MEMORANDUM OF SETTLEMENT dated the 28th February, 1985 between the managements of 4'B' Calls Banks as represented by the Indian Banks Association and their workmen as represented by the All India Bank Employees' Association and the National Confederation of Bank Employees

(Under Section 2(p) and Section 18(1) of the Industrial Disputes Act, 1947 read with Rule 58 of the Industrial Disputes (Central) Rules, 1957)

Name of the Parties : 4 'B' Class banks listed in Schedule I to this Memorandum of Settlement and Their Workmen.

Representing the Employers :

1. Shri M. N. Goiporia
2. Sh. R. Srinivasan
3. Shri L. B. Bhide
4. Shri P. S. V. Mallhya
5. Shri A. V. Rajagopalan
6. Shri M. Ram Mohan Rao
7. Shri C. R. Vaitheeswaran
8. Shri R. S. Gupta
9. Shri R. K. Ghotgalkar
10. Shri G. Chandran
11. Shri S. Mohan Kumar
12. Shri K. Venkatachari
13. Shri N. S. Pradhan
14. Shri A. K. Bakshy
15. Shri B. D. Upasani
16. Shri V. S. Kamat Khadpe

Duly Authorised on behalf of the
Indian Banks' Association

Representing the Workmen : **All India Bank Employees Association**

1. Shri K. K. Mundal
2. Shri P. S. Sundaresan

3. Shri Tarakeshwar Chakraborti
4. Shri D. P. Chadha
5. Shri N. Sampath
6. Shri A. Sundara Rao
7. Shri P. N. Tiwari
8. Shri R. D. Trivedi
9. Shri Sudesh Kumar
10. Shri T. B. Rai

National Confederation of Bank Employees

1. Shri O.P.Gupta
2. Shri S. N. Duber
3. Shri. P. Lakshminarasaiah
4. Shri Sudhir Das Sharma
5. Shri Y. K. Arora
6. Shri C. B. Kumar
7. Shri P. Thambi Verghese
8. Shri T. Selvaraj
9. Shri Nihaluddin Ahmad
10. shri P. O. Baby
11. Shri Balbir Singh Chaudhry

SHORT RECITAL OF THE CASE

WHEREAS

(a) The Indian banks' Association (IBA) on behalf of certain member banks signed a settlement on 22nd November, 1979 with the All India Bank Employees' Association (AIBEA) and National Confederation of Bank Employees (NCBE) (hereinafter called the Unions) representing, inter alia, the workmen staff in banks listed in Part I in Schedule I to this Memorandum of Settlement regarding the various terms and conditions of service of the workmen staff in the said banks. The settlement was to remain in force for a period of four years with effect from Ist September, 1978 and the said period expired on the 31st August, 1982.

(b) The AIBEA and the NCBE submitted their fresh Charters of Demands for revision of wages and other service conditions on 3rd February, 1983 respectively to the IBA and further requested to hold discussions with them, with a view to arriving at an amicable settlement.

(c) The parties discussed the said demands on several occasions and an agreement has been reached in respect thereof and the same is recorded in this settlement.

(d) The IBA has also served on the Unions on 26th March, 1984, a list of the issues on behalf of the managements of the banks, to be discussed and settled with a view to improving productivity in banks, providing for efficiency and better customer service maintenance of better discipline and promote harmonious industrial relations.

(e) The parties agreed as part of the Memorandum of Settlement dated 17th September, 1984 entered into between the IBA and AIBEA and NCBE that the demands of the Unions for revision of pay scales, allowances and other terms and conditions of service of workmen in 'B' Class Banks will be discussed and settled as early as possible and not later than 30th November, 1984 and in banks which will become 'B' Class banks on and from Ist January, 1986.

(f) For unavoidable reasons, the parties could not complete the discussions on the revision of pay scales, allowances and other terms and conditions of service of workmen staff in 'B' Class Banks on or before the 30th November, 1984 and have further agreed to extend the time till the date of this Settlement.

(g) The parties discussed the said issues on several occasions and an agreement has been reached in respect thereof and the same is also recorded in this settlement.

(h) The banks set out in Para II of Schedule I to this Memorandum of Settlement and their workmen are also desirous of becoming parties to this Settlement.

(i) The parties agree that the matters agreed to and set out in this settlement shall be binding on all the banks listed in both the parts of Schedule I to this settlement and their workmen in terms of Section 18(I) of the Industrial Disputes Act, 1947 and that this Settlement shall be filed with the appropriate authorities as required by Rule 58 of the Industrial Disputes (Central) Rules, 1957.'

