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Editorial

REPEAL LABOUR CODE!

The Labour Code 2025 signifies a bold shift in India's employment ecosystem, introducing flexibility, transparency, and purportedly better long-term benefits for employees. The government claims these reforms have the potential to foster a healthier and more balanced workforce. The four new Indian Labour Codes aim to simplify and consolidate 29 existing labour laws. They are: i) The Code on Wages; ii) The Industrial Relations Code; iii) The Code on Social Security; and iv) The Occupational Safety, Health, and Working Conditions Code.

The Code on Wages seeks to universalize and regulate minimum wages for all employees in both the organized and unorganized sectors. The Industrial Relations Code aims to streamline dispute resolution and labour relations processes, with the goal of creating a more efficient and accessible system for resolving workplace conflicts. The Code on Social Security intends to expand coverage to more workers, including those in the unorganized sector and gig economy, providing access to benefits such as EPF, EPS, and medical insurance. Lastly, the Occupational Safety Code aims to ensure safe and healthy working conditions by setting standards for workplaces and offering protection against hazards.

These new amendments to labour laws will be implemented in all business organizations, with specific timelines based on the size of the business. Proponents of the new labour laws argue that the gradual implementation of the Labour Codes marks a pivotal change toward modernizing labour regulations, improving worker protections, and creating a more favorable environment for businesses. It is crucial for both employers and employees to remain informed and prepared for these developments to facilitate a smooth transition.

However, a natural question arises: Why are trade unions, including those aligned with the ruling establishment, opposing the implementation of these new codes if they are supposedly beneficial for workers? Trade unions are concerned and are preparing for a struggle because the new labour codes threaten to reverse many hard-earned rights of the working class and diminish occupational security.

Trade unions fear that the Industrial Relations Code will ease the processes of retrenchment, closure, and layoffs. There is no compensation for laid-off workers in establishments with fewer than 50 employees. The code also complicates the registration of trade unions. Furthermore, only establishments employing more than 300 workers are required to prepare standing orders related to service conditions, paydays, and other relevant issues. This effectively leaves the majority of workers without any safety net, forcing them to operate at the mercy of their employers.

These labour codes are not merely regulatory tools; they are part of a system designed to instill fear among workers. The rights and protections guaranteed to workers in the country's labour laws have either been diluted or removed by judicial decisions, and further changes can be made by Executive Orders that bypass the legislature. The Banking Amendment Bill contains clauses that also allow executives to make changes via orders. In this context, "executives" refers to the government acting on behalf of corporate interests.

The amendment in Vishwas ACT 2023 grants employers the license to violate labour laws. The government intends to promote trust-based governance and ease of living and doing business, but primarily from the employer's perspective. Similarly, grievance redressal portals have undermined the intended purpose of enhancing ease of compliance, effectively allowing employers to act with impunity at the expense of employees.

Existing labour laws are the result of over a century of struggle and sacrifice by the working class. It appears that policymakers lack an understanding of this history. The speed with which these laws are set to be implemented must be examined alongside the government's attempts to privatize the infrastructure sector, including railways, roadways, airways, ports, docks, telecommunications, and mining.

Central trade unions have called for a nationwide strike on May 20, 2025, protesting against the unilateral implementation of the labour laws. If our neighbor's house is on fire, we cannot remain unaffected by the impending disaster.

Common Bond strongly believes that a unified protest by all workers, regardless of their position, can ensure true trade union democracy.■

 # March on comrades,

 # NationAgainstPrivatisation

 # BankBachaoDeshBachao

ADIEU AND WELCOME

FAREWELL

Comrade Balachandran P M, President AIBOC, and General Secretary, All India Union Bank Officers' Federation has demitted office on his attaining superannuation from Union Bank on 31st March, 2025 after an illustrious journey in banking trade union. Common Bond places on record his valuable contribution as a member of the Editorial Board.■

WELCOME

Common Bond welcomes Com Sekaran R, Secretary General, All India Indian Bank Officers' Association, as the President of AIBOC. It trusts that it will be impacted by his stellar guidance and contribution as a member of the Editorial Board.■

