



ALL INDIA BANK EMPLOYEES' ASSOCIATION

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**TO ALL OFFICE BEARERS, STATE FEDERATIONS
AND ALL INDIA BANKWISE ORGANISATIONS
(FOR CIRCULATION TO ALL MEMBERS)**

**52nd Anniversary of Bank Nationalisation
AIBEA's National Campaign - Webinar Lecture 16
By Justice Chandru, Retd., High Court of Madras**

Beware of labour law changes, it will make collective bargaining into collective begging – Justice Chandru

All India Bank Employees' Association invited Justice K Chandru who was Judge of High Court of Madras to address the attendees at AIBEA's ongoing National Seminar series to share his opinion and facts on the theme of People's Money for People's Welfare.

Gist of his lecture: Speaking on the occasion, he explained how bank nationalization became a political reality under the then prevailing political situation where Smt. Indira Gandhi wanted to project a progressive image of the Government. He also referred to the opposition by the rightist forces who challenged it in Supreme Court which struck down the Act on technical grounds of lesser compensation. Hence she had to re-nationalise the Banks again in February, 1970.

It was not a mere economic decision and it was a political decision. Hence, trade unions should also have to take the political stand in such issues when the present government tries to privatise the public sector banks or the public sector units. Right from the beginning, the trade unions have taken political demands as part of their charter. Therefore, in the nationalisation issue also, all the trade unions supported including AIBEA. Hence, after 52 years of nationalisation, a progressive politics is necessary for a trade union to come up.

If nationalisation had not happened, the industrial houses would have become big monopolies, public finance would have gone to the private hands and the economy would have been in few elite hands. Even with the present public sector banks, Nirav Modi, Mehul Choksi, etc. have been able to loot the banks and some of these criminals, are enjoying the loan proceeds.

In 1947, bank employees were working in private banks and they were treated as slaves. They were united by AIBEA. There was no uniform salary, service conditions etc. AIBEA took these issues before the Tribunal and got Sastry Award. It was because of the efforts of AIBEA and the Sastry Award, there were uniform service conditions. This award changed the working conditions of the bank employees. It is this organisation, AIBEA, that started giving beacon light for the bank employees for the first time. Again, in 1960, we got a second award, Desai Award. These victories speak volumes of the struggles to bring them under one roof and it was followed by the Bipartite Settlement. We have learnt that these awards take several years to be completed and the government might extend the implementation of the award. Hence, AIBEA decided that we should go for direct

negotiations and secured the first Bipartite Settlement through strikes, struggles and agitations and that happened on 19th October, 1966. Even if there is give and take, direct negotiations are much better. We have now 11 Bipartite Settlements behind us. The power of strike was the weapon that AIBEA used to secure the benefits.

The first change we got after nationalisation, the ownership vested with the Central Government. Till nationalisation, the service conditions were only contractual with the bank managements and after nationalisation, the service conditions of a public sector bank employee were having a statutory character. In case of a statutory provision, it can be enforced by a Court. Unions, group of individuals or even individual can enforce the statutory provisions including challenging discrimination.

In ONGC judgement in Supreme Court, it was held that the employees of statutory body have a statutory stature and it is protected by the Constitution.

Mrs. Indira Gandhi amended the Constitution. She said secular, socialistic and democratic country in the preamble of the Constitution and brought in as Sec.43A to ensure workers to participate in the management. Following this, amendments were made to Banking Regulations Act and paved way for Workman Director and Officer Director on the Boards of the Bank. People, who create wealth should also sit on the Boards of the Banks. Our experience has enriched us and changed the mindset of the managements also.

Now, the labour laws have been made into 4 labour codes. **Industrial Relations Code will make us litigators eternally.** Who gave them the power to change these laws, which have evolved in the country due to the struggle of the workers for the past hundred years? **If these new laws are implemented, we cannot have collective bargaining but only collective begging.** Then how to fight these offensives. It will be only possible due to the unity and militancy and struggles of the bank employees and the working class.

When we celebrate the 52nd anniversary of bank nationalisation, economic demands should take a backseat and we should fight against all the anti-labour legislation and we should with a total unity not only among the bank employees but also among the Working Class.

He concluded by congratulating AIBEA on their initiative and the ongoing fight against privatisation.

Com. C S Venugopal, Treasurer of AIBEA coordinated the programme and finally proposed the vote of thanks.

Yours comradely,



C.H. VENKATACHALAM
GENERAL SECRETARY

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- ***Observe Bank Nationalisation Day on 19th July***
 - ***Badge Wearing by all employees***
 - ***Twitter Campaign from 7 am***
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