

ALL INDIA BANK OFFICERS' CONFEDERATION

(Registered under the Trade Unions Act 1926, Registration No.3427/Delhi)
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Circular No. 2020/40

Date:23.04.2020


To All Affiliates (Please Circulate)

Dear Comrade,

EXTENSION OF LOCKDOWN PERIOD : DISCIPLINARY PROCEEDINGS

We reproduce below text of the joint letter dated 23.04.2020 addressed to the chairman IBA on the captioned subject. Copy of the letter has also been sent to the Chairman, SBI and MD&CEOs of all banks.

With greetings,


(Soumya Datta)
General Secretary

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

Date: 23.04.2020

The Chairman
Indian Banks' Association
World Trade Centre Complex
Cuff Parade
Mumbai

Dear Sir,

EXTENSION OF LOCKDOWN PERIOD
DISCIPLINARY PROCEEDINGS

Following the extension of 'Lockdown' from 14th April 2020 up to 03rd May 2020, one of the key areas of concern is the fate of disciplinary proceedings contemplated and initiated against officers as authorities have imposed various restrictions also on activities and movement of the people due to suspension/ restriction on various public transport.

In almost all the banks' many departmental inquiries may be pending at various stages. The delay in concluding these inquiries will have various adverse effects on the charge-sheeted officers and their career. Some of them are as follows:

1. If the charge-sheeted officer is due for retirement and the inquiry is not concluded, the bank may revoke Regulation 20(3)(iii) in other nationalized banks except SBI and Rule 19(iii) In SBI. As a result, the officer will not receive his terminal benefits, except his own Provident Fund Contribution while retiring from the service. The first casualty would be nonpayment of commutation of pension. Apart from the financial loss (in the form of interest and opportunity cost for investment), it will lead to a stigma on the officer.
2. The Defence Assistant, whom the charge-sheeted officer has chosen for defence, may retire during the pendency of the inquiry. If he is not allowed to defend the officer after retirement, the charge-sheeted officer will be denied of the defence as per his choice leading to gross injustice to him.
3. Delay in concluding the inquiry will extend the period of the rigour of the officer for his promotion. As a result, the officer may lose an opportunity of promotion for at least one extra year affecting his future career.

Because of the same we request you as follows:

1. In all cases where the banks cannot conclude the inquiry, the charge-sheeted officer should be allowed to retire on superannuation, if due, in the normal course without invoking Regulations. 20(3)(iii) in other Nationalised banks and Rule 19(iii) in SBI.

2. If an officer who is acting as Defense Assistant retires on superannuation before the conclusion of the inquiry, he should be allowed to continue as Assisting Officer even after retirement, until the inquiry is concluded. It may be noted here that the issue of permitting retired officers to act as Assisting Officer is one of the issues being negotiated by us under non- financial items in the charter of demands.

3. All Charge sheets issued before the lockdown period, the punishment is given/ to be given, if any, at any time subsequent date should be treated as a punishment given as on 31st March.

4. All Charge sheets issued after 31st March 2020, rigour period, wherever applicable, should be restricted up to 31st March 2021 and all such officers should be eligible in promotion process for 2021-22.

With regards,

Yours sincerely,

Sd/-
(Soumya Datta)
General Secretary
AIBOC

Sd/-
(Nagarajan S)
General Secretary
AIBOA

Sd/-
(Prem Kumar Makker)
General Secretary
INBOC

Sd/-
(Viraj Tikekar)
General Secretary
NOBO

A virus does not spread itself. It is we, who spread it.
