



**STATE BANK OF INDIA OFFICERS' ASSOCIATION
CHANDIGARH CIRCLE**

C/O State Bank of India, Local Head Office, Sector 17, Chandigarh
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Circular No. 2017/36

Date: 30.03.2017

TO ALL UNITS/MEMBERS,

NATIONAL LOK ADALAT ON 8th APRIL 2017
CONDUCTED ON 2ND AND 4TH SATURDAY (HOLIDAY)

We reproduce hereunder the AIBOC letter No AIBOC/2017/5 dated 30.03.2017 on the captioned subject, contents of which are self-explicit.

With revolutionary greetings,

(Deepak K Sharma)
General Secretary

QUOTE

Letter No: AIBOC/2017/5

Date: 30.03.2017

To,

The Hon'ble Chief Justice of India
The Supreme Court of India
New Delhi

Your Lordship,

NATIONAL LOK ADALAT ON 8th APRIL 2017
CONDUCTED ON 2ND AND 4TH SATURDAY (HOLIDAY)

At the very outset, I wish to extend hearty greetings from All India Bank Officers' Confederation an organization representing 285000 officers.

I am constrained to address this letter directly to your good office as I deem your Lordship to be the ultimate authority to uphold and champion the principles of justice in our country. Your lordship, we are aware that Nations can fight wars and still survive, Nations can fight diseases, hunger and still survive; yet no nation, which does not ensure justice to its citizens, can ever survive in the long run.

Whenever there is a disaster or calamity, the concerned Minister is held responsible and accountable for not addressing the plight of the victim or the failure to prevent the occurrence. It is a matter of utter discrimination that no one was held responsible or accountable for the tragic loss of lives of many Bankers across the nation during the demonetisation exercise. There was practically no media coverage of the news that Bankers had laid down their lives for the sake of the nation. No one came forward even to offer condolences.

Your lordship, through this piece of communiqué, we would like to draw your kind attention to another act of injustice that Bankers are subjected to. Of late, it has become a practice to convene Lok Adalats either on second Saturdays or on fourth Saturdays. Both

these days of the month have been declared as Bank Holiday as per the understanding reached through 10th Bipartite Settlement. Needless to elaborate to your good office, Lok Adalat is an appropriate forum for conciliated settlement of disputes outside court, which is preferred by our borrowers as there is an apprehension amongst a large number of citizens to take disputes to court in view of the delay in getting justice and also for financial reasons. In fact, one of the reasons for the formation of Lok Adalat or people's court is to provide fair and uncomplicated justice to the financially constrained section of our society. We would also like to make it abundantly clear that we, as a responsible Trade Union and a stakeholder, want to utilize this forum to recover the monies for the betterment of our organisation. However, we are constrained to point out that the practice of convening Lok Adalats on holidays under NI Act, has deprived our members the right to spend the holiday with our families and has severely affected the work-life balance.

John F. Kennedy once said "Peace is a daily, a weekly, a monthly process, gradually changing opinions, slowly eroding old barriers, quietly building new structures." Peace comes from the amount of time we spend with our families and the amount of time we devote to our brains for rest. Mental fatigue can be every bit as detrimental as physical fatigue and taking a rest day and spending quality time with family invigorates the body and soul. You will surely appreciate that working without rest is a dangerous trend that can affect the morale of the workforce and will act as an impediment to put their best for their organisation.

Your lordship, a bank holiday in India is a public holiday, which is declared specially for the Banks and other Financial Institutions. However, all public holidays are not classified as Bank Holidays. India is a multicultural and multi-religious society and celebrates holidays and festivals of various religions. So, in addition to the national holidays, many states and regions have local festivals depending on religious and linguistic demographics. The Bank employees do not enjoy all the festival holidays as their counterparts in other Govt. organizations do. Moreover, the workload of bank employees and officers is increasing by the day as we have to implement various schemes and policies of the Govt. in reaching out to the weaker section of the society. Banking sector, over the years, have played a crucial role in the economic progress of the nation and have also shouldered the burden of fulfilling the social obligations. There has been a spate of suicides by Bankers, especially the youth, who are unable to bear the duress and strain. The reasons of such tragic deaths can be attributed to the pressure of the top executives in achieving impossible targets without proper manpower support, lack of authority to control resources, absence of autonomy in taking decisions, work life imbalance due to absence of restricted working hours and virtually no weekly offs, etc.

The Article 24 of Human Rights deals with Right to Rest for each and every human being. They are commonly understood as inalienable fundamental right "to which a person is inherently entitled simply because she or he is a human being," and which are "inherent in all human beings" regardless of their nation, location, language, religion, ethnic origin, their employment agreement and service rule or any other status. They are applicable everywhere and at every time in the sense of being universal and egalitarian in the sense of being the same for everyone. Hence, the bank officers cannot be an exception to this provision of our holy constitution simply because of the fact that their service rule obliges them to attend the office 24/7 without any weekly off. They are human beings and cannot be expected to work like a machine and hence cannot be exploited by virtue of their service rules.

Moreover, the declared holiday on the second and fourth Saturday of every month has been made as part of the agreement arrived at during the 10 bipartite wage settlement between the IBA and bank employees' unions last year. This has been earned after a protracted struggle and bargaining with the IBA and the Govt. In this context, we would also like to draw your learned observation to the IBA Letter No. CIR/HR&IR/665/2015-16/2270 dated March 11, 2016 addressed to all the Organization heads who are the parties to the Bipartite Settlement. In the said letter, the IBA clearly stated to avoid calling the officers for duty on Sundays/holidays as far as possible.

In view of the above state of affairs, we humbly solicit upon your good office to issue suitable directions to reschedule the National Lok Adalat scheduled on 8th April, 2017 to a working day and also issue necessary instruction from your office not to convene Lok Adalats on holidays here onwards.

Yours faithfully,

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(D. T. Franco)
General Secretary

UNQUOTE