News

IBA ELECTS C S SETTY AS NEW CHAIRMAN OF IBA

IBA elects CS Setty as new Chairman : The managing committee of Indian Banks' Association (IBA) has elected Mr. C S Setty, Chairman, State Bank of India (SBI), as the new Chairman. The committee also elected Mr. A Maninekhalai, MD, Union Bank, Mr. Swarup Kumar Saha, MD, Punjab & Sind Bank, and Mr. Madhav Nair from Bank of Bahrain & Kuwait BSC as three deputy Chairmen. Karur Vysya Bank, MD, Mr. B Ramesh Babu has been elected as honorary secretary of IBA. IBA is the industry body for banks, having members from across public and private sector banks. The body holds consultations between bankers and the banking regulator on areas concerning the sector.■

THERE HAS TO BE EVIL SO THAT GOOD CAN PROVE ITS PURITY ABOVE IT

HIKE IN ATM TRANSACTION FEE

RBI to hike ATM transaction fee from ₹ 21 to ₹ 23 starting May 2025 :

The Reserve Bank of India announced on Friday that starting May 1, 2025, customers will be charged a fee of ₹ 23 per transaction for ATM banking services. Earlier the amount was set at ₹ 21 per transaction. Customers will continue to be entitled to five free transactions (both financial and non-financial) each month from their own bank's ATMs, informed the central bank. They can also make free transactions at other banks' ATMs—three in metro cities and five in non-metro areas. ET reported on Wednesday that the RBI and the National Payments Corporation of India (NPCI) had approved a ₹ 2 increase in the ATM interchange fee for cash withdrawals. NPCI communicated this change to member banks on March 13, with the new fees set to take effect from May 1, 2025.■

GOVT. UNLIKELY TO GO AHEAD WITH PRIVATISATION OF BANKS

Govt. unlikely to go ahead with privatisation of banks: Official :

The Centre has shelved a proposal to privatise two public-sector banks as the sector has become more profitable, a senior government official said. **"We don't need to privatise banks.. what is the need?** They are profitable and there is a trust factor with public sector banks," said the source. Public sector banks' profitability has seen an impressive rise of late, with some outshining its private counterparts. PSBs' aggregate net profit stood at ₹ 1.41 lakh crore in 2023-24 as against ₹ 1.05 lakh crore in 2022-23. Many expected the government to move ahead with the procedures to privatise the two PSBs with the general elections being completed in May 2024. ■

PRESIDENT APPROVES BANKING LAWS (AMENDMENT) ACT 2024

The central government has officially notified the Banking Laws (Amendment) Act, 2024, introducing key changes in the way nominations work for bank accounts. One of the most important updates is that account holders can now name up to four nominees for their bank accounts, locker contents, and safe custody items.

While the Act was passed and received Presidential assent on April 15, 2025, the actual implementation date for different provisions will be announced separately.■

OVERCOME ANGER BY LOVE, EVIL BY GOOD

KEY LEGISLATIVE CHANGES

This amendment touches several important banking laws:

- ✶ Reserve Bank of India Act
- ✶ Banking Regulation Act
- ✶ State Bank of India Act
- ✶ Banking Companies (Acquisition and Transfer of Undertakings) Act
  Home loan options

The government has clarified that these changes **do not relate to reducing its stake in public sector banks (PSBs)** or pushing for their privatisation.

What's New in Nominations?

Under the new law:

- ✶ **Up to four nominees** can be assigned for each deposit, locker, or item in bank custody.
- ✶ Currently, only **one nominee** is allowed.
- ✶ Account holders can:

  Assign priority to nominees (where only one nominee is considered at a time based on survival), or

  Divide shares among the four nominees.

In the **priority mode,** the nomination becomes effective in sequence—if the first nominee is alive, they get the rights. If not, it passes to the second nominee, and so on.

This priority mechanism will also apply to lockers and safe custody items.

Reducing Unclaimed Deposits

One major goal of this amendment is to reduce the rising volume of **unclaimed bank deposits,** which occur often due to the **death of account holders without a nominee.** Unclaimed deposits—those untouched for 10 years—are transferred by banks to the **RBI's Depositor Education and Awareness Fund (DEAF).**

Between 2019-20 and December 31, 2024, public sector banks transferred over **₹45,000 crore** in unclaimed funds to this fund. Despite this, depositors or their **legal heirs can still claim these funds** from the original bank along with applicable interest.

