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Editorial

TRYST WITH DESTINY AND OTHER STORIES

The nation has just celebrated 73 years of its independence. Independence brought dreams not just of individual freedom but also of the economy, social and political kind. 73 years later these ideals have undergone a transformation as India seeks to become a $ 5 trillion economy. Elsewhere in this issue, we shall share our thought as the campaign for generation of ideas and consultation till branch level has been initiated by the Government of India to involve the bank men from the grass root level in the national mission of reaching a $ 5 trillion economy. Growth in GDP and spurt in economic activity in a country with enormous potential will surely change the landscape as we are living today and may lift the Indian banking sector from the crisis state through which they are passing currently.

But as we are dreaming to become a super economic power, disturbing signs have appeared in the economic horizon. News reports are appearing that instead of expansion, there is slowdown in economic activities. Unfortunately, such slowdown is not sector specific. What appears as a drop in car sales indicating a recessionary tendency in the auto sector has spread to other real sector of the economy like, coal, cement, steel and finally to fast moving consumer goods sector. Stocks are getting piled up, rupee is hitting new low against US$, pushing the cost of import centric production and creating further slowdown in the economy by pushing up the manufacturing price.

A policy response to the crisis take the shape of a reduction in the Repo rate of the Reserve Bank of India based on the belief that a reduction in the rate of interest will automatically trigger an increase in credit off take and bring back life to an economy which is slowing down. The cut in Repo rate as admitted by RBI is not getting transmitted to the retail level excepting some cosmetic changes in the rate of interest on housing loan or other retail products. An obvious answer to this paradox is the rate of interest charged by the bank which depends on lots of factors like cost of funds, other expenses, need for provisioning with in-built mechanism to cover the provision from the operating income. So it is abundantly clear to a banker that the reduction in Repo rate cannot ensure automatic reduction in prices that the bankers charge in a borrower account. Further, the off take in credit is not only interest elastic but depends on a host of other macro-economic factors.

It is in this back drop we have to appreciate that the real structural change by reforming our economic administrative system depends crucially in ensuring injection of real income in the hands of the people, the ultimate consumer. Such infusion of income in the economy is possible, if and only if, unemployed gets a meaningful job, farmer gets a remunerative price, workers in the organised and unorganized sector get adequate and logical compensation by way of fixing of minimum wage based on the recommendation of International Labour Organisation and linking it with the Consumer Price Index. In other words, it is not the motive of profit for a handful of corporates but a policy direction oriented towards equitable distribution of national wealth that can only lift the sagging national economy.

It is here the bank officers' movement under

the leadership of AIBOC is playing its vital role by educating and re-educating the membership about the social commitment that we have in the national economy. The bank has to play the most important catalytic role to realize the dream of a trillion dollar economy. This cannot be achieved by simply interacting with the front desk officers, without providing the required manpower, ensuring proper trend, addressing the technology related issues, removing the irritants that affects the work-life balance, stopping the humiliation of officers and host of other issues that are preventing them from discharging their duties with the level of diligence and perfection that a growing economy demands. This may be true of other formal and informal sectors of the economy. It is pertinent to mention that seniors also form a large part of the national economy and a truly welfare state cannot function without addressing the problems and aspirations of the senior section of the citizenry.

When the nation made its tryst with destiny in the midnight of 14th August, 1947, the country dreamt of a society of having freedom from hunger, malnutrition, religious and caste hatred and a social system which is inclusive in nature. Common Bond joins the entire country as it celebrates 73 years of that momentous event; it also commits to use its own space to uphold the principle of an egalitarian society by fearlessly opposing all moves of the crony capitalist to plunder the economy. Common Bond will also uphold the positive role of public sector banks and continue to emphasis the role it has to play in our dream run to a $ 5 trillion economy by keeping at bay the sharks from the private sector who are out to usurp the national resources which the economy and the banking system has so assiduously built over the years. This is not only our tryst but commitment to the destiny of this great country which belong to all of us irrespective of caste, creed or religion. ■

SHARED ARTICLE

Bank Employees Federation of India (BEFI) has published a special issue of their organ BEFI NEWS to commemorate 50 years of Bank Nationalisation where Comrade Soumya Datta, Editor of Common Bond and General Secretary, AIBOC had shared his thought on ***"CHALLENGES OF PERSONNEL MANAGEMENT IN NEO-LIBERALISED ERA"***. We are reproducing the edited excerpts of his article for the benefit of our readers with due acknowledgement to the publishers of the Special Volume of BEFI NEWS. (***Editorial Board Common Bond***)

Personnel or Human Resource (HR) management is known to encompass various activities relating to recruiting, inducting, training and developing employees. Appraising, compensating and providing them the benefits, to motivate them, having good relationship with employees and trade unions as also to ensure the safety & welfare of its human assets to achieve the larger objective of an organization.

