

**यूनियन बैंक**  
ऑफ इंडिया



**Union Bank**  
of India

औद्योगिक सम्बन्ध प्रभाग  
कार्मिक विभाग, केन्द्रीय कार्यालय

Industrial Relations Division  
Dept. of Personnel, Central Office  
=====

यूनियन बैंक भवन, 239, विधान भवन मार्ग,  
नरीमन पॉइंट, मुंबई - 400 021

Union Bank Bhavan, 239 Vidhan Bhavan Marg,  
Nariman Point, Mumbai 400 021.

स्टाफ परिपत्र क्रमांक : 5613

Staff Circular No.: 5613

दिनांक: 9 सितम्बर, 2009

Date: 9<sup>th</sup> September, 2009

प्रति,  
सभी शाखाएं/कार्यालय,

To,  
All Branches/Offices,

**परिपत्र के मुख्य मुद्दे**

संशोधित पदोन्नति नीति -

1. लिपिकीय से अधिकारी संवर्ग
  2. अधीनस्थ से लिपिकीय संवर्ग
- में पदोन्नति हेतु

**HIGHLIGHTS OF THE CIRCULAR**

Revised Promotion Policy for Promotion from

1. Clerical to Officer Cadre
2. Sub-staff to Clerical Cadre

प्रबंधन ने पदोन्नति नीतियां -

1. लिपिकीय से अधिकारी संवर्ग
  2. अधीनस्थ से लिपिकीय संवर्ग
- में पदोन्नति हेतु विधिबद्ध की है, जो यहां संलग्न हैं.

ये दोनों पदोन्नति नीतियां प्रबंधन एवं ऑल इंडिया यूनियन बैंक इम्प्लॉइज एसोसिएशन के प्रतिनिधियों के द्वारा अंतिम रूप प्रदान की गई हैं.

ये नीतियां औद्योगिक विवाद अधिनियम, 1947 के सेक्शन 2 [पी] एवं सेक्शन 18 [1] एवं औद्योगिक विवाद [केन्द्रीय] नियम 58 [4], के तहत समझौतों के रूप में मानी जायेंगी.

कृपया तदनुसार मार्गदर्शित हों.

The Management has codified the Policies for promotion from -

1. Clerical to Officer Cadre and
  2. Sub-staff to Clerical Cadre
- which are annexed hereto.

These Promotion Policies have been finalized between the Representatives of Management and Representatives of the All India Union Bank Employees' Association.

Further, these Policies are by way of the Settlements under Section 2 (p) and Section 18 (1) of the Industrial Dispute Act, 1947 read with Rule 58 (4) of Industrial Disputes (Central) Rules, 1957.

Please be guided accordingly.

[यू.बी. रायरीकर] महा प्रबंधक [कार्मिक]  
(U. B. RAIKAR) GENERAL MANAGER (P)

संलग्न : यथोक्त

Encl : As above

MEMORANDUM OF SETTLEMENT DATED 9<sup>TH</sup> JULY 2009 BETWEEN THE  
MANAGEMENT OF UNION BANK OF INDIA AND THE ALL INDIA UNION BANK  
EMPLOYEES' ASSOCIATION (AIUBEA) REGARDING THE PROMOTION POLICY  
FOR CLERICAL STAFF FOR PROMOTION TO OFFICER CADRE UNDER  
SECTION 2(p) AND SECTION 18(1) OF THE INDUSTRIAL DISPUTES ACT,  
1947 READ WITH RULE 58 (4) OF INDUSTRIAL DISPUTES (CENTRAL) RULES,  
1957

Representing the Management

1. Shri U.B. Rairikar  
General Manager (P)
2. Shri M K Patnaik  
Deputy General Manager (P)
3. Shri S H Kantharia  
Assistant General Manager (IR)
2. Shri K.S. Venkatesh  
Senior Manager (P)
3. Shri R.M. Ahire  
Manager, SC/ST Representative

Representing the Workmen

1. Shri R K Agarwal  
President
2. Shri C K Aggarwal  
Vice President
3. Shri S.V. Dange  
General Secretary
4. Shri N. Shankar  
Organizing Secretary
5. Shri N K Patel  
Assistant Secretary
6. Shri K P Singh  
Assistant Secretary
7. Shri S Chakraborti  
Assistant Secretary
8. Shri B C Nigam  
Assistant Secretary
9. Shri K Bosu Babu  
Assistant Secretary
10. Shri C A James Kutty  
Assistant Secretary
11. Shri A Chidambaram  
Assistant Secretary
12. Shri G R Karanth  
Assistant Secretary
13. Shri R B Saraiya  
Assistant Secretary

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- 14 Shri S P Rathi  
Assistant Secretary
- 15 Shri R K Singh  
Assistant Secretary
- 16 Shri A V Bhatt  
Treasurer

**SHORT RECITAL OF THE CASE :**

WHEREAS the parties herein had entered into Settlement on Promotion Policy for promotion from Clerical cadre to Officer cadre in Junior Management Grade Scale-I on 10.10.1992.