Other Important Amendments

✶ The tenure of directors (excluding chairman and full-time directors) in **cooperative banks** has been increased from **8 to 10 years,** aligning with the **97th Constitutional Amendment.**

✶ Directors of **central cooperative banks** can now serve on the board of **state cooperative banks.**

✶ **Banks now have more flexibility in deciding the remuneration for statutory auditors.**

✶ The **regulatory reporting dates** for banks will now be shifted to the **15th and last day of each month,** instead of the earlier second and fourth Fridays.■

ONE STATE, ONE RRB

The Indian government has issued a notification for the consolidation of 26 Regional Rural Banks (RRBs) under the **"One State, One RRB"** policy, effective from May 1, 2025, aiming to improve operational efficiency and cost rationalization.

The Ministry of Finance is implementing the "One State, One RRB" policy to streamline the functioning of RRBs by merging smaller, less efficient ones.

OBJECTIVE:

The consolidation aims to enhance operational efficiency, reduce competition, and promote better cost management.

IMPLEMENTATION:

The amalgamation of 26 RRBs across 10 states and one union territory will reduce the total number of RRBs from 43 to 28.

STATES AFFECTED:

States like Andhra Pradesh, Uttar Pradesh, West Bengal, Bihar, Gujarat, Jammu & Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Odisha, and Rajasthan are involved in the consolidation.

LEGAL BASIS:

The consolidation is based on the powers granted under Section 23 A (1) of the Regional Rural Banks Act, 1976.

TIMING:

The merger will come into effect on May 1, 2025.

BENEFITS:

The government expects this consolidation to improve credit flow, particularly in rural areas, by strengthening RRBs' financial positions and operational frameworks.

PREVIOUS CONSOLIDATION:

The current consolidation is the fourth phase of RRBs consolidation, which has reduced the number of RRBs from 196 to 43.

Govt notifies merger of 26 regional rural banks into 12 entities under **'One State One RRB'** policy

In Uttar Pradesh, Baroda U.P. Bank, Aryavart Bank, and Prathama U.P. Gramin Bank have been merged into Uttar Pradesh Gramin Bank.

The government has notified the amalgamation of 26 Regional Rural Banks (RRBs) into 12 consolidated entities, under the "One State One RRB" principle.

The finance ministry said it had rolled out an amalgamation plan in November 2024 for consultation with stakeholders.

"After consultation with stakeholders, amalgamation of 26 RRBs in 10 States and 1 UT have been carried out with primary focus on improvement in scale efficiency and cost rationalization," it added.

With this, the total number of RRBs operating across the country has been brought down from 43 to 28. These banks collectively operate more than 22,000 branches, covering 700 districts, with nearly 92% of them located in rural and semi-urban areas.

The move could help lenders not only cut costs but also avoid undue competition among sponsoring public sector banks.

A gazette notification issued on April 5 detailed the merger of four RRBs in Andhra Pradesh—Chaitanya Godavari Grameena Bank, Andhra Pragathi Grameena Bank, Saptagiri Grameena Bank, and Andhra Pradesh Grameena Vikas Bank—into a single entity named Andhra Pradesh Grameena Bank, headquartered in Amravati. The new bank will function under the sponsorship of Union Bank of India, with an authorised capital of ₹ 2,000 crore.

According to the notification, the assets, liabilities, contracts, and ongoing legal proceedings of the four merging banks will be transferred to the new entity. Employee services will continue uninterrupted under existing terms and conditions, while a committee comprising representatives from NABARD and the sponsor bank will address seniority-related matters.

In Bihar, Dakshin Bihar Gramin Bank and Uttar Bihar Gramin Bank have been merged to form Bihar Gramin Bank, with its head office at Patna, sponsored by Punjab National Bank.

In Gujarat, Baroda Gujarat Gramin Bank and Saurashtra Gramin Bank have been merged to form Gujarat Gramin Bank, headquartered in Vadodara, under the sponsorship of Bank of Baroda.