But in banking industry, it has been different. HR has traversed a long path. Officers and employees have undergone trials and tribulations. Yet, the situation is not different from what it was 5 decades ago. The current challenges on HR front in banks cannot be isolated or understood in its entirety if we do not look at the changing banking scenario since Nationalization. HR in banking industry has seen upheavals over the past 5 decades. It is worthwhile to recollect banking from the period around nationalization of banks, till date in chronology.

BANK NATIONALIZATION:

There is no better occasion than today to remember Bank Nationalization. The decision of the then Government to nationalize 14 Banks during 1969 was not only a brave and bold decision, but stands out to be monumental attempt to show to the world that the banks can be vehicle to change the socio-economic status of the citizenry. The pains and agony of the citizenry in being have-nots, non-availability of affordable credit, suffering peasants and small scale businessmen and artisans, atrocities of money lenders, and local "sahukars" and a picture that Banks are only for rich were the strong drivers to nationalize the Banks. By doing so, Banks were liberated from the riches, to reach the poor. As such, the decision to

THERE IS NOTHING PERMANENT EXCEPT CHANGE nationalization was on strong social-economic foundation, and an unconventional one, towards supporting and uplifting the masses of the country, entwined with the very objective of Constitution of the country. It is pertinent to note that PSBs were essentially public-service oriented and never thought out to be pure commercial organizations.

Post nationalization in 1969, the scenario within the country kept changing at faster pace. Huge branch expansion reached the banking services to all corners of the country. Easy, dependable, affordable credit had its due impact. Coupled with this, Government's socio-economic programmes like village adoption, rural credit, thrust towards lending to agricultural and allied activities, small/village/cottage industries, became more pronounced. Bank credit played a catalytic role in the success of various revolutions – be it green, white, blue; integrated development of rural and semi urban areas. Result was building up necessary infrastructure, backward and forward linkages, irrigation facilities, increase in arable land and naturally all led to overall growth of the country, including self-sufficiency in food grains. It is a matter of truth that Bank Nationalization was a strong contributor towards this progress. Banks, which were in the hands of few rich business houses, became tool of transformation of the country, and masses could access the banks, liberated from the clutches of money lenders. Banks offered employment to millions of youth. There is no exaggeration if we say that Public Sector Banks (PSBs) are the architect of today's economy. Banks touches the life of every person, every day in one form or the other. Having regard to the colossal contribution of the Public Sector Banks, Government again took another leap and nationalized six more Banks in 1980.

The entire period since 1969 to 1991 witnessed an exponential growth bank branches- from 8262 in 1969 to 60220 in 1991. It is pertinent to mention that the number of rural bank branches increased from 1833 to 35206. However, the opening of bank branches in rural areas slowed down with the shift in policies as the total number of bank branches in FY'16 was 134858, out of which the number of rural branches was 50102.

As has been evidenced, the expansion of institutional credit in the rural areas has stagnated since 1991 and is one of the major reasons behind agrarian distress possibly leading to farmers' suicides that we have witnessed over the past two decades. The dilution of the priority sector lending norms to enable the new generation private banks to generate greater profits have a telling effect on rural credit. Even today, rural and semi-urban bank branches account for only 26% of all deposits and 20% of total credit outstanding of the scheduled commercial banks in India. Only a further expansion of public sector banks can enhance the flow of credit to the rural and semi-urban areas and ensure genuine financial inclusion.

CHANGING FACE OF BANKING – NEO LIBERAL ERA – ASSET QUALITY WOES

During late 1980s, misconceived concept of liberalization, privatization and globalization (also known as LPG) started sneaking in. The directives and signals from two pythons - Bretton Wood twins (IMF and World Bank) were to open up the economy. Developing countries have always been the target of developed countries. Huge market, illiterate and semiliterate populace, poor governance in such countries always made them captive market to developed countries. With this, the corporatization of business also started taking shape. Businessmen & Capitalists started looking at the western world and aped them, in isolation. LPG fueled their ambition. Government and the powers that be also encouraged them.

