



ALL INDIA BANK OFFICERS' CONFEDERATION



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

C/o State Bank of India Officers' Association (North-Eastern Circle)

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Circular No. 2026/08

Date: 25.01.2026

All members in Scale-IV & Scale-V

Dear Comrades,

Threats/Intimidation to SCALE-IV/V on UFBU Strike Participation- UFBU Complaint to CLC

Advisory from the office of the Chief Labour Commissioner (Central)

We write this letter in the context of UFBU's duly notified organisational programme/strike on 27th January, 2026 demanding implementation of 5 Day Work Week for our members in the Banking Industry and the disturbing pattern of coercive communications being issued to officers in Scale-IV & Scale-V to deter participation.

UFBU has already taken up this issue with the Chief Labour Commissioner (Central) vide its letter no UFBU/2026/LTR-1 dated 16.01.2026, and the conciliation proceedings held on 22.01.2026 have recorded a clear position against such intimidation-based directives.

Our Confederation has been informed that the Bank Managements have circulated a communication addressed to Scale-IV/V officers containing clauses that:

- (i) seek to treat participation/absence as misconduct/dereliction/break in service, and
- (ii) threaten statutory/disciplinary consequences, including by invoking Section 36AD of the Banking Regulation Act, 1949.

UFBU, in its complaint dated 16.01.2026, recorded that certain banks were preparing "threatening letters/communications" to Scale IV and above officers, branding them as "Senior Management Cadre" and invoking Section 36 AD with a mala fide intent to intimidate them from participating in lawful strike action. UFBU further asserted that attempts to intimidate Scale-IV/V officers from legitimate trade union activity/ strike at the constitutional guarantee of the right to form associations/unions, and that such acts amount to unfair labour practice under the Industrial Disputes Act.

The minutes of the conciliation meeting dated 22.01.2026 record that UFBU pointed out banks issuing/proposing intimidation letters to Scale-IV/V to dissuade participation in lawful organisational programmes and the notified strike action. We are happy to share that the Conciliation Officer from the office of the Chief Labour Commissioner (Central) has taken a serious view of such threats/intimidations/coercions and therefore made the following remarks:

"At this stage, the bank managements are advised by the conciliation officer that every employee/officer has the lawful right to form associations and participate in legitimate trade union activities as enshrined in the Constitution of India, including duly notified organisational action. Any intimidatory or coercive communication, particularly those selectively addressed to SMGS-IV/ SMGS-V or issued as blanket deterrents and may amount to impermissible interference with trade union rights and may attract action u/s 25(U) of the ID Act, 1947. Accordingly, all such letters/instructions already issued must be kept in abeyance and withdrawn/rescinded forthwith in order to avoid any legal complications." (CLC Minutes dated 22.01.2026, attached)

Key takeaways from CLC Minutes

- The minutes record that every employee/officer has a lawful right to form associations and participate in legitimate trade union activity, "as enshrined in the Constitution of India."
- The minutes also record that "intimidatory or coercive communication", especially those selectively addressed to Scale-IV/ Scale-V, may amount to impermissible interference with trade union rights and "may attract action u/s 25(U) of the ID Act, 1947."
- Further, the minutes record the direction/advice that such letters/instructions already issued "must be kept in abeyance and withdrawn/rescinded forthwith."
- UFBU's complaint and submissions highlight the misuse of Section 36AD as a threat tool against lawful organisational action, and the need for banks to desist from such communications.

When a notice to senior management officers is drafted in a manner that equates participation/absence with misconduct, threatens criminal/statutory consequences, and issues "attendance-responsibility" directives, the real-world effect is chilling. AIBOC reiterates that we are firm on principle and careful on facts, and our position is grounded in the UFBU complaint and what is recorded in the conciliation minutes.

The Confederation has consistently advocated for senior scales. In the last wage negotiation, apart from the additional CAIIB increment, we negotiated three additional stagnation increments from Scale IV up to Scale VII, directly in your favour.

