

TRANSFER POLICY

Policy regarding transfers is a constant source of friction between the banks and the workmen now organised into unions. The cry of victimization of office bearers and "Activists" of trade unions is raised wherever such transfers are mooted. We have found that such allegations are easily made but not so easily substantiated. Transfers are rendered necessary by the exigencies of administration. The proper view to take is that transfers are normal incidents of the working of a bank and they must be left to the discretion of those who guide the policy of the Bank and manage its affairs. It is possible that the discretion may be abused and transfers effected on considerations other than the needs of administration. The percentage of transfers as shown by figures furnished by some of the Banks in the course of arguments leads us to the conclusion that the question of transfer, even as it affects only a very small number of persons. This is conceded by the workmen also. Still wherever an activist of the trade union movement, as yet in its formative stage and liable to be crippled easily, is transferred, a suspicion naturally arises that it is inspired by ulterior motives and the consequence thereof may be an Industrial dispute. In order that such suspicions may be avoided as far as possible, we, adopting the Sen Award in this respect, give the following directions :

- (1) Every registered bank employees' Union, from time to time shall furnish the bank with the names of the President, Vice-President and Secretaries of the Union;
- (2) Except in very special cases, whenever the transfer of any of the above mentioned office bearers is contemplated, at least five clear working days' notice should be put up on the notice boards of the Bank of such contemplated action;
- (3) Any representations, written or oral, made by the Union shall be considered by the bank;

(4) If any order of transfer is ultimately made, a record shall be made by the bank of such representations and the Bank's reasons for regarding them as inadequate; and (5) The decision shall be communicated to the Union as well as to the employee concerned.

(Para 535 of Sastry Award)

In Paragraph 535 (i) of the Sastry Award the words "Registered Bank Employees Union" shall mean and refer to a union registered under the Trade Unions Act, 1926, and not to branch/regional/zonal level units thereof.

(Para XV of BPS dated 17.09.1984)

We direct that in general the policy should be to limit the transfers to the minimum consistent with banking needs and efficiency. So far as members of the subordinate establishment are concerned there should be no transfers ordinarily and if there are any transfers at all they should not be beyond the language area of the person so transferred. We further direct that even in the case of workmen not belonging to the subordinate staff, as far as possible there should be no transfer outside the State or the language areas in which an employee has been serving except of course, with his consent. In all cases the number of transfers to which a workman is subject should be strictly limited and normally it should not be more than once in a year. We are unable to accept the demand that residential accommodation should be provided by the bank at the new station. The demand for special house allowance is also rejected.

(Para 536 of Sastry Award)

In laying down the above directions we are quite aware that we are not providing for every conceivable case that may arise under the above heads. In fact it is not our purpose to lay down a detailed code. We can only indicate in this as well as in other issues the broad principles leaving it to the banks to interpret our directions liberally so that they may cover every other case which has not been possible for us to consider.

(Para 552 of Sastry Award)

Any request by an employee for transfer on compassionate grounds will be considered sympathetically subject to exigencies and requirements of the Bank, but such request will not be rejected only on the ground that he will have to be paid emoluments of higher rates.

(Para 20.17 of BPS dated 19.10.1966)