NOW, IT IS HEREBY AGREED AND DECLARED by and between the parties hereto as under :

TERMS OF SETTLEMENT

GENERAL

1. In respect of the banks listed in Schedule I to this Memorandum of Settlement it is agreed that the provisions of the Sastry Award as finally modified and enacted by the Industrial Disputes (Banking Companies) Decision Act, 1955, the Industrial (Banking Companies) Decision Amendment Act, 1957 and the provisions of the Award of the National Industrial Tribunal presided over by Mr. Justice K. T. Desai in Reference No. 1 of 1960 which Award Inter alia modifies certain provisions of the Sastry Award (hereinafter referred to as the Awards) as modified by the Settlements dated 19th October, 1966, 12th October, 1970, 23rd July, 1971, 8th November, 1973 and 22nd November, 1979 and the two Settlements dated 8th September, 1983 shall govern the service conditions of workmen in all the banks listed in both the parts of the Schedule I hereto except to the extent that the same are modified by the Settlement.

2. The Awards and Settlements referred to in the preceding Clause shall stand mutatis mutandis modified and added to by the Terms of Settlement set out in the Memorandum of Settlement dated 17th September, 1984 (hereinafter referred

to as the said Settlement) between the Management of 55 'a' Class Banks as represented by the IBA and their workmen as represented by the AIBEA and the NCBE except that the provisions of the said Settlement shall in their application to the 'B' Class banks listed in both the parts of Schedule I hereto be read subject to the amendments hereinafter appearing.

1. SCALES OF PAY

Items (i) and (ii) in Clause I of the said settlement shall be read as under :

(i) Sub-Staff

Rs. 400-10/5-450-14/3-492-16/3-540-20/7-680-25/1-705

(20 years)

(ii) Clerical Staff

Rs. 470-25/2-520-30/2-580-35/3-685-45/3-820-55/2-930-

-60/1-990-65/1-1055-70/2-1195-85/1-1280-95/2-1470

(20 years)

II. CITY COMPENSATORY ALLOWANCE

Items (i) and (ii) in sub-clause I(A) of Clause III of the said Settlement shall be read as under :

(i) Sub-Staff

(a) 8% of basic pay with no minimum and subject to maximum of Rs. 53/- P.M. for the existing centers (including Urban Agglomeration of Panaji and Marmugao).

(b) 4 1/2% of basic pay with no minimum and subject

to a maximum of Rs. 30/- P.M. for new centres (i.e., places with population of 5 lakhs and over and State Capitals and Chandigarh, Pondichery and Port Blair).

(ii) Clerical Staff

(a) 10% of basic pay with no minimum and subject to a maximum of Rs. 125/- p.m. for the existing centres (including Urban Agglomeration of Panjai and Marmugao).

(b) 6% of basic pay with no muminum and subject to a maximum of Rs. 80/- p.m. for new centres (i.e., places with opulation of 5 lakhs and over and state capitals and Chandigarh, Pondicherry and Port Balir).

III HOUSE RENT ALLOWANCE

Clerical and subordinate Staff

Items (i), (ii), (iii) and (iv) in clause IV of the said Settlement shall be read as under :

(i) At special places and semi-special places 121/2% of pay with no minimum and subject to a maximum of Rs. 195/- p.m.
(ii) At places with population of 2 lakhs and over (other than special and semi-special places) and State Capitals and capitals of Union Territories - 10% of pay with no minimum and subject to a maximum of Rs. 155/- P.M.
(iii) At places with population of 10,000 and over but below 2 lakhs - 8% of pay with no minimum and subject to a maximum of Rs. 125/- P.M.
(iv) At places with population of less than 10,000 - 6% of pay with no minimum and subject to a maximum of Rs. 90/- P.M.

IV. MEDICAL AID AND EXPENSES

Items (i) and (ii) of Sub-Clause (1) of clause XII of the said Settlement shall be read as under :

(i) For workmen with service up to 5 years : Rs. 300/- per annum (till the completion of 5th year)

(ii) For workmen who have completed 5 years service and above : Rs. 400/- per annum

V IMPLEMENTATION

Clause XXIV of the said settlement shall be read as under:

XXIV. Implementation

For the purpose of making the requisite adjustments and payments under this settlement, the banks will have time up to 30th April, 1985. The existing provisions for the purpose of calculation of payment of overtime will continue to apply from Ist July, 1983 till the 31st January, 1985 notwithstanding that the new scales of pay dearness allowance and other allowances have come into operation in the meantime.

Provided that the arrears payable under this Settlement for the period ending 31st December, 1984 shall be paid in four equal installments, the first installment being paid before 30th June, 1985 the second installment before 31st December, 1985 the third installment before 30th June, 1986 and the fourth installment before 31st December, 1986.

VI. DATE OF EFFECT AND OPERATION

Sub-Clause (1) of Clause XXV of the said Settlement shall be read as under :i

(1) This Settlement shall, unless expressly provided otherwise in this settlement and subject to sub-clause (2A of this clause, come into force with retrospective effect from Ist July, 1983 and shall be binding on the parties for four years from Ist July, 1983.

After sub-clause (2) of clause XXV of the said Settlement the following shall be inserted.