- 1) **PLI: "Non-performer" scrutiny and denial of incentives:** AIBOC has objected to the practice of branding officers as non-performers and denying incentives to 20% of officers, a cut that may exceed 20% depending on the Bank's performance. This approach is unfair, demoralising, and opens the door to arbitrary exclusions.
- 2) **DFS letter (26 Sep 2024): a second track to prematurely retire officers:**
The DFS, vide letter no. eF. No. 4/1/22/2015-IR dated 26 Sep 2024 to heads of PSBs, directs periodic performance-based reviews and, where warranted, premature retirement "in public interest" under existing OSR/Service Rules.

For Nationalised Banks' officers, the cited trigger is 55 years of age and/or 30 years of service (as per the Regulation 19 framework quoted). Operationally, this is being pushed into a routine pipeline via a DoPT quarterly review cycle and a mandatory monthly report (by the 8th) capturing how many were due, reviewed, recommended, and actually retired prematurely.

Now the core question is this: if bona fide business decisions already expose officers to departmental proceedings, how is it "public interest" to activate an additional mechanism that can end careers merely on crossing an age/service threshold, without a fair, objective separation between mala fide misconduct and bona fide professional judgment?

A question should have been raised: why we were offered such huge incentives when we have to fight for single penny every other day?

We see this as a pathway to block careers and institutionalise lateral hiring through such incentives. We see this trajectory as an easy route to deny extensions and progression, especially for those kept outside the incentive bracket and, over a period of time, exclude all. Coupled with the proposals of lateral induction of one MD in SBI from the private sector who may be the future Chairman and MD, and EDs from the private sector for all other PSBs, this is closing the ladder for our own officers and banks being run through lateral hiring rather than internal merit-based advancement, thereby privatising the top including the Boards of the Banks.

We are opposed to such moves where the career of our Senior Management officials is at stake and also for all for the future generation. We want our Banks to be led by insiders.

AIBOC is fighting these issues under the umbrella of UFBU.

We, therefore, urge every Scale-IV and Scale-V colleague to recognize the grave and imminent threat facing our cadre, stand firmly with the Association and the Union, and participate in the All India Bank Strike on 27 January 2026, with courage and conviction, to uphold fairness, due process, and the dignity and career protection of our fellow colleagues.

We reaffirm that the Confederation stands with every SCALE-IV/V member. We will pursue appropriate remedies, through UFBU/AIBOC and other competent forums to protect the rights, dignity and aspirations of each of our members and also in the interest of our institution.

With revolutionary greetings!

Comradely Yours,



Rupam Roy
General Secretary

Enclosed:

1. CLC Minutes dated 22.01.2026
2. UFBU Letter no UFBU/2026/LTR-1 dated 16.01.2026

F. No. 21(05)/2026-IR
Government of India
Ministry of Labour & Employment
Office of the Chief Labour Commissioner (C)

Dated:22.01.2026

Attendance of the parties is attached on a separate sheet.

The United Forum of Bank Unions comprising of nine unions/associations (i.e. AIBEA, AIBOC, NCBE, AIBOA, BEFI, INBEF, INBOC, NOBW & NOBO) served a strike notice in Form – L dated 08.01.2026 addressed to the Chairman IBA, Secretary DFS and the CLC(C), proposing to go on all India Strike from the Midnight of 26.01.2026 to the Midnight of 27.01.2026 to press the long pending demand for five day banking. The moment the notice was received in the office of Chief Labour Commissioner(C), the matter was seized into conciliation considering the nature of banking sector as public utility service and a notice was issued to all the stake holders asking them to attend the conciliation meeting on 22.01.2026 at 11.30 AM.

It was pointed out by the UFBU that certain banks have reportedly issued / are proposing to issue intimidating letters or communications, particularly targeting officers in SMGS-IV and SMGS-V, with a view to dissuading them from participating in lawful organisational programmes, including the notified strike action.