The country's banking fundamentals were strong, systematic and methodical till late 1980s. In the aftermath of LPG, there was a radical change in banking system of the country. Well laid down norms and stipulations encompassing the banking credit, were diluted in the name of bringing flexibility. Regulator was closely supervising the large credit dispensation with its invaluable tool - Credit Authorisation Scheme (CAS). CAS was diluted with fast track CAS and was later totally dispensed with, bringing a different credit appraisal system in the form of Credit Monitoring Arrangement, handing over the discretion to the Banks' Boards. Banks were free to determine their appraisal norms, which can be termed as the first blow. Rise in number of opportunistic corporate houses, misplaced enthusiasm on the part of Banks, lack of long-term credit appraisal skills, liberalized economy had its own negative impact on the credit portfolio of the Banks. Without having put in place the safety mechanism that was built in western countries, the banks in India tried to ape them with insufficient defence gear. On the other hand, few accredited, experienced long-term/infrastructural credit appraisers like ICICI, IDBI were converted as Universal Banks. With this, the skill and acumen to appraise long term loans was also lost. Added to this, Regulator has started thrusting unsuitable norms of identifying the large credits as stressed, its recognition and providing for them pushed Banks further into deeper red. The result is huge mounting of stressed assets (NPAs) over last two decades. Arbitrary Capital Adequacy and Provision Coverage norms were forced. Banks, once thought as loss-proof, safe and secured, were reduced to loss-ridden, unsafe and dilapidated. This has its own effect on personnel and HR management in the banks.

HUMAN RESOURCES MANAGEMENT IN BANKS: TRADE UNIONS

Prior to nationalization (1960s), bank branches were large in number. The administration was arbitrary and imperialistic in nature. The officers and staff below the Agent (Branch Manager) were harassed. Service conditions were worse than that of a slave. Casual leave was a gratis. Hours of work were unending. Personnel worked from dawn to dusk. Weekly off, though was recognized as right of workmen in other industries contemporarily, was a mirage as the Agent and Management had unabated powers to fire cadre below them and the threat of transfer was a very commonly used weapon.

These atrocious behaviors beyond a point of tolerance gave birth to militant, passionate trade unions. During 1960s, trade union movement within the Bank gained momentum. Officers and Award Staff formed strong unions and associations. They resorted to agitations for improvement in service conditions. Result was various Awards for Staff and improvement in working conditions for Officers. It is pertinent to note that officers in State Bank of India went on indefinite strike seeking improvement in working environment. Banking in India came to a halt. This can be identified as golden movement in the history of supervisory trade union movement. The strike ended after 17 days, resulting in improvement in every area of working environment of officers. This also had its impact on the supervisory trade union movement in other Public Sector Banks. HR was bit disposed towards officers/employees.

BRANCH EXPANSION RESULTS IN LARGE SCALE APPOINTMENT

Soon after nationalization, the thrust of the Government was clear and visible. The priority was expansion of bank branches across the country. This opened up huge opportunities for the youth of the country. Large number of officers and staff were employed. Most of the bank employees were from the background of humble society. A secured job made them happy and loyal. They had put their heart and soul and served the citizenry across the country. Banks opened in remote corner of the country and were fully alive to the customers and served the society. It is true only in Indian banking system that employees and officers worked with a missionary zeal to serve the purpose of nationalization.

This large scale recruitment not only enabled the banks to spread its wings and serve the citizenry, but also strengthened the trade union movement in the banking industry. Having seen the strength, objectives and achievement of trade unions, the employees and officers identified themselves with Trade Unions. Trade Unions emerged as the strongest work force in the country. Collective bargaining power gained strength over a period, working environment became more and more congenial and so also the service of the bank employees towards the society. Bank employees were held in high esteem in the society. The pay and perks were enviable. The officers pay was more than the pay of Grade I Officers (IAS) of Central Government. This, naturally, caught the attention of sore eyes. In the name of equality, Officers' salaries were clipped not to exceed the Grade I officers of the Government. With all these, Public Sector Banks remained useful elements of the Society, serving the citizenry.

PERIOD OF FAST-TRACKED REFORMS – COMMERCIALS OVERTAKE SOCIAL OBJECTIVE

Post LPG era, in early 1990s, reforms in Banks were fast tracked. Reforms in Banks were found to be lowhanging fruits to show to the world, more specifically to pythons like IMF & World Bank, that the country is embarking upon reforms. This started with the Narasimham Committee recommending limiting the number of Banks. The beans of mergers and acquisition were spilled, along with concept like NPAs. Attempts were made to change the social face of PSBs. PSBs were projected more and more as commercial banks, than the vehicle of socio-economic change. Profit, Profitability and various parameters were thrust upon the Banks. Arbitrary scales of efficiency were created to rate them. Banks were brainwashed to think that they were now commercial entities than the extended arm of the Government, to help society, the down trodden and the needy. Commercialization of financial resources was implemented. Towards this, ***"Disintermediation"*** was forced upon them. The importance of the Banks as a bridge between savers and users, was attempted to be reduced. Many corporate houses emerged to seize the opportunity, taking cue from LPG and the liberalized approach of lending, garnered huge loans from the Banks. Overambitious projects were embarked upon. Banking industry, having lost the long-term credit appraisers like ICICI, IDBI etc became easy prey. The seeds of today's humongous stressed assets were sown in late 1990s. These decisively harmed banks over subsequent two decades. Banks posted losses. This was moot point of making attempts to link pay, allowances & perks etc to profit.

