SUPPLEMENTARY SETTLEMENT
Dated 23rd July, 1971

MEMORANDUM OF SETTLEMENT **arrived at on 23rd July 1971 between Indian Banks' Association (hereinafter referred to as IBA) and All India Bank Employees' Association (hereinafter referred to as AIBEA), supplementary to the memorandum of settlement dated 12th October, 1970.**

NAMES OF PARTIES

Representing Managements: 1. Shri P. F. Gutta.
2. Mr. D. R. Chapman,
Duly authorised on behalf of
Indian Banks' Association.

Representing Workmen: 1. Shri D. P. Chadha, President.
2. Shri H. L. Parvana, Secretary.
All India Bank Employees Association

SHORT RECITAL

Whereas in terms of Clause 31 of the memorandum of Settlement dated 12th October, 1970 (hereinafter referred to as the Main Settlement) between IBA and AIBEA, any doubt or difficulty regarding interpretation of any provision of the Main Settlement has to be discussed between IBA and AIBEA and settled and

Whereas AIBEA raised certain points regarding interpretation of some of the provisions of the Main Settlement AND several discussions took place between the Negotiating Committee of IBA and the representatives of AIBEA, as a result of which certain interpretations of the said provisions of the Main Settlement (regarding which doubts had been raised) have emerged, which interpretations are acceptable to both the parties and are now being recorded in this Settlement to the intent that the same be binding on the parties.

Now, therefore, it is agreed by and between the parties hereto as follows:

TERMS OF SETTLEMENT

1. Fitment of employees transferred from higher Areas to lower areas before 31-12-1969.

An employee transferred from a higher Area to a lower Area before 31- 12-1969 will be fitted at the same stage in the new scale of pay where an employee in that Area (lower Area) with the same basic pay is fitted. In the event of retransfer of such an employee at any time to the original Area (higher Area), he shall be fitted in the new scale of pay at the stage where he would have been, had he not been transferred from that Area (higher Area).

ILLUSTRATION

A Clerk in an 'A' Class Bank in Area 1, at the 12th stage of the existing scale of pay, i.e. Rs. 249/- had been transferred to Area HI before 31-12-1969. On 1-1-1970 he should be fitted in the new scale of pay where the other employees drawing the same basic pay in Area III are fitted. Consequently, he will have to be fitted at the 13th stage of the new scale of pay, i.e. Rs. 345/-, being the stage corresponding to basic pay of Rs. 249/-, in Area III. But if he is retransferred to Area I after 1-1-1970, say in April 1970, he will be fitted at the 11th stage of the new scale of pay, i.e. Rs. 305/-, being the stage corresponding to basic pay of Rs. 249/-, in Area I. In Area I he will, of course, receive C.C.A. and HRA. which he was not eligible to receive in Area III.

2. T.AA. at the Ist stage in Area III.

Since as per sub-clause (a) of clause 12 of the Main Settlement the initial fitment in the new scales of pay has to be made without reckoning increment/s for educational qualifications, the graduate clerks in 'A' Class Banks fitted on 1-1-1970 at the 3rd stage of the new scale of pay in Area III should be granted T.A.A.
payable at the 1st stage. Such T.A.A. will be, wiped off in the same manner as provided as clause 12(d)(ii) of the Main Settlement. Graduate clerks in 'B' and 'C' Class banks fitted at the 3rd stage in the new scale of pay in Area III on 1-1-1970, should be granted T.A.A. payable at the 1st stage from that date (1-1-1970) and the same

amount of T.A.A. should be continued to be paid to them after refitment on 1-7-1970 in the case of 'B'Class Banks and 1-1-1971 in the case of 'C' Class banks until it is wiped off as provided in the Main Settlement.

3. Payment of Special Allowances for educational qualifications after reaching 20th stage of new scale of pay.

(a) Graduate clerks who were at the 24th stage of the existing scale as on 31-12-1969 and who were fitted at the new scale of pay on 1-1-1970, should be granted special allowance payable for educational qualifications with effect from 1-1-1971, i.e. after completing one year after reaching the 20th stage of the scale.