It is further reiterated by the Ld. Representatives of UFBU that every employee/officer has the fundamental right to form associations/unions and to participate in legitimate trade union activities, including organisational action in democratic form, duly decided and notified by the registered trade unions/associations to which they are affiliated. Any attempt by bank management to interfere with, restrain, coerce, or intimidate officers, especially by selectively targeting SMGS-IV/V, amounts to an impermissible infringement of trade union rights attracting section 25(T) of Industrial Disputes Act, 1947. While bank managements may, at best, issue a general appeal to all employees/officers, they must not issue threats, blanket prohibitions, or cadre-based intimidations that undermine lawful collective action. Accordingly, all such letters/communications already issued to SMGS-IV & SMGS-V (or any similar blanket instructions) should be kept in abeyance with immediate effect and withdrawn/rescinded, and no further action should be taken or pursued on the basis of such communications. Similarly, some other banks have called the proposed strike as 'illegal' which is beyond their jurisdiction. Further, some of the banks are also proposing the demonstrations by the unions as illegal by mis-quoting section 36(AD) of the Banking Regulation Act, whereas the Government on the floor of the parliament in 1968 had assured and accordingly advised the RBI not to invoke section 36(AD). The UFBU pointed out that these actions of the management are unwarranted and deliberate provocation and hence to be stopped forthwith.

The UFBU requested the Conciliation Officer to take strict cognizance of the same and advise the concerned management of the banks to not to resort to this practice as it goes beyond the spirit of provisions of Industrial Disputes Act, 1947.

Regarding the core issue of the strike notice i.e. 5 days banking system in the banks, the unions pointed out that despite the understanding reached between the IBA and UFBU vide MoU dated 07.12.2023 and settlement dated 08.03.2024 under which the IBA has duly recommended to the Government for considering the recommendation. Even during the conciliation held on 21.03.2025, it was assured that the matter is under serious consideration but yet so far the Govt. approval has not been received. Hence, the UFBU pointed out that they are constrained to go ahead with the proposed strike on 27.01.2026.

The Ld. representatives of the IBA explained that the issue has been duly taken up with the Govt. and the instructions from the competent authority are still awaited and IBA would vigorously pursue the matter with the Govt.

The conciliation officer also informed the steps taken by their office and advised that further attempts should be made to find an amicable solution to the issue since the banks strike would adversely affect the banking system and hence, appealed to the UFBU to reconsider their proposed action.

The Ld. representatives of the DFS including Joint Secretary, DFS who were present in the conciliation also informed that the Govt. is fully seized of the issue and may take some more time before the competent authority takes a decision and hence appealed to the UFBU not to precipitate at this stage.

The UFBU informed that they have been pursuing the genuine demand for the past 10 years when 2nd and 4th Saturdays were declared as holidays and requested that the Govt. should give their

UNITED FORUM OF BANK UNIONS

(AIBEA-AIBOC-NCBE-AIBOA-BEFI-INBEF-INBOC-NOBW-NOBO)

UFBU/2026/LTR-1

Date : 16-1-2026

Chief Labour Commissioner (Central),

Ministry of Labour,
Office of the CLC,
Shrameva Jayate Building,
Sector 10, Dwarka,
New Delhi 110075

Dear Sir,

Reg: Complaint in anticipation of Unfair Labour Practices by Banks in connection with Strike Notice dated 08.01.2026 – Request for Immediate Direction to IBA to Advise Banks to Desist from such Unlawful Acts

We, the United Forum of Bank Unions (UFBU), an umbrella organization of nine constituent unions representing more than seven lakh fifty thousand Bank Employees/Officers, submit this complaint in anticipation of imminent unfair labour practices being resorted to by certain banks in connection with our lawful strike action for which due notice has already been served.

Chronology and Background

On 07.12.2023: A Memorandum of Understanding was signed between the Indian Banks' Association (IBA) and UFBU, pursuant to which the demand relating to implementation of a 5-Day Work Week in the Banking Industry and declaring the remaining Saturdays as Bank Holidays was recommended by IBA for Government approval.

On 08.03.2024: The above understanding was further provided in the Settlement/Joint Note dated 08.03.2024.

On 21.03.2025 (Conciliation Meeting under your esteemed office): The issue of Unfair Labour Practice in the Banking Industry was specifically discussed, and we take cognizance of your office's good advice for filing of complaints forcing appropriate legal action in such matters.

On 08.01.2026: UFBU duly served a Strike Notice in FORM-L, notifying that members of all nine constituent unions propose to go on STRIKE from the midnight of 26th January, 2026 to the midnight of 27th January, 2026, demanding approval of the Government for implementation of 5-Day Work Week in the Banking Industry and declaring the remaining Saturdays as Bank Holidays, as recommended by IBA based on the Memorandum of Understanding signed between IBA and UFBU on 07.12.2023, and as further provided in the Settlement/Joint Note dated 08.03.2024.