NPAS SURGE - PROFIT/PROFITABILITY/ PARAMETERS OCCUPIES CENTRE STAGE – ATTEMPT TO CONNECT SALARIES TO PROFIT

Government and Regulator forced upon PSBs many policies and programmes without assessing the genesis of the problems and the situation in which they were placed. Misplaced Asset Quality Recognition coupled with norms of recognizing them for action under Insolvency Bank Code, pushed nearly all banks into crimson red. The tendency of measuring the efficiency of PSBs underwent a sea change. Several parameters were brought in. Profit / Profitability / Capital Adequacy / Provision Coverage Ratio, ROA, RIO became yardstick.

Here is a pertinent point to be noted. Constantly attempts are being made to connect these parameters, in a way or the other, with the pay, allowances and the management of human resource in the Bank. Forgetting the objectives and aspirations of nationalizing them, banks were equated with any other corporate whose sole aim was to earn profit. Here again, there was paradoxical action. PSBs continued to be saddled with less profitable or not-at-all-viable activities like Aadhar Seeding, DBT, Jandhan, Demonetization and similar various socially desirable activities, which did not earn anything to the bank. Banks were not augmented with staff for nearly 4 decades, excepting trickles here and there. This was a disaster, aggravating the issues in PSBs. In fact, the first aspect of HR Management – i.e. Recruitment was nearly stopped altogether.

With profit/profitability occupying the centre stage, HR management in banks also started revolving around it. In order to show the profit/profitability, banks resorted to downsizing the personnel. Outsourcing became norm. This had flipside effect of diluted monitoring and compliance activities, rise in the level of operational risks, causing deeper problems. Pressure started mounting on the personnel.

HR management in bank rendered nearly meaningless. Rather than making the employees and officers a partner in decision making; they were made the objects of reform. This was clear when the burden of implementing irrational, ill-designed and over the top scheme like demonetization was forced upon the bank employees with devastating physical and psychological consequences for many. Undoubtedly, the rapidly changing business environment and the entry of new banks are posing new challenges for the banks. The main objective of HR policy is to create a congenial atmosphere where people get the opportunity to showcase their potential and receive adequate compensation, which was not meaningfully present.

WAY FORWARD TO PUT HR ON TRACK, TO ENSURE WELLBEING OF PSBS AND PERSONNEL WITHIN IT

There is a necessity for Government and Regulator to intervene immediately to put the affair of PSBs in order.

Few issues which require quick fix solutions are:

* **Augmentation of employees and officers.** Bank is basically a service industry. However strong may be techno-banking, it cannot substitute the human touch. Reckoning the level of business, initiatives and the varied components within the banking, the staff position obtaining in Banks is awfully low compared to three decades ago. Human Resource augmentation is continuous process towards building knowledge capacity in the banks. In next 3-5 years, 30-40 percent of seniors will be superannuating. Who will hold the mantle? Will the subsequent generation have necessary wherewithal in terms of depth of knowledge and experience to shoulder such responsibility? Banks have been driven to the situation by the very Government, which has not allowed or encouraged recruitment in the garb of efficiency/ turnover per employee etc.

Compared to clerk to officer ratio of 4.5:1, three decades ago, now it has reached an abysmal low ranging from1.3:1 to 1.1:1 in various banks. This clearly shows that clerical posts are not being filled up. This also shows that officers have been overburdened with the residual work. In fact, in the last fiscal, 14 Banks have declared zero vacancy for Probationary Officers; while the vacancies announced for clerical is abysmally low.

Any further delay in recruiting staff and officers in adequate numbers will prove catastrophic to banking industry.

* **Make pay and allowance attractive enough to attract and retain talent:** Once enviable pay of bank employees become a fraction of what is being paid to Central Government employees/officers. This needs a serious attention.

* **Transparent transfer and placement policy** – enable officers/staff to understand the situation better and plan. Each of employee and officer in the Bank has right to know about his next posting. Fair transfer policy is right of an employee.

