allowed to take independent decisions or allowed to apply their minds freely and fearlessly.
  - Even in cases where demonstrations were not held at Ahmedabad Circle or where the General Secretary did not participate as he was on sanctioned leave like the General Secretary of Bengal Circle, charge sheets were also issued to them.
- For the same alleged offence one charge sheet issued to General Secretary of North Eastern Circle was subsequently withdrawn, as he became a Director of the Bank.
- Inquiring Authority and Presenting Officers are sent from other Circles to conduct the Inquiry which has never been the practice in the Bank.
  - The Inquiry is being video-graphed or covered under CCTV which again is for the first time in history and is a violation of Disciplinary Proceedings and Human rights.
- Vindictive transfer of Office bearers of the affiliates and AISBOF only because they had approached the court of law for staying the unjustified enquiry proceedings.
- In a meeting of the DGMs and CDOs at Gurgaon, the Chairman openly expressed his vindictive attitude against the Federation leadership. He also informed about the transfer of the DMD&CDO and CGM (HR) for their efforts to maintain industrial harmony. He further mentioned three names of DGMs who have been promoted as GMs for the only reason that they were loyal to him.
- Further in a meeting of DGM (B&Os) at Bhubaneshwar, the Chairman boasted openly that a DGM was promoted as GM

for the sole reason of punishing an Office bearer of the Circle Association. He also added that the AGM (HR) of the Circle has also been promoted only because of showing his loyalty to the Chairman.

- A Dy. General Secretary of Bhubaneswar Circle was charge sheeted and penalized by reduction in grade for an act which was treated by the Chairman as disobedience and causing loss of image to the Bank. This punishment order was put up in the intranet site of the Bank which is for the first time in the history showing one more vindictive attitude of the Chairman.
- The Chairman has ensured the transfer of Shri.Anirudh Akauri, former President of the Federation who was also former General Secretary of our Patna Circle and Shri.L.K.P. Singh, former President of the Patna Circle Association and posted to interiors of North East – even posting the former in a post which is below his rank. The same has been displayed in SBI times to terrorize the others.
- Now the Chairman is using all available internal forums to inflict more injuries and asking his juniors also to do the same.
- There has been a clear case of intimidation, instilling fear among the officers which shows the malafide intention of the Chairman in curtailing the legitimate trade union activities of the Federation.

Shri Rakesh Agarwal, General Secretary of SBI Officers' Association (Delhi Circle) has been given punishment of reduction in one scale and four increments cut for a peaceful lunch time demonstration.

The leadership of the Federation which has demonstrated tremendous patience & perseverance, is always willing to discuss the issues, desires to put an end to this impasse and not to resort to agitation without exhausting all the avenues available for a negotiated settlement in the matter.

But the attitude of the top management appears to be otherwise. On the eve of the 2 day strike by 11 central trade unions and the UFBU, the Management of SBI has issued letters to its officers and employees not to participate in the strike and quoting section 36 AD of the Banking Regulation Act that action will be taken. It is pertinent to note that the Parliament has been given assurance that the Act will not be used to curtail legitimate and reasonable trade union

rights. These issues were brought to the notice of the committee of Ministers by the Central Trade Unions on 18<sup>th</sup> February 2013 during negotiations and assurance was given that the matter will be taken up with Bank Management by the Government but the intimidation continued. In SBI the Management has started asking for explanation for participating in the strike.

The UFBU in its recent meeting took serious note of these intimidatory tactics of the management and also the vindictive attacks and reign of terror let loose on the officers in SBI. The meeting further decided to draw the attention of the IBA on these unwarranted provocations so that IBA can take some steps to stop these attacks. **We also wish to put the IBA on notice that if the SBI management does not stop the attacks, come forward to resolve the issues and restore cordial relationship, the UFBU cannot be expected to be a witness to these attacks, rather UFBU would be compelled to express its total solidarity with SBI officers by resorting to agitation in all Banks strike including all India strike.**

We are sure that IBA would intervene in the matter effectively.

Thanking you,

Yours faithfully,



**(P.K.SARKAR)**  
**CONVENOR**