Present Situation and Anticipated Unfair Labour Practice

Based on past experience and reliable information, we have strong reason to believe that certain banks are preparing to issue threatening letters/communications to officers in Scale IV and above, designating them as belonging to a so-called "Senior Management Cadre", invoking Section 36 AD of the Banking Regulation Act, 1949, with the malafide intent to intimidate them from participating in the lawful strike action and from exercising their constitutional right to association.

We submit that such anticipated action is in direct contravention of the discussions and the context recorded in the conciliation proceedings held on 21.03.2025 under your esteemed office, wherein the issue of Unfair Labour Practice was specifically discussed.

It is also relevant that officers up to Scale V in many banks, and up to Scale VII in some others, are regular members of our organization, contributing subscriptions and taking active part in our collective programmes and representatives' forums. Denying these members their right to participate in strike actions, while continuing to treat them as association members for all other purposes and while they are governed by the same service conditions, is illogical and strikes at the root of trade union democracy. It creates an artificial division within the officer community, undermines the unity of the workforce, and contradicts the principles on which industrial relations in the banking sector have been built.

Legal and Procedural Position

We categorically submit that any invocation of Section 36 AD of the Banking Regulation Act, 1949 against officers participating in lawful trade union activities is wholly misconceived and legally untenable, and amounts to gross misuse of statutory provisions.

Section 36 AD states:

"(1) No person shall, (a) Obstruct any person from lawfully entering or leaving any office or place of business of a banking company or from carrying on any business there, or (b) hold, within the office or place of business of any banking company, any demonstration which is violent or which prevents, or is calculated to prevent, the transaction of normal business by the banking company, or (c) act in any manner calculated to undermine the confidence of the depositors in the banking company."

The phrase "no person shall" is unequivocally general in its application and cannot be selectively enforced against officers in isolation from other employees. Where an action constitutes a collective endeavour involving all categories of staff, any differential treatment of specific segments amounts to impermissible discrimination and victimization, contravening principles of equity and natural justice.

Participation in peaceful strikes, conducted in strict adherence to due process, does not amount to "obstruction" of entry or exit. This is demonstrated by the routine ability of top executives and other personnel to access offices and carry

out work on strike days, evidencing the absence of any genuine impediment to movement or operations.

The provision in question pertains solely to demonstrations that are violent or that actively prevent the normal conduct of business. The history of banking trade unionism in India bears evidence to our activities as consistently peaceful and non-violent, aligning with democratic norms and legal safeguards.

Advocacy for legitimate service conditions and the faithful implementation of agreed settlements cannot reasonably be interpreted as undermining depositor confidence. On the contrary, such union efforts are designed to safeguard the long-term interests of banks, their employees, and all stakeholders by fostering stable and equitable industrial relations.

Further, Section 36 AD (2) explicitly limits applicability to instances absent a "reasonable excuse." Legitimate trade union activities, undertaken with proper notice, participation in conciliation proceedings, and adherence to statutory protocols, constitute such reasonable excuse.

Parliamentary and Governmental Context (as already on record)

The historical background of Section 36 AD is extremely relevant. When this provision was inserted through the Banking Laws (Amendment) Act, 1968 and opposed by trade unions, the Committee on Petitions of the 4th Lok Sabha observed in its 6th Report at Para 3.53:

"The Committee would, however, like to emphasise that while applying these provisions it should be ensured that genuine trade union activities do not receive any set back and also the bank employees are not harassed in any manner."

The Government accepted these recommendations, as stated in the 5th Report (5th Lok Sabha) on Action Taken:

"The Ministry of Finance (Department of Banking) in their communication, dated the 12th March, 1970 stated that the Government accepts the recommendations of the Committee. The Reserve Bank of India has been requested to bring the recommendation to the notice of the banks for their guidance."

Further, Shri Panampalli Govinda Menon, the then Law Minister, stated in Parliament on 24.03.1970 that "the Government had accepted the recommendations of the Committee on Petitions, and RBI had been advised to write to the Banks not to invoke Section 36 AD of the Banking Companies (Regulations) Act."