* **Staff Accountability:** Banking is the only sector which expects precision, every time. Even a machine is allowed to malfunction and a margin of error is permitted, whereas Officers/staff in bank are always expected to be correct. Each mistake is treated as lapse and punished. Sword of accountability hangs always, even after retirement. Service Rules have to be amended to instill confidence in personnel to take decisions.

* **National Litigation Policy /Bankers' Administrative Tribunal** - Grievance of employees are rising. Banks either ignore them or turn their deaf ear. With this, staff will be constrained to resort to legal remedy, spending hard earned money as also exposing the bank also the reputational risk. Many a time, justice is delayed, which tantamount to denial of justice. Classic examples are the cases filed by our veterans (pensioners). The cases are so dragged, in the interregnum, before judgement comes out, many would have breathed their last, or in a position not even to enjoy the benefit.

Solutions to this problem are two-fold. National Litigation Policy, which is still in draft stage, should be announced by Government. Organizers should be barred from appeal, if a lower forum/court gives a judgement in favour of its employees, unless there is a point of law, and that to after clearance by a Committee of Board. This will be deterrence to casual attitude of employers to appeal against judgement.

Secondly, an exclusive Bankers' Administrative Tribunal needs to be instituted to handle HR related issues.

* **Making Boards and senior officers' accountable– Steps of ladder should be cleaned from top:** Although boards are supposed to be independent and ultimate decision making bodies of the bank, the decisions of Government are being forced upon them, by arm twisting the executives. Corporate governance necessitates autonomy of the board free from all extraordinary influences and more specifically political interference and the board should be made accountable for all decisions. There are instances when political appointees in the board influence the

decision especially concerning credit. Committee model of decision making has been formed to obviate accountability of board/senior level officials. But unfortunately, the accountability always devolves on lower level officers and staff letting go the seniors and top management. There is a need for serious look on this.

* **Work Life Balance** – This has drawn considerable attention over the past few years. Work life balance signifies a satisfactory level of involvement between the multiple roles in a person's life. Work shall not be at the cost of personal life. Work life balance is having the right combination of work (defined by hours and working conditions) and other aspects of his/her life. Long work hours and highly stressful jobs not only hamper employees' ability to harmonize work and family life but also are associated with health risks and depression. There have been umpteen numbers of reported suicides and increasing deaths due to life-style disease that emanate from absence of work life balance. Work life balance, if implemented meaningfully, helps in reducing the stress level at work and increases the job satisfaction. Banks should not forget that an officer is a spouse, father, mother, grandparent, son, daughter and a useful element of the society. While it is obligatory on the part of employer to ensure a total disconnect of his employee from office work after certain hours of work and on week-ends, it is incumbent on the part of the Government to ensure this through a legal frame work.

* **Re-orient HR structure** - Bank should re-orient and re-invent itself in negotiating the challenges of human resources management in the post-liberalised era. We have to appreciate that alternative human resources management policies should be developed by all of us in a participative manner and ensure its implementation. HR machinery so that the perceived idea of minimizing the employees' role and outsourcing of banks job can be reversed.

* **Participative Management** – Harness the expertise of the workmen and officers' directors on board of the banks. A participative management is beneficial to all the stake holders.

WE HAVE A ROLE TO PLAY:

We also have role to play to improve HR (working conditions) in the Banks. We should be aware that nothing comes out of thin air. Nothing will be served on a platter. Nothing can be realized unless demanded. Nothing can be demanded unless our own organizations are safe, up and running. Nothing will be conceded, if not fought at right time! Towards this, trade unions and members within have a huge responsibility.

* **Ensure and enliven trade unionism**– Each of bank employee/officer is militant and passionate individually, but do not congregate and demonstrate together. While the passion, militancy is always demonstrated in social media, we should ensure that it descends on the street. Trade Union battles are fought and won only on streets. While we are with our comrades that social media has to be used aggressively, with weighed words, phrases and sentence to express our unity, solidarity and trade unionism, we should also make up our mind to join gate-meets, street-end gathering, demonstration and strike programmes.

As long as our actions are meant to secure our interest, our esteemed institutions, nothing should stop us to holding our flag high. This can send strong signals to the powers that be. We should remember that PSBs achieve the objectives of Constitution of the country. We should be proud to safeguard the public sector fabric of PSBs under any circumstance.

* **Demand ratification of ILO Conventions** No.87 (Freedom of Association and Protection of the Right to Organise) and No.98 (Right to Organise and Collective Bargaining Convention). This should be the mother of all demands of trade unions. The rest follows.

