

CIRCULAR NO. 22 /2023

DATE : 25.03.2023

TO,
ALL MEMBERS

**RECOVERY OF PENALTIES FROM OFFICIALS FOR DELAY IN
RECONCILIATION OF FAILED ATM/ADWM CASH WITHDRAWAL
TRANSACTIONS**

We reproduce hereunder the text of the **AISBOF Circular No. 22** dated 25.03.2023, the contents of which are self-explicit.

With warm greetings,

(Amaresh Vikramaditya)
GENERAL SECRETARY

OUR UNITY : ZINDABAD-ZINDABAD
S.B.I.O.A. : ZINDABAD-ZINDABAD

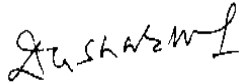
TEXT

**RECOVERY OF PENALTIES FROM OFFICIALS FOR DELAY IN
RECONCILIATION OF FAILED ATM/ADWM CASH WITHDRAWAL
TRANSACTIONS.**

We have sent a communication to the Dy. Managing Director (HR) & Corporate Development Officer, State Bank of India, on the captioned subject.

A copy is enclosed for your information.

Yours comradely,



(Deepak Kumar Sharma)

General Secretary

No.6180/10/23

DATE: 24.03.2023

The Deputy Managing Director (HR) &
Corporate Development Officer
State Bank of India
Corporate Centre,
Madame Cama Road,
Mumbai - 400021

Respected Sir,

**RECOVERY OF PENALTIES FROM OFFICIALS FOR DELAY IN
RECONCILIATION OF FAILED ATM/ADWM CASH WITHDRAWAL
TRANSACTIONS.**

We are writing to express our concern over the recent action by Anytime Channels Department in various circles across the country regarding the recovery of penalties from erring officials for delay in reconciliation of failed ATM/ADWM cash withdrawal transactions. While we understand the need for the Bank to take action against non-compliance with the laid down instructions to avoid financial losses, we strongly believe that the current approach adopted by some circles is unfair and against the principles of natural justice.

It is reported that penalties have been awarded without giving a chance to the concerned officials to explain themselves. No disciplinary proceedings as per the rules were initiated before ordering the recovery of the penalty amount. This is not only bad in law but is also against the Bank's guidelines mentioned in the circular regarding the reconciliation of failed ATM/ADWM cash withdrawal transactions. Please refer Bank's instructions e-Circular No. NBG/NBG/AC-NBG- ATMB2022-23 dated 30.08.2022, which mentions as under:-

"The operating staff shall ensure compliance of the instructions to obviate any financial loss to the bank on account of payment of compensation or otherwise due to delay in reconciliation of failed ATM/ADWM cash withdrawal transactions. Non-compliance will attract examination and fixation of staff accountability as per Bank's extant service rules. Non-adherence to various regulatory/statutory/internal guidelines issued for conduct and supervision of banking business may invite accountability under the provision of appropriate Service Rules (SBIOSR in respect of Officers and Bipartite Settlement in respect of Award Staff)

We, therefore, highlight the following concerns in the manner the penalties are being recovered from the officials:

1. Lack of Due Process: The Bank's guidelines clearly state that non-compliance will attract examination and fixation of staff accountability as per Bank's extant service rules. This implies that any action taken against an employee must follow the due process of law and the principles of natural justice. However, in these cases, the Bank has not initiated any disciplinary proceedings against the concerned officials before ordering the recovery of the penalty amount. This is a clear violation of the principles of natural justice.

2. Failure to provide an Opportunity to be heard: The Bank's guidelines also state that the operating staff shall ensure compliance of the instructions to obviate any financial loss to the bank on account of payment of compensation or otherwise due to delay in reconciliation of failed ATM/ADWM cash withdrawal transactions. Non-compliance will attract examination and fixation of staff accountability as per Bank's extant service rules. This implies that officials must be given a fair opportunity to explain their actions and defend themselves before any penalty is imposed on them. In many cases, the delay in reconciliation has been due to vendor managing the outsourced machines, or due to other technical reasons. However, in these cases, no such opportunity has been given to the concerned officials.

3. Unreasonable Timeframe: The Bank has asked for the recovery of the penalty amount from the erring officials by a specific deadline, without providing sufficient time for them to respond or seek recourse. This is unfair and puts undue pressure on the concerned officials to comply with the demand.

We would like to request immediate intervention of competent authority in this matter to ensure that the due process is followed in all cases. Officials must be given a fair opportunity to explain their actions and defend themselves before any penalty is imposed on them. Furthermore, the Bank should consider extending the deadline for recovery of the penalty amount to allow for a reasonable period of time for the concerned officials to respond.

We hope that you will take our concerns seriously and take appropriate action to address them.

Thanking you.

Yours sincerely,

Sd/-

(Deepak K Sharma)

General Secretary