(2A) Notwithstanding the provisions of sub-clause (1) of

this clause, the amounts payable at the increased rates of City Compensatory Allowance and House Rent Allowance including the maxima thereof applicable to the relevant basic pay of the workmen shall be as under :

(a) For the period of 9 months from Ist July, 1983 to the 31st March, 1984, 1/3 of the increased amounts computed in accordance with the revised rates including the maxima thereof;

(b) For the period of 9 months from Ist April, 1984 to 31st December, 1984, 3/4th of the increased amounts computed in accordance with the revised rates including the maxima thereof : and

(c) From January, 1985 onwards, at the full revised rates including the maxima thereof.

VII. SPECIAL ALLOWANCES : *Schedule II*

Schedule II to the said Settlement shall be subtituted by Schedule II to this Memorandum of Settlement.

For Indian Banks' Association

(S/Shri)
M. N. Goiporia
R. Srinivasan
L.B. Bhide
R.S.V. mallya
A.V. Rajagopalan
M. Ram Mohan Rao
C. R. Vaitheeswaran
R. K. Ghotgalkar
G. Chandran
S. Mohan Kumar
K. Venkatachari
N. S. Pradhan
A. K. Bakshy
B.D.Upasani
V. S. Kamat Khadpe

For All India Bank Employees' Association	For National Confederation of bank Employees
K. K. Mundal	O.P.Gupta
P.S.Sundaresan	P. Lakshiminarasaiah
Tarakeswar Chkraborti	A.K.Arora
D.P.Chadha	C.B.Kumar
N. Sampath	T. Selvaraj
A. Sundara Rao	P. Thambi Verghese

Witness :-

P.N.Tiwari	Nehaluddin Ahmed
Sudesh Kumar	R.C.Danwar

C.C. to :
1) Asstt. Labour Commissioner(Central)
2) Regional Labour Commissioner(Central)
3) Chief Labour Commissioner(Central) New Delhi
4) The Secretary to the Government of India, Ministry of Labour, New Delhi.

SCHEDULE I

'B' CLASS BANKS

LIST OF BANKS

Part I :
1. Parur Central bank Ltd.
2. Purbanchal Bank Ltd.

Part II :
1. Lord Krishna Bank Ltd.
2. Traders Bank Ltd.

SCHEDULE II

'B' CLASS BANKS

SPECIAL ALLOWANCES

	Category of Workmen	Amount of Special Allowance Rs.	Amount Ranking for PF Rs.
1.	Telephone Operator	50	30
2.	Relieving Telephone Operator	26	15
3.	Audit Clerk - Category 'A'	85	50
	Category 'B'	161	96
4.	Comptist	100	59
5.	Telex Operator	126	75
6.	Teller	130	77
7.	Punch Card Operator	140	83
8.	Accounting Machine Operator	216	128
9.	IBM/ICT (Hollerith-Power Samas) Machine Operator.	245	146
10.	Stenographer	245	146
11.	Head Clerk	245	146
12.	Assistant Head Cashier		
	- Units of 5 Clerks & above	130	77
	- Units of 4 clerks & above	100	59
13.	Cashier-in-charge of cash in Pay Office or Branch	164	97
14.	Head Cashier Category 'A'		
	- Units of 5 Clerks & above	164	97
	- Units of 4 clerks & below	126	75
15.	Head Cashier Category 'B'		
	- Units of 5 Clerks & above	195	116
	- Units of 4 Clerks & below	126	75
16.	Head Cashier Category 'C'	275	163
17.	Head Cashier Category 'D'	275	163
18.	Head Cashier Category 'E'	394	234
19.	Special Assistant	425	252

FOR EDUCATIONAL QUALIFICATION

For those workmen who hereafter reach or have already reached 20th stage of the scale and have got increments in consideration of this/these educational qualification(s) Special Allowance(s)

shall be payable as under :

(in rupees per month)

		Amount ranking for PF
60 after they have completed 1 year	after	36
120 after they have completed 2 years	reaching	71
180 after they have completed 3 years	20th	107
240 after they have completed 4 years	Stage of	143
300 after they have completed 5 years	the scale	178

Subject to the following limits :-

120 for those who are graduates and/or NDC
60 for those who have passed Part I CAIB/CAIIB
180 for those who have passed Parts I & II of CAIB/CAIIB
180 for those who are graduates/NDC and have passed Part I of CAIB/CAIIB
300 for those who are graduates/NDC and have past Parts I and of II CAIB/CAIIB

	Category of Workmen	Amounts of Special Allowance Rs.
(i)	Cyclostyle Machine Operator	23
(ii)	Liftman	33
(iii)	Relieving Liftman	20
(iv)	Cash Peon	27
(v)	Watchman/Watchman-cum-Peon	27
(vi)	Armed Guard	50
(vii)	Bill Collector	56
(viii)	Daftary	53
(ix)	Head Peon	63
(x)	Air Conditioning Plant Operator	129
(xi)	Electrician	129
(xii)	Driver	139