A good HR can bind us emotionally and passionately to the Bank. We have committed ourselves 50 years ago, to uphold the social banking and serve the citizenry of the nation. This can only be achieved if we can have an employee centric HR Policy.

Organisational Issues

WORKSHOP ON USAGE OF SOCIAL MEDIA PLATFORM

Social Media viz., Twitter, Facebook et al., have become an integral part of the society and a gateway to get connected to the world at large, apart from an opportunity for quick dissemination of information. These have become the power tools which can impact and influence the society and also create opinion.

In this backdrop, AIBOC decided to revamp its social media wing for dissemination of information as well as highlighting issues confronting the industry, economy and more particularly, the issues pertaining to officers fraternity of the banks, to grab the due attention of all concerned. Towards this, in order to empower the affiliates to make best use of social media, a workshop was organised at Kolkata on 29th July 2019.

The programme was inaugurated by Comrade Soumya Datta General Secretary, AIBOC in the presence of State Secretary, AIBOC West Bengal, and Jt. General Secretary, AIBOC, Comrade Sanjay Das. Our affiliates, across the country had deputed their best tech-savvy activists to the workshop.

Shri Ritobroto Maitra, a young, out of box thinker and Artificial Intelligence engineer, who is also closely and passionately associated with AIBOC, handled the sessions; explained the nitty-gritties of handling social media and imparted technical inputs in effectively utilising social media to propagate our concerns, action programs and developments . All participants appreciated the contents and the way the skills were imparted. Each of them actively participated and many professional-level graphics, relevant to banking and economy, were conceptualised and exhibited in the workshop, which was highly appreciated by Shri Maitra. This brought out the tremendous potential and ability of our participants, which vindicated the decision to organise such a workshop. ■

Congratulations

COMRADE SRIJAN KUMAR PAL TAKES OVER AS GENERAL SECRETARY OF AIRRBOF

The 67th Central Committee Meeting of AIRRBOF was held at Hotel Orient Taiba, Nagpur on 28th July, 2019. The meeting was extremely significant as during the course of the meeting Com. S. K. Bhattarcharya tendered his resignation as General Secretary, AIRRBOF citing personal reasons. With a heavy heart, the members of the Federation accepted his resignation and requested him to grace the Federation in an advisory capacity. The entire house unanimously placed on record their appreciation for his immense contribution to the growth and development of the Federation. Thereafter, house unanimously resolved to co-opt Comrde Srijan Kumar Pal as General Secretary of AIRRBOF.

Common Bond extends its greetings to Comrade Srijan Kumar Pal on his taking up the challenging assignment and hope that under his dynamic leadership issues like a) Career path of officers of RRB b) Change of Service rule to bring them at par with the sponsor banks, reframing of the promotion rules in RRB and the most important issue of recruitment of officers and award staff will get resolved. Common Bond also requests the leadership of all AIBOC affiliates to extend their helping hand as hitherto to the new leadership for further consolidation of AIBOC foot print in the RRB sector.■

COMING TOGETHER IS BEGINNING, WORKING TOGETHER IS SUCCESS

News we Cherish

REACHING FOR THE MOON

India's second lunar journey and its first-ever mission to be spearheaded by two women got a boost after the ambitious Chandrayaan-2 mission, headed to the moon's South Pole, achieved an orbit 6,000 km more than what was targeted.

ISRO achieved a perfect launch at 2.43 p.m. on 22.07.2019 from the second launch pad at Satish Dhawan Space Centre, SHAR, in what was the GSLV-MKIII's first operational flight.

From the scientists at the Mission Control to those at the Viewing Gallery, the media centre, and millions watching on television across the nation, the launch seemed like a nail-biting sports match. The cheers, whistles and claps every time a launch objective was achieved, at the Viewing Gallery and the Media Centre, gave the launch a semblance of the reception normally given to film stars or excellent sportspersons.

Sixteen minutes after the rocket rose into the cloudy skies leaving a trail of bright orange plumes and its engines let out a majestic roar before vanishing behind the clouds, the spacecraft was injected into orbit at a perigee of 169.7km and apogee of 45,475 km, the apogee more than what was targeted.

"The GSLV-Mark III vehicle has successfully injected Chandrayaan-2 in the defined orbit. In fact, the orbit is 6,000 km more than what was intended. The satellite will have more life, more fuel and more time to play with the manoeuvres. It is the beginning of a historical journey of India towards Moon and to land at a place near the South Pole to carry out scientific experiments to explore unexplored [areas].