(b) Clerks with educational qualifications who were at the maximum of the existing scale of pay on any date in the year 1969 and were fitted at the maximum of the new scale of pay on 1- 1-1970, should be treated as having completed one year after reaching the 20th stage of the new scale of pay on the corresponding date in the year 1970, for the purpose of granting special allowance for educational qualifications.

4. Payment of Special Allowances for educational qualifications to Bank of India employees after reaching the 20th stage of new scale of pay.

In partial modification of clause 23 Part II (a) (ii) of the Main Settlement, special allowances to be granted during the year 1970 to the members of the clerical staff of Bank of India possessing educational qualifications are shown in the Chart at Appendix 'A' attached hereto, which forms an integral part of this Settlement.

5. Payment of overtime and Bonus on T.A.A.

It is agreed that under the Main Settlement neither Overtime nor Bonus is payable on T.A.A.

6. Clubbing stages on refitment of employees in 'B' and 'C' Class banks as on 1-7-1970 and 1-1-1971 respectively.

It is agreed that the clerical staff in'B' and 'C' Class banks in Area III who were in service on 31-12-1969 shall be fitted into

the new scales of pay in accordance with sub-clauses (a), (f) and (g) of Clause 12 of the Main Settlement on 1-1-1970 and if as a result of the initial fitment as per sub-clause (a) above into the new scales of pay, workmen drawing basic pay in any two successive stages of the existing scales are fitted in one and the same stage of the new scales, the workman drawing higher basic pay as on 31-12-1969 in existing scale shall receive on 1st January, 1970 his annual increment irrespective of the date when it falls due during the year 1970, provided that if as result of increments under sub-clause (g) in the new scales for educational qualifications, a workman is fitted at a stage higher than that at which he would have been fitted but for sub-clause (a) above, he will not again have the benefit of his increment being advanced to 1st January, 1970. However, with effect from 1-7-1970 in so far as clerks in 'B' Class banks in Area III are concerned and with effect from 1-1-1971 in so far as clerks in 'C' class banks in Area III are concerned, the above mentioned fitment will be changed as per clause 12(i) of the Main Settlement and the increments of clerks at the higher clubbed stages which were advanced from 1-1-1970 in the case of 'B' Class banks will not continue beyond 1-7-1970 and so far as 'C' class banks are concerned the increments advanced in the first fitment, i.e. on 1-1 -1970 will not continue beyond 31-12-1970. When the clerks in 'B' and 'C' Class banks in Area III are refitted as per clause 12(i) of the Main Settlement, they will earn their annual increments on their usual dates of increment and the clerks who are at the senior clubbed stages on refitment on 1-7-1970 and 1-1-1971 (in respect of 'B' and 'C' Class banks respectively) will have their increments advanced from those dates (i.e. 1-7-1970 and 1-1 - 1971 respectively).

7. Fitment of employees having educational qualifications (viz. Graduation/N.D. Com / CAIB / CAIIB).

It is agreed that while fitting the employees with educational qualifications into the new scales of pay as on 1-1-1970, they should be granted T.A.A. at the stages where they are initially fitted, as provided in clause 12(a) of the Main Settlement without reckoning increment/s for educational qualifications and increment/s for educational qualifications should be added thereafter for arriving at the final stages of

fitment of such employees as on 1-1-1970.

ILLUSTRATION

A graduate Clerk in an 'A' Class bank in Area II who was at the 9th stage of the existing scale of pay on 31-12-1969, will be initially fitted in the new scale of pay at the 6th stage, i.e. Rs. 226/- without reckoning increment/s for educational qualifications. He will receive a T.A.A. of Rs. 21.98, which is payable to the employees at that stage (i.e. 6th stage). Thereafter, two increments for educational qualifications will be added, bringing him to the 8th stage of the new scale, i.e. Rs. 255/-.Thus, on 1-1-1970, his final fitment will be, Basic Pay Rs. 255/- + T.A.A. Rs.21.98.