The Finance Minister, Shri K.C. Pant, stated on the floor of Rajya Sabha:

"It does not deal with labour-management relations... nor does it affect legitimate trade union rights. It does not prohibit lawful strikes and other legitimate and peaceful methods of ventilating grievances... There is no infringement in rights to carry on legitimate trade union activity under this section nor even a curb on peaceful picketing."

Constitutional and Industrial Disputes Act Position

Article 19(1)(c) of the Constitution of India guarantees to all citizens "the right to form associations or unions." Any attempt by banks to intimidate or prevent SCALE-IV and V officials from participating in legitimate trade union activities constitutes an unconstitutional subversion of this fundamental right.

Such acts constitute Unfair Labour Practice as defined under Section 25(T) read with Schedule V of the Industrial Disputes Act, 1947, particularly where management interferes with, restrains, or coerces employees in the free exercise of their rights to organize, form, join, or assist a trade union, or threatens discharge/dismissal/adverse action for union activity, or discriminates against employees on account of union involvement.

We also recall the proceedings before the Chief Labour Commissioner (Central) during the conciliation meetings held on 21.03.2025 between UFBU and IBA, wherein discussions reaffirmed the representative character of recognized unions across officer scales. The attempt to now impose cadre-based restrictions negates the understanding reached in those conciliatory meetings and exposes the concerned banks to allegations of unfair labour practice.

As the designated negotiating body under the established bipartite system, IBA bears the responsibility to uphold the principles embedded in the Joint Notes and settlements signed with Employees'/Officers' Associations, including the 12th Bipartite Settlement/9th Joint Note, which recognizes the legitimate role of employees'/officers' associations in representing members across grades. The current practice of excluding sections of officers from exercising their collective rights is regressive and inconsistent with the spirit of these agreements.

In the light of the above facts, we urge immediate withdrawal of all communications and circulars prohibiting officers in Scale IV and above from participating in organisational strike actions.

Our Request for Immediate Intervention and Directions

In view of the foregoing facts, circumstances, and the imminent threat of Unfair Labour Practice in connection with the lawful strike scheduled for 27th January, 2026, we most respectfully but firmly pray that your esteemed office may be pleased to:

1. Apprise the appropriate authority urging them to take immediate cognizance of this complaint and formally register it under Section 25(T) of the Industrial Disputes Act, 1947, in line with the advice tendered during the Conciliation Meeting held on 21.03.2025.
2. Issue forthright directions to the Indian Banks' Association (IBA) to promptly instruct all member banks to cease and desist from issuing any threatening letters or communications invoking Section 36 AD of the Banking Regulation Act, 1949, against employees and officers for participation in lawful strike action.

3. Direct all concerned banks to unconditionally withdraw any such letters or communications already issued, thereby rectifying the overreach and restoring compliance with statutory norms.
4. Explicitly warn the banks that any continued or future violations will attract stringent action as prescribed under the Industrial Disputes Act, 1947.
5. Mandate IBA to widely circulate the Parliamentary Committee's recommendations—along with the Government's formal acceptance thereof—to all member banks, ensuring strict and immediate compliance across the sector.

Further, UFBU reserves all legal and constitutional rights to challenge this discriminatory and unconstitutional practice before competent judicial and industrial forums if it continues. We demand that IBA and concerned banks forthwith stop this practice and issue written confirmation affirming that every officer who is a member of a recognized association enjoys equal rights in all collective activities, irrespective of grade or scale. Failing this, UFBU will be compelled to escalate the matter before the Ministry of Labour & Employment, the Department of Financial Services, and other appropriate authorities to ensure that the constitutional and trade union rights of employees/officers are protected in full measure.

It has always been our earnest desire to have congenial and cordial industrial relations in the banking industry. However, the continuing and anticipated unconstitutional and unfair labour practice in connection with the lawful strike action has compelled us to approach your esteemed office for immediate intervention and direction to IBA to advise banks to desist from such unlawful acts.

Thanking you,

Yours sincerely,



AIBEA



AIBOC



NCBE



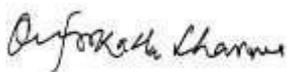
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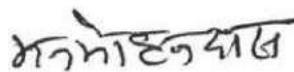
BEFI



INBOC



INBEF



NOBW



NOBO

Enclosed: As above