

**CIRCULAR NO. 70 /2020**

**DATE : 04.05.2020**

**TO,  
ALL MEMBERS**

**ORGANIZATIONAL/STRUCTURAL CHANGES IN HANDLING DISCIPLINARY PROCEEDINGS**  
**OUR CONCERNS AND SUGGESTIONS**

We reproduce hereunder the text of the AISBOF circular No.70 dated 04.05.2020 , the contents of which are self-explicit.

With warm greetings

**(Ajit Kumar Mishra)**  
**GENERAL SECRETARY**

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

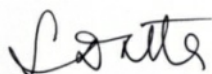
**TEXT**

**ORGANIZATIONAL/STRUCTURAL CHANGES IN HANDLING DISCIPLINARY PROCEEDINGS**  
**OUR CONCERNS AND SUGGESTIONS**

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 information.

Yours comradely,



**(Soumya Datta)**  
**General Secretary**

The Deputy Managing Director (HR) & CDO,  
State Bank of India,  
Corporate Centre,  
Madame Cama Road,  
**MUMBAI - 400 021.**

Dear Sir,

**Organizational/structural changes in handling Disciplinary Proceedings**  
**Our concerns and suggestions**

We draw your kind attention to the newly introduced centralized Internal Advisory Committee (IAC), which has suddenly done away with the time tested flawless extant disciplinary procedure followed at Circles. The ground level feedback received from the Circles and the persons in the know of the matter indicates that the entire procedure has been structured and implemented with undue haste, without proper planning and keeping the various stakeholders completely in the dark. The new system has been implemented in the bank at a time when the Covid-19 crisis has resulted in an unprecedented disruption to the economic activity in the country along with the whole world and the government has extended lockdown till 17<sup>th</sup> May 2020 with all possibility of further extension of lockdown in the country to contain outbreak of the dreaded coronavirus. Although an SOP has been issued, the functionaries at all levels are hardly aware of the new system and procedure. The process of disciplinary action is quasi-judicial in nature and has to be structured and implemented in consonance with the Constitutional provisions to ensure that the principles of natural justice are not violated. Moreover, the disciplinary action is a tool in the hands of the Management to maintain discipline and order. In case the tool is not handled properly and carefully, it may harm the cause itself. As such, you will appreciate that any major change needs to be calibrated and instructions on these matters need to be structured, written and transparent since it has profound ramification on the career of the personnel, on the business and the functioning of Bank. Further, you will agree that it is a major shift from the time tested disciplinary procedure and process of the bank. We feel that confusion and deficiency in the procedure would certainly affect the working conditions of officers. As such, we expect that the matter should have been shared with us and provide us, being one of the stakeholders, an opportunity to address the apprehensions of the officers' fraternity.

2. We observe that neither revised circular instructions nor standard operating procedure (SOP) has so far been issued by the Bank. We are constrained to say that the changes have been ushered in without putting in place necessary infrastructure, manpower, checks and balances to ensure its handling effectively. In this connection, we would like to bring to your attention to the following grey areas for plugging the loopholes in the new procedure:

- a. Controllers are now required to send the papers directly to Corporate Centre, instead of routing it through LHO. As a result, Circles will remain totally ignorant about movement of such cases.
- b. No training has been imparted to functionaries at the Controller level in handling such work. This is likely to result in erroneous submission of the necessary forms, documents as Controllers may not be well equipped with the knowledge, expertise and infrastructure. Submission of incomplete set of documents will invariably lead to return of the forms from Corporate Centre resulting in unnecessary delay and avoidable spike in TAT.

- c. Controllers do not have access to Vigilance bio-data Portal, which will be a hindrance, as “Vigilance bio data” is one of the essential documents.
- d. We apprehend that the disciplinary matters may not be a priority of controllers, which would be detrimental to the interest of the officers concerned. As controllers will be corresponding with Corporate Centre directly, it would likely be a time-consuming affair, which could possibly lead to delay in disposal resulting in adverse effect on promotion and even invocation of OSR – 19(3). It is pertinent to mention that before the introduction of the present system, the Circle Vigilance department used to handle all such cases flawlessly with alacrity and follow up with the Corporate Centre/CMCs for timely disposal of such cases. With the introduction of the present system, the Circle authorities will remain totally in the dark about the number of cases and their status which will not be a healthy situation for the bank. The role of Vigilance department at Circle was very vital as the relative documents would be subjected to careful scrutiny to minimize errors. However, in the present structure, DGM (Vig.) is not kept in the loop, which is bound to have an adverse impact on the time schedule of disposal/completion of formalities.
- e. Under the previous disciplinary procedure, senior officials from AO to Circle level would study, understand the issues related with each case, apply their mind before taking a view on classification of a case as Vigilance or otherwise which was a very pragmatic and meaningful approach. We understand that this has been dispensed with in the new system. Submission of cases by the Controllers directly to CC may result in inappropriate recommendation due to lack of expertise, gaps in the information, return of documents, delay in completion of process/conclusion for want of information/amplification/clarifications. Again, these may result in breaching timelines stipulated by CVC for completion of disciplinary proceedings, in addition to invocation of OSR -19(3).
- f. The withdrawal of Chief Manager (DPC) has led to a void at the AO level regarding disciplinary matters. There is generally no officer equipped to answer queries regarding any disciplinary matter at the AO level, which would be a major deterrent in disposal of cases.
- g. Presently, consequent upon lockdown, Bank has to rely on data transmission through email. Disciplinary cases may require submission of huge volume of data which cannot be sent electronically. Further, electronic transmission of data may not be amenable to meaningful processing as files could be voluminous to upload. This will again be an impediment to the entire procedure.

3. In this connection, we submit the following suggestions for your kind consideration and request your good office to put in place the same under the new system:

- a. During the period of lockdown and travel restrictions, new cases be processed and disposed of under the previous system.
- b. The disciplinary cases to be routed through DGM (Vigilance), LHO for preliminary scrutiny and application of their mind on the views of Controllers/AOs, for onward submission to IAC, and also to monitor them.

- c. Nodal Officer be positioned at AOs/ LHO for effective coordination with Corporate Centre on disciplinary matters.
- d. Putting in place a time frame for submission of cases to concerned authorities. Strict and zero-tolerance instructions have to be issued to all authorities that cases have to be submitted at least 3 months before an officer is scheduled to superannuate. Under no circumstances, OSR -19(3) to be invoked in case where the cases have not been submitted at least 3 months before the date of retirement. Accountability of such errant controllers should be put in place.
- e. Proper training of personnel at AO level to be imparted for effective functioning.
- f. A comprehensive circular is to be issued forthwith containing SOP, list of documents and roles and responsibilities of different functionaries about the revised organizational and procedural changes in handling disciplinary cases with adequate clarifications to remove knowledge gaps.

We hope that the views of the Federation as a major stakeholder in the bank will be considered duly. For effectiveness of the scheme from the point of view of its structure and formats, we shall be glad if a meeting can be convened over VC wherein we will be able to elicit further points.

With regards,

Yours sincerely,



**(Soumya Datta)**  
**General Secretary**