



ALL INDIA BANK EMPLOYEES' ASSOCIATION

Central Office: "PRABHAT NIVAS" Regn. No.2037

Singapore Plaza, 164, Linghi Chetty Street, Chennai-600001

Phone: 2535 1522 Fax: 2535 8853 Web: www.aibea.in M-98400 89920

e mail ~ chv.aibea@gmail.com & aibeahq@gmail.com

AIBEA/GS/2023/19

16-2-2023

**Shri. Shyam Srinivasan
Managing Director & CEO,
The Federal Bank Ltd.,
Head office, Federal Towers
Aluva, Kerala**

Dear Sir,

Reg: Reinstatement of Shri. Sumith Sreedharan Nambiar in service

You are quite aware of the details of the case relating to the termination and dismissal from service of Shri. Sumith Sreedharan Nambiar arising out of disciplinary action process against him for alleged misconduct.

We are aware and agree that the management is well within their rights to initiate disciplinary action against employees for any misconduct as envisaged and provided in the Bipartite Settlement. We have no intention to question the same in the case of Shri Sumith also.

However, under the Industrial Disputes Act, 1947, Shri Sumith is covered as 'Protected Workmen' as duly communicated by our Union to the management as required under Law. A dispute arose since the management did not accept him as protected workmen.

You are aware that this issue was one of the important issues raised by AIBEA in the Strike Notice for the proposed strike on 19-11-2022 since we contended that Shri Sumith is a protected workmen and hence his dismissal from the Bank is contrary to and in violation of Sec. 33 of the Industrial Disputes Act. Ofcourse, the management has the option to approach the appropriate labour authority to seek their permission before imposing any such punishment.

You will now be aware that in the connected dispute, the Regional Labour Commissioner, (Central), Kochi vide her order dated 14-2-2023, has held that Shri Sumith Sreedharan Nambiar should have been accepted as a protected Workman and hence, consequently, the management should have approached the authority before imposing the punishment. In essence, the dismissal order served on 11-5-2022 needs to be retraced and revoked.

You will appreciate and agree that this order implies that the management's action was unlawful and in effect nullifies the dismissal order served on Shri Sumith Sreedharan Nambiar on 11-5-2022 in as much as that he is deemed to be a Protected Workman on the said date of serving the dismissal order on him, of course with the scope and provision to the management to approach the appropriate authority seeking their permission for serving such orders.

In view of the orders of the RLC, Kochi, vindicating the contention of AIBEA and our Union-FBEU, we urge and expect of the management to render justice by reversing and revoking the dismissal orders served on Shri Sumith Sreedharan Nambiar on 11-5-2022 and follow the due procedure thereafter as is provided under the Industrial Disputes Act.

Thanking you,

Yours sincerely,



C.H.VENKATACHALAM
GENERAL SECRETARY

Copy to:

Chief Labour Commissioner (Central), Delhi