8. Clubbing stages on fitment of employees into the new scales of pay and advancing the dates of increment.

It is agreed that clubbed stages referred to in

Clause 12(h) of the Main Settlement are the clubbed stages on the initial fitment of the clerical staff in the new scales of pay without reckoning increment/s for educational qualifications. Thus, where workmen drawing basic pay in any two successive stages of the existing scale are fitted in one and the same stage of the new scale of pay on the initial fitment, without reckoning increments for educational qualifications, the workman drawing higher basic pay as on 31-12-1969, in the existing scale shall receive on 1st January, 1970, his annual increment irrespective of the date when it falls due during the year 1970 and shall also receive his annual increment thereafter on the first day of January every year. The increments for educational qualifications as provided under sub-clause (g) of clause 12 will be added thereafter. The proviso to sub-clause (h) of Clause 12 of the Main Settlement will be applicable to the cases mentioned in that proviso.

9. Payment of T.A.A. to the employees who were in service on temporary basis between 1-1-1970 and 31-7-1970 who have been subsequently appointed on probation.

Any employee who was in the service of a bank on a temporary basis during any period between 1-1-1970 and 31-7-1970 and appointed on probation subsequently with a break of not more than 30 days or without break in service in the intervening period on any date on or before 31-12-1970

shall be entitled to the benefit of the fitment to which he was initially entitled during his employment on a temporary basis during the period between 1-1-1970 and 31-7-1970, provided the break in service during this period was not for more than 30 days. Such a person shall also be entitled to the benefit of the initial fitment throughout the period of his temporary appointments.

10. Increase in the special allowances not covered by the Main Settlement

It is agreed that wherever any special allowance (not covered under the Main Settlement) attracts D.A. (which is now paid as per 1960 index as against 1949 index), it would be necessary to increase the 'special allowance by merger of a part of D.A. in the same manner as in the case of special allowances prescribed under the Main Settlement.

11. (A) Payment of C.C.A. on Special Allowances

Under the Main Settlement, C.C.A. is to be paid only on Basic Pay and is not payable on special allowances.

(B) Fitment of employees at certain stages in 'B' and 'C' Class banks

It is agreed that in the matter of fitment into the new scale of pay no employee shall cross the stage where he would have been fitted had there been fitment on stage to stage basis.

ILLUSTRATION

(i) Members of the clerical staff of 'B' Class banks in Areas I and II who were at 2nd and 3rd stages of the existing scales of pay on 31-12-1969, shall be fitted only at the 2nd and the 3rd stages respectively of the new scales of pay as on 1-1-1970.

(ii) Members of the clerical staff of 'C' Class banks in Areas I and III who were at 2nd, 3rd, 4th and 5th stages of the existing scales of pay on 31-12-1969 shall be fitted at the same stages of the new scales of pay (i.e. 2nd, 3rd, 4th and 5th stages respectively) as on 1-1-1970.

12. Determination of seniority at clubbed stages

It is agreed that the advancing of increment provided in clause 12(h) of the Main Settlement shall arise whenever two or more successive stages in the existing scale are clubbed together into one stage in the revised scale and all workmen who were in the higher of the said successive stages shall have

their increments advanced irrespective of whether there were any workmen in the lower of the said successive stages.

GENERAL

As a result of the interpretation of the provisions of the Main Settlement dated 12-10-1970 agreed to in this Settlement any amount due to an employee shall be paid on or before the 31st of August 1971 and any amount recoverable by a Bank shall be adjusted in easy instalments, (the number of instalments being equal to the number of months for which the employee received the extra amount) effective from 1st September, 1971. Provided, however, that as a special case no amount shall be recoverable in terms of clause 7 of this Settlement and reduction, if any, in the amount of T.A.A. shall be made effective from 1 -8-1971.

for INDIAN BANKS'ASSOCIATION

1. Sd/-P. F. Gutta
2. Sd/- D. R Chapman.

for ALL INDIA BANK EMPLOYEES ASSOCIATION

1. Sd/-D.P. Chadha.
2. Sd/- H. L. Parvana.

WITNESSES :

1. Sd/- C. W. Tilve.
2. Sd/- P. K. Menon.

Date: 23rd July 1971.