It is great to hear that the Chandrayaan-2 is on the right track and has entered the orbit of the moon. The success of ISRO, its dedicated scientists and engineering team has made every Indian immensely proud. It confirms that sky is the real limit for the Indian aspirations and with right dose of support and encouragement we can scale any heights. Common Bond compliments the satellite team for literally burning the midnight oil to get the satellite ready for launch.■

Banking News

BANKING NEWS

The Department of Financial Services (DFS) in the Ministry of Finance has decided to conduct a bottom-up consultative process from the branch level upward involving discussion at regional, SLBC/ State level and National level. The consultation will reportedly cover eight thematic papers prepared by the domain experts and will also include review of the bank's performance during the last 5 years and detailed discussion thereon. The aim of the consultative process is to ensure alignment of banking with national priorities, stimulating ideas and inculcating a sense of involvement among bankers down to the branch level.

It is understood that the expectations of the government from the bankers meet inter alia as covers a host of subject, both internal to the bank as also relating to the role the banking system can play regarding national priorities. While the internal issues referred to review of the performance of the banks during the last 5 years based on certain predetermined parameters, alignment of banking with national priorities will be assessed in the following broad areas:

i) Credit support for economic growth
ii) Credit support for infrastructure

THE ONLY JOURNEY IS WITHIN

iii) Doubling farmers income
iv) Jal Shakti
v) Support for green economy
vi) Housing for All
vii) Swachh Bharat
viii) Empowering women
ix) MSMEs/Mudra
x) Stand-up India
xi) Education loans
xii) Blue economy
xiii) Export credit
xiv) Less cash/digital economy
xv) Technology
xvi) Financial inclusion
xvii) Direct Benefit Transfer
xviii) Ease of living
xix) Alignment with local priorities, and
xx) Corporate social responsibility

Common Bond is extremely happy to extend whole hearted support to the well-intended initiative undertaken by the Ministry of Finance with the noble purpose of converging ideas to find optimum solution through consulting officials of the bank across the hierarchy on various parameters that will ensure dispelling loop holes and weakness in the banking sector to reinvigorate credit growth and improving accounting standards and nurturing competitive efficiency alongside niche competencies in the banking space while aligning its future course of action in tune with the government initiatives.

It is heartening to note that the expected outcome of the initiative as has been envisaged aims at extending Credit to Micro, Small and Medium Enterprises (MSME) sector, Retail lending, Agriculture Credit, Export Credit and Digital Payments among many other parameters by adopting review exercise on performance of banks during the last five years. It also encompasses alignment of banking with national priorities, synchronization with area-specific issues and growth potential, role of PSBs as active partners in the Indian growth story, generation of ideas for creating a roadmap for the future, comparative ranking of banks, enhanced ease of living by making banks more responsive to customers, challenges before banks and their preparedness in areas such as cyber security and data analytics, multi-layered analysis of comparative performances at regional, state and national levels, both within and across banks, etc.

All will agree that the success of the proposed initiative will depend much on the active participation of all the stake holders and therefore it is imperative that the process certainly takes care of the overall characteristics of the participants and their immediate preparedness while responding to the situation. Further adoption of one jacket which suits all weather might not bring desired result. Accordingly, it will be just and fair that the representative organisations of the bank employees and more specifically AIBOC being an apolitical trade union without any affiliation to any political party or doctrine and fiercely independent in expressing its pragmatic opinion should be given an opportunity to share its thought on various tenets of banking. Such involvement of the organisations like AIBOC will make the process more meaningful and may go a long way in ensuring the desired alignment of the banking system, the main fulcrum on which the national financial system depends, with the national priorities as set forth by the government.■

Circulars

CIRCULARS

41 dated 27th July, 2019: Disciplinary Proceedings Workshop for Office Bearers organised by AIBOC Tamil Nadu State Unit

42 dated 30th July, 2019: Workshop on Usage of Social Media Platform

43 dated 31st July, 2019: Circular on Dearness Allowance

44 dated 14th August, 2019: Copy of text of letter to the Secretary, DFS - Banker's Meet – "Converging Ideas" - Request for participation.■

NATION FIRST, ORGANISATION NEXT, INDIVIDUAL LAST

Judicial Verdict

2019 LLR 617
Punjab and Haryana High Court
Hon'ble Mr. Krishna Murari, CJ.
Hon'ble Mr. Arun Palli, J.
LPA No. 367/2019 (O&M) & CM No. 824-LPA/2019
Dt/- 10-4-2019
Executive Engineer, Provincial Division, Haryana, PWD (B&R) Branch, Jhajjar
Vs.
Pradeep Kumar and Another

