

THE CANARA BANK OFFICERS' ASSOCIATION (Regd.)

Registered under Trade Unions Act, 1926 at Mumbai.
(Affiliated to AIBOC)



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CBOA/FEB/11/2016/CK

DATED 29.02.2016

To : All Regional Secretaries / CC Members

I am reproducing the AIBOC Circular 09/2016 dtd 18.02.2016 as below :

Circular No. 2016/11

Date:29/02/2016

Dear Comrades,

AMICABLE UNDERSTANDING REACHED - STRIKE DEFERRED **HONOURABLE EXIT TO COM. P V MOHANAN PROMISED BY MANAGEMENT**

Please refer to our various communications and the subsequent notice of strike on 29th February 2016. Our members are aware that the issue of termination of Com. P.V. Mohanan, the General Secretary of Dhanalakshmi Bank Officers' Organisation (DBOO) and the Vice President of the AIBOC had rocked the trade union fraternity across the length and breadth of the country. Despite sincere efforts, the issue remained unresolved since more than eight months. A lightning/flash strike was observed on 12th June, 2015 by the Kerala State AIBOC Unit – an action unheard so far, followed by two days strike. Subsequently, the members of the DBOO went on a 33 days indefinite strike. Thereafter, a meeting was convened by the Hon'ble Home Minister of Kerala State in the presence of leaders of various political parties and national leaders from the AIBOC with the Management of DLB. However, understandings reached, therein, were not implemented and the issue remained unresolved. Again the officers of DBOO and all the Banks in Kerala went on an agitational path. There were demonstrations, processions, protests, press conferences and meetings all over Kerala led and addressed by leaders of all political parties and academicians. Representations were made by the Confederation to the Hon'ble Chief Minister, Hon'ble Home Minister and various other leaders of the State. But, there remained a deadlock due to deafening silence of the Management. All attempts to meet the Management to sort out the issue remained in vain. As the time of Superannuation of Com. Mohanan was nearing and boundaries of justice were fading away, no other option was left with AIBOC but to follow the path of Nationwide strike. Therefore, a decision was taken to give a call of strike on the 29th February 2016. The Comrades across the country rose up to the occasion and geared up for the strike with demonstrations all over the country under our preparatory programme. There was total preparation and the enthusiasm levels were soaring.

Meanwhile, there was call from the Regional Labour Commissioner (Central), Mumbai for a conciliation meeting on the 25th of February 2016. The conciliation proceedings were attended by the undersigned along with Comrades Dilip Saha and G. V. Manimaran – Senior Vice Presidents of the confederation. IBA was represented by Sh. H N Vishweshwar, Sr. Advisor (HR/IR) and Sh. K. Ganeshan, Vice President. Surprisingly, the Dhanalakshmi Bank Management was not present in the meeting, which was noticed and questioned even by the RLC (C). AIBOC representatives explained the background of the Strike, the unreasonable act of termination of Com. P. V. Mohanan and demanded his reinstatement. IBA representatives presented the letter dated 12/02/2016 filed already before the Central Labour Commissioner, New Delhi on 15/02/2016 and stated that Com. Mohanan was an officer and ID Act is not attracted. They further stated, the matter is between the Union and Dhanalakshmi Bank and hence, IBA has no role to play and requested for summoning Dhanalakshmi Bank also. After prolonged discussions, it was decided that Dhanalakshmi Bank should appear in the next conciliation proceedings and be represented by the Managing Director who can take a decision to resolve the instant issue. We provided the copy of the reply filed by the Management of Dhanalakshmi Bank Management before Human Rights Commission in which they have categorically acknowledged the unblemished track record of Com. Mohanan. IBA Representatives and RLC (C) were surprised to see the document which was taken on record. The R.L.C. assured to take the talks to a logical end. He took personal interest to ensure that meeting with RLC © Kochi are held on the next day. The proceedings were adjourned to 15/03/2016. On the same day in a meeting called by the Hon'ble Home Minister of Kerala, he directed the DB Management to call the Association and arrive at an amicable solution. The Home Minister expressed shock over the fact that DB Management had not called for any discussions with DBOO for the last 8 months. He exhorted that the relationship would improve only if meetings take place frequently. He directed the DB Management to conduct a meeting with DBOO within 24 hours in order to give an honourable exit to Com. P. V. Mohanan.

DBOO was represented by Comrades, P.V. Mohanan, Chairman, DBOO, Vijaya Anandakrishnan, Chairperson, DBOO, Abraham Shaji John, State Secretary, AIBOC, Kerala, V. K. P. Krishnakumar, President, DBOO and S. Manoj, General Secretary, DBOO. Samara Sahaya Samithi was represented by Com. T Narendran from BEFI and Com. Sashikumar from NCBE. Central Trade Union leaders, Com. Chandrasekharan R. (State President, INTUC) and Com. Elamaran Karim (CITU) were also present. Management was represented by Sh. P. Mohanan, Director, P. Manikanthan, CGM, A Rajan, Consultant and Sh. C. S. Ramakrishnan AGM.