In Jammu & Kashmir, J&K Grameen Bank and Ellaquai Dehati Bank have been amalgamated to form Jammu and Kashmir Grameen Bank, with headquarters in Jammu, under The Jammu and Kashmir Bank Ltd.

In Karnataka, Karnataka Vikas Grameena Bank and Karnataka Gramin Bank have been merged to form a unified entity named Karnataka Grameena Bank, with its head office at Ballari, sponsored by Canara Bank.

In Madhya Pradesh, Madhya Pradesh Gramin Bank and Madhyanchal Gramin Bank have been merged to form a new Madhya Pradesh Gramin Bank, headquartered at Indore, sponsored by Bank of India. In Maharashtra, Maharashtra Gramin Bank and Vidharbha Konkan Gramin Bank have been amalgamated to form Maharashtra Gramin Bank, with its head office at Chhatrapati Sambhajinagar, under Bank of Maharashtra's sponsorship.

In Odisha, Odisha Gramya Bank and Utkal Grameen Bank have been merged to form Odisha Grameen Bank, headquartered in Bhubaneswar and sponsored by Indian Overseas Bank.

In Rajasthan, Rajasthan Marudhara Gramin Bank and Baroda Rajasthan Kshetriya Gramin Bank have been combined into Rajasthan Gramin Bank, with its head office in Jaipur under State Bank of India's sponsorship.

In Uttar Pradesh, Baroda U.P. Bank, Aryavart Bank, and Prathama U.P. Gramin Bank have been merged into Uttar Pradesh Gramin Bank, with headquarters in Lucknow under the sponsorship of Bank of Baroda.
In West Bengal, Bangiya Gramin Vikash, Paschim Banga Gramin Bank, and Uttarbanga Kshetriya Gramin Bank have been merged to form West Bengal Gramin Bank, with its head office in Kolkata under Punjab National Bank's sponsorship.

The merger will come into effect on May 1, 2025.

The government's decision is also seen as a response to persistent challenges faced by RRBs, including limited capital access and outdated technological infrastructure. While RRBs—jointly owned by the Centre (50%), sponsor banks (35%), and state governments (15%)—have played a crucial role in rural credit delivery, there have been calls for structural reforms.

In June 2024, major bank unions such as the All India Bank Officers' Confederation (AIBOC) and the All India Bank Employees Association (AIBEA) had pushed for merging RRBs with scheduled commercial banks. They argued that overlapping service offerings by RRBs and sponsor banks were creating inefficiencies and resource duplication in rural banking markets.

"The RRBs are constrained in offering modern banking products and their customers are discriminated in terms of access," the unions had said, adding that merger with sponsor banks would ensure uniformity in service offerings and enhance the viability of the rural credit ecosystem.

The government has notified the amalgamation of 26 Regional Rural Banks (RRBs) into 12 consolidated entities under the "One State One RRB" policy.

List of New Rural Banks to be Formed :—

- Andhra Pradesh Gramin Bank- Union Bank of India
- Bihar Gramin Bank- Punjab National Bank
- Gujarat Gramin Bank- Bank of Baroda
- Jammu & Kashmir Gramin Bank- J&K Bank
- Karnataka Gramin Bank- Canara Bank
- Madhya Pradesh Gramin Bank- Bank of India
- Maharashtra Gramin Bank- Bank of Maharashtra
- Odisha Gramin Bank- Indian Overseas Bank
- Rajasthan Gramin Bank- State Bank of India
- Uttar Pradesh Gramin Bank- Bank of Baroda
- West Bengal Gramin Bank- Punjab National Bank

THE FOOL WHO KNOWS HE IS A FOOL IS MUCH WISER THAN THE FOOL WHO THINKS HE IS WISE

CIRCULARS

16 dated 31st March, 2025 :	Comrade P M Balachandra, President, AIBOC demits office
17 dated 01st April, 2025 :	Comrade Sekaran R takes over as President of AIBOC
18 dated 04th April, 2025 :	Text of letter no. AIBOC/2025/06 dated 04.04.2025 addressed to the General Secretary, AIUCBOF extending its absolute support in solidarity with them on their agitation programme including two days strike in UCO Bank on 21.04.2025 and 22.04.2025.