A. Industrial disputes act, 1947 – Sections 25F, 25G and 25H – Termination illegal – Workman was terminated without notice or notice pay or retrenchment compensation – he raised an industrial dispute – Management failed to prove its defence either of abandonment or non-completion of 240 working days in a calendar year, since no supporting document was placed on record – MW admitted that records were maintained and employment of workman was admitted as a daily wager – Industrial Tribunal passed award in favour of the workman – Management challenged the award in writ petition but failed – Management failed to produce record to prove either abandonment on the part of the workman or non-completion of 240 working days continuous service by the workman, finding of the industrial Tribunal has been affirmed by the Learned Single Judge – Hence, appeal fails since there is no plea that the award is not based on misreading of evidence or are vitiated for non-consideration of any material piece of evidence.

B. Continuous service – 240 working days – Burden of proof – Onus on workman when shifts upon management – Once MW admitted factum of maintaining records and employment of workman, may be on daily wages, onus shifts upon management to demonstrate relevant records to falsify the plea of 240 working days continuously taken by the workman.

C. Abandonment – Burden of proof upon employer – abandonment being a plea taken by the employer is to be proved by the employer by producing attendance and wages records and efforts made to direct the workman to resume duty.

IMPORTANT POINTS

Termination of services of a workman in violation of Sections 25F, 25G and 25H of the Industrial Disputes Act, 1947 is illegal justifying reinstatement with back wages and continuity of service.
Adverse inference against the management is justified when production of records of attendance and wages being maintained by the employer is not made before the Court.
Burden of proof to prove 240 working days initially is upon the workman but the onus of proof shifts upon management when the records and employment of workman, to demonstrate relevant records to falsify the plea of 240 working days continuously taken by the workman.
Abandonment being a plea taken by the employer by producing attendance and wages records and efforts made to direct the workman to resume duty.

CM NO. 824-LPA OF 2019
Krishna Murari, CJ. – 1. Heard. For the reasons mentioned in the application, delay of 65 days in re-filling the appeal is condoned. Application stands disposed of.

LPA NO. 367 OF 2019
This intra-court appeal filed by the State of Haryana under Clause X of the Letters Patent is directed against the judgment and order dated 03.10.2018 passed by the learned Single Judge dismissing the petition challenging the award of the Labour Court made in favour of the respondent-workman.

2. In brief, the facts required to be noticed for adjudication of the controversy can be summarized as under:-

Respondent-workman was appointed as a Mate on 01.01.1991 on daily wages and his services were abruptly terminated on 30.12.2000 without assigning any reason. An industrial dispute was raised on the ground that the termination is bad in law as it is not preceded by the notice or payment of retrenchment

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compensation and thus was in violation of Sections 25F, 25G and 25H of the Industrial Disputes Act, 1947.

3. A reference was made to the Industrial Tribunal-cum-Labour Court. The appellant-State set up a plea before the Tribunal in defence that the workman was appointed on temporary basis on daily wages and left the job of his own and did not report on duty after 30.11.1991 and thus it was a case of abandonment of service. Another defence set up was that the workman has not completed 240 days in preceding calendar year. Both the defence set up by the appellant management before the Labour Court were negated for want of any evidence being brought on record to substantiate the same. A categorical finding in respect of the plea set up by the appellant with respect to abandonment of service has been returned that there was no material brought on record by the appellant herein that the respondent-workman had abandoned the job. Thus there was no iota of evidence available on record to substantiate the plea set up in defence.

4. In so far as the issue of having not completed 240 days continuous service by the employee is concerned, the Tribunal relying upon the statement of MW1 the SDO of the appellant employer who admitted in cross-examination that relevant record was not produced to establish the factum that there was any break in service. Since the record of employment was maintained by the appellant-employer and once the factum of employment was admitted, the onus was upon the appellant-management to demonstrate by producing relevant record that the respondent-workman failed to satisfy the test of 240 days of continuous employment in the preceding calendar year. On this issue also the Industrial Tribunal has returned a finding that the employer management failed to discharge the onus.

5. Learned Single Judge after analyzing the record has affirmed the findings returned by the Industrial Tribunal which in effect are the findings of fact based on appraisal of material on record. During the course of arguments, learned Assistant Advocate General, Haryana failed to satisfy that the findings returned by the Industrial Tribunal-cum-Labour Court and affirmed by the learned Single Judge of this Court are either based on misreading of evidence or are vitiated for non-consideration of any material piece of evidence.

6. In view of the above, the learned Single Judge rightly dismissed the writ petition and we find no infirmity in the impugned judgment so as to interfere in the matter.

The appeal being devoid of merits stands dismissed.■

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