The next round of talks was held with the Regional Labour Commissioner (RLC) (C) Cochin on the 26th February. The AIBOC was represented by Com Y. Sudarshan, President, Com. Ekanath Baliga, the Joint General Secretary, Com. Abraham Shaji the State Secretary of AIBOC, Com. Manoj and Com. KrishnaKumar, the General Secretary and President of DBOO respectively. Com. Mohanan was also present in the meeting. The DLB management was represented by Sh. C. S. Ramakrishnan, AGM (HR) and Sh. Ashraf P. S. CVO. The AIBOC put forth their arguments conclusively and in a forceful manner. AIBOC representatives stated that the termination of Com. Mohanan was unjustified and against principles of Natural Justice. He has put in 38 years of unblemished service and had been an achiever. His integrity has never been questioned. It was further stated that the terms of agreement signed in the presence of Hon'ble Home Minister of Kerala has not been honoured.

- i. It was agreed to keep the termination order in frozen state and status quo to be maintained. But no salary has been paid despite agreement to maintain status quo.

- ii. No review meeting was conducted (after two months) as agreed.

In view of the above, a rational view may be taken considering the fact that Com. Mohanan is left with one month to superannuate. Representatives of the Management stated that the termination of Com. Mohanan was done under Regulation 14 (1) of DBOSR. As per the understanding in the meeting with Home Minister on 14th July, 2015, Bank had put on hold all transfer orders issued, restored check off facility. Bank had paid 3 months' salary in lieu of notice period. It was also stated that the Bank had called the representatives of DBOO for discussions on 27/02/2016 at Thrissur. After protracted discussions, RLC advised as follows:

- i. The Management to allow Com. Y. Sudarshan, President and Ekanath Baliga, Joint General Secretary of AIBOC for the scheduled bipartite discussions on 27/02/2016.
- ii. The Management to consider the instant matter compassionately and resolve the dispute amicably with magnanimity.
- iii. The Union not to resort to Strike during pendency of conciliation proceedings as per the provisions of ID Act, 1947.

AIBOC representatives made it clear that the decision on the Strike would be taken based on the outcome of the meeting scheduled on 27/02/2016. The RLC (Central) Cochin, directed the management to hold the scheduled bipartite meeting at Trissur in the forenoon as per the directions of the Hon'ble Home Minister and thereafter, come to Cochin to draw the minutes in the presence of the RLC (C), adjourning the meeting to 27/02/2016.

The meeting with the DLB management at Trissur was held at 2.30 P.M on 27/02/2016. Com. Y. Sudarshan, the President AIBOC, Com. Ekanath Baliga, Joint General Secretary AIBOC, Com. Abraham Shaji John, State Secretary AIBOC, Com. V K P Krishnakumar, President DBOO and Com. S. Manoj, General Secretary DBOO were present. The Management was represented by Mr. G Sreeram, The MD & CEO of DLB, Mr. L Chandran DGM, Mr. Ashraf, Mr. Rajan and Mr. Ramakrishnan, AGMs of DLB.

After the initial remarks and mutual presentations, both the sides held on to their positions. The AIBOC held on to their request of revocation of the termination order and reinstatement of Com. Mohanan, with an honourable exit in view of the fact that Com. Mohanan has put in 38 years of unblemished service and is due for superannuation in one month. After negotiations for three hours, the Management finally agreed and an understanding was reached, wherein, Com. Mohanan would give a request letter for reinstatement and the same would be put up with the favourable recommendations to the Board in the next meeting. Management requested that the agitation programmes be dropped and sought the co-operation of the DBOO and the AIBOC for the growth of the Bank.

Thereafter, both the Management and AIBOC representatives rushed from Trissur to Cochin, approximately 100 Kms. away, and signed the minutes in the presence of the RLC (Central) Cochin. Therefore, in view of the positive development and the positive approach of the Management, the call given for strike was deferred. The next meeting is scheduled to be held on 17th March 2016. We shall keep a close vigil on the implementation of the understanding to ensure an honourable exit of Com. P. V. Mohanan.

We would like you to note and place on record our appreciations for the Regional Labour Commissioner, who opened the office of the RLC on 27/02/16, despite being a holiday, and

remained present to ensure that an amicable solution is arrived at. She also promised to ensure that the sanctity of the understandings is upheld and an honourable exit is provided to Com. P. V. Mohanan. We thank Mrs. Rani Aparajita Sriram, the RLC(C) Cochin for all her sincere efforts. Above all, we sincerely thank all our brave comrades of Kerala and elsewhere in the country who stood like a rock with grit and determination and solidarity amidst most trying circumstances. Comrades, thus, long drawn struggle for upholding the dignity of labour and the honour of the Senior Vice President of AIBOC, Com. P. V. Mohanan is now moving towards an acceptable end. Further developments will be advised in due course.

LONG LIVE AIBOC ! LONG LIVE OUR UNITY !!

With revolutionary Greetings,

Yours sincerely,



(HARVINDER SINGH)
GENERAL SECRETARY

UNQUOTE:

Please ensure wide circulation.

CBOA ZINDABAD

G.V.Manimaran
General Secretary