JUDICIAL

2025 LLR 176

IN THE HIGH COURT OF KERALA HIGH COURT AT ERNAKULAM

WP (C) No. 36274/2024 Dt/- 4.12.2024

SADHOO BEEDI ENTERPRISES ...PETITIONER

VERSUS

THE CONTROLLING AUTHORITY UNDER PAYMENT OF GRATUITY ACT ...RESPONDENT

PAYMENT OF GRATUITY ACT, 1972 - Section 7 - *Payment of gratuity in installments - Whether permissible - The respondent-employee retired from the petitioner-establishment on 30-04-2017 permissible on superannuation and submitted an application for payment of gratuity before the Controlling Authority - The Controlling Authority passed an order under section 7(4) of the Act directing the establishment to pay the employee the balance gratuity with 10% interest within 30 days - Since no appeal was preferred against the said order, a show cause notice was issued to the establishment for recovery of the amount under section 8 of the Act - The establishment requested to permit it to pay the amount ordered in 12 equal installments - The said request was rejected and a direction was given to pay the gratuity ordered within 7 days - Aggrieved by the same, the petitioner-establishment has filed the present writ - The question is whether gratuity can be paid in installments - Held, law does not provide for payment of gratuity in installments as the purpose of gratuity is to serve as a retirement or*

terminal benefit ensuring immediate financial support to the employee or their dependents, as the case may be - It provides financial protection during the autumn years of a retired employee's life. Financial distress of the employer is not at all an excuse for denying or delaying payment of gratuity, which provides socio-economic security to the employee - Gratuity is to be paid in lump sum, that too, within 30 days from the date it becomes payable - The petitioner shall deposit the balance amount along with interest before the respondent-employee within 30 days from the date of receipt of a copy of the judgment - Writ petition is disposed of.

IMPORTANT POINTS

✷ **'Gratuity'** is a gratuitous lump sum payment given by an employer to an employee upon the termination due of his employment to superannuation, retirement, resignation, death, or disablement caused by an accident or disease.

✷ While pension is payable periodically, gratuity is paid only once on termination of employment.

✷ The law does not provide for payment of gratuity in installments as the purpose of gratuity is to serve as retirement or a terminal benefit ensuring immediate financial support to the employee as or their dependents, the case may be.

✷ The Payment of Gratuity Act, 1972 provides financial protection during the autumn years of a re-tired employee's life.

✷ Financial distress of the employer is not at all an excuse for denying or delaying payment of gratuity, which provides socio-economic security to the employee.

✷ Gratuity is to be paid in lump sum, that too, within 30 days from the date it becomes payable.

J U D G M E N T

Murali Purushottam J.

1. The petitioner is an establishment covered under the **Payment of Gratuity Act, 1972** (hereinafter referred to as 'the Act', for short). The 2nd respondent employee, who retired from the establishment on 30.04.2017 on superannuation, submitted Ext.P1 application under Rule 10(1) of the Kerala Payment of Gratuity Rules, 1973, before the 1st respondent Controlling Authority, contending that the employer refused to pay the full gratuity due to him. The 1st respondent passed Ext.P2 order under **Section 7(4)** of the Act directing the petitioner to pay the 2nd respondent the balance gratuity amount of ₹.1,04,291/- with 10% interest from 19.05.2019 and interest at the rate of 10% per annum from 01.05.2017 to 18.05.2019 on ₹.1,14,291/- within 30 days from the date of receipt of the order. No appeal has been preferred against Ext.P2 under **Section 7(7)** of the Act. Since the amount ordered in Ext.P2 was not paid to the 2nd respondent, the 1st respondent issued Ext.P3 show cause notice directing the petitioner to show cause why action should not be taken to recover the amount under **Section 8** of the Act. To Ext.P3, the petitioner submitted Ext.P4 reply requesting to permit the petitioner to pay the amount ordered in Ext.P2 in 12 equal installments. The request of the petitioner was rejected by the 1st respondent

by Ext.P5 communication and the petitioner was directed to pay the gratuity ordered in Ext.P2 within 7 days of receipt of Ext.P5. Challenging Exts.P3 and Ext.P5, the petitioner has preferred this writ petition.

2. As stated, Ext.P2 order of the 1 st respondent has become final as the petitioner has not filed any appeal. Ext.P2 is not under challenge before this Court also. The 2nd respondent has not given any written consent to receive the gratuity in installments. It is submitted by the petitioner that the establishment is facing serious financial doldrums and it is not possible to pay gratuity to the 2nd respondent in lump sum.

3. Heard the learned counsel for the petitioner, the learned counsel for the 2nd respondent and the learned Government Pleader.

4. As per **Section 7(2)** of the Act, as soon as the gratuity becomes payable to an employee, the employer shall, whether an application has been made or not, determine the amount of gratuity. **Section 7(3)** provides that the employer shall arrange to pay the amount of gratuity, within 30 days from the date it becomes payable. **Section 7(4)(b)** provides that if there is any dispute as to the amount of gratuity payable to an employee under the Act or as to the admissibility of any claim for payment of gratuity, the employer or employee or any other person raising the dispute may make an application to the Controlling Authority for deciding the dispute. **Section 7(4)(c)** provides that the Controlling Authority shall determine the dispute and if amount is found payable to the employee, shall direct the employer to pay such amount or as the case may be, such amount as reduced by the amount already deposited by the employer. Ext.P2 is an order passed by the Controlling Authority under **Section 7(4)(c)**. Since the petitioner did not pay the amount as ordered in Ext.P2, Ext.P3 show cause notice was issued. The petitioner submitted Ext.P4 reply requesting to permit the petitioner to pay the amount in 12 equal installments. The same was rejected by the 1st respondent by Ext.P5 on the ground that gratuity cannot be paid in installments. The relief prayed for in the writ petition is to allow the petitioner to make payment of the amount ordered in Ext.P2 in 12 installments.

5. The question to be considered in this writ petition is whether gratuity can be paid in installments. The Hon'ble Supreme Court in **Maniben Maganbhai Bhariya v. District Development Officer, Dahod and Others, while considering the object and scope of the Payment of Gratuity Act, 1972,** observed as follows:

> "7. Act, 1972 on the genre of Statutes like The Minimum Wages Act, Employees State Insurance Act, etc. is a welfare measure to secure social and economic justice to employees to assist them in old age and to ensure them a decent standard of life on retirement.

8. Derived from a Latin word 'Gratuitas', the term Gratuity means a 'Gift.' In the industrial sector, gratuity is considered as a gift from the employers to their employees. Gratuity is a lump sum payment paid by an employer to the employee for his/her past dedicated services. It is a gesture to appreciate the efforts of a person towards the betterment, development and prosperity of an establishment and that is the reason for which

DO NOT DWELL ON THE PAST OR FUTURE. CONCENTRATE ON THE PRESENT MOMENT

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gratuity is considered to be a social security, and with passage of time, it has become a statutory obligation on the part of employers."

'Gratuity' is a gratuitous lump sum payment given by an employer to an employee upon the termination of his employment due to superannuation, retirement, resignation, death, or disablement caused by an accident or disease. While pension is payable periodically, gratuity is paid only once on termination of employment. The law does not provide for payment of gratuity in installments as the purpose of gratuity is to serve as a retirement or terminal benefit ensuring immediate financial support to the employee or their dependents, as the case may be. It provides financial protection during the autumn years of a retired employee's life. Financial distress of the employer is not at all an excuse for denying or delaying payment of gratuity, which provides socio-economic security to the employee. Gratuity is to be paid in lump sum, that too, within 30 days from the date it becomes payable. Ext.P2 order directing the petitioner to pay gratuity was passed on 21.11.2023. No further time can be granted to the petitioner for payment of gratuity as ordered in Ext.P2. Pursuant to the interim order of this Court dated 21.10.2024, the petitioner has deposited an amount of ₹ 20,000/- with the 1st respondent as condition for stay of further proceedings pursuant to Ext.P5. The petitioner shall deposit the balance amount along with interest before the 1st respondent within 30 days from the date of receipt of a copy of this judgment. On such deposit, the 1 st respondent shall disburse the amount to the 2 nd respondent within a period of ten days therefrom.■

The writ petition is disposed of accordingly.

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