AND WHEREAS the amendments to the Promotion Policy dated 10/10/1992 were carried out in terms of Settlements dated 02/02/2001, 07/12/2001, 11/07/2002, 19/02/2003 and 09/11/2004.

AND WHEREAS the amendments to Promotion Policy dated 10/10/1992 as regards to the provision for SC/ST employees were carried out in terms of the Government directives received from time to time.

AND WHEREAS the parties herein have deemed it necessary to reframe, revise and rewrite the Promotion Policy governing the promotions from Clerical cadre to Officer cadre.

It is hereby agreed to revise and amend the Promotion Policy for promotion from Clerical cadre to Officer cadre in Junior Management Grade Scale-I in terms of this Settlement as under:

**TERMS OF SETTLEMENT :**

Keeping in view the aspirations of the Clerical staff of the Bank, the total migration into CBS of all the branches and the Government guidelines from time to time, the Promotion Policy for Clerical staff has been reviewed and revised. The Policy will be effective from the date of signing of the Settlement.

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## **DEFINITIONS :**

For the purpose of this Promotion Policy, unless the context otherwise requires, the various words and terms will have the following meanings:

### **a) Promotion:**

The term 'Promotion' will mean Promotion from the Clerical cadre to the lowest grade in the Officer cadre, i.e. Junior Management Grade Scale-I.

### **b) Specialist Officer :**

The term 'Specialist Officer' will mean all categories of Officers listed out in Annexure-I and as may be amended from time to time by the Board of the Directors of the Bank.

### **c) Seniority:**

The term 'Seniority' will mean the total length of service in the Bank of an employee in the Cadre / Category to which he belongs, inclusive of the period of probation.

### **d) State:**

The term 'State' will mean geographical area as defined or determined by the Government of India from time to time. Centrally Administered Area or a Union Territory will also be treated as a separate State for the purpose of this Policy, provided that:

Branches of Puducherry State and suburbs will be deemed to be part of the State of Tamil Nadu.

New Delhi/Delhi will be treated as a State.

Mahe will be deemed to be part of Kerala State.

Chandigarh will be treated as a Station within the State of Haryana.

Mumbai will include all branches / offices in Greater Mumbai, Navi Mumbai, Thane District and Raigarh District.

Maharashtra will include all branches in the State of Maharashtra excluding those in Mumbai as stated above.

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Mumbai, as defined above and the rest of Maharashtra will be treated as two separate States.

Daman, Diu, Dadra & Nagar Haveli will be deemed to be part of Gujarat State.

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## CHAPTER - I

1.1 There shall be a two channel system of Promotion from Clerical cadre to Officer cadre in Junior Management Grade Scale-I as under:

- i) State Services (Seniority-cum-Merit)
- ii) All India Services (Merit)

The vacancies in Junior Management Grade Scale-I for the Promotion Process to be held for the financial year 2009-10 will be filled up as under -

- |   |     |
|---|-----|
| i) By promotion through State Services      | 35% |
| ii) By promotion through All India Services | 25% |
| iii) By Direct Recruitment                  | 40% |

The vacancies in Junior Management Grade Scale-I for the financial year 2010-11 and onwards will be filled up as under:

- |   |     |
|---|-----|
| i) By promotion through State Services      | 30% |
| ii) By promotion through All India Services | 20% |
| iii) By Direct Recruitment                  | 50% |

1.2 The vacancies in Officer cadre in Junior Management Grade Scale-I shall be identified / notified in the month of June or soon thereafter, every year. The Promotion Process will be conducted and finalized by the end of the financial year i.e. by the end of March. If for any pressing reasons the Promotion Process is delayed in a particular year, the AIUBEA will be informed in writing and the matter will be discussed with AIUBEA.

1.3 Vacancies to be filled in through State Services will be identified on State-wise basis, with a view to ensure that those promoted under State Services are posted in the same State. Such State wise breakup of vacancies will be intimated to AIUBEA, well in advance before the commencement of the Promotion Process.

1.4 Identification of vacancies for the All India Services will be on All India basis.

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## CHAPTER - II

### STATE SERVICES (SENIORITY CHANNEL)

2.1 After identifying the vacancies to be filled in through State Services, the promotion process will be conducted as under:

2.1.1. Applications will be invited from the employees who have completed 03 years of service and interested to participate in the Promotion Process.

2.1.2. Applicants equivalent to **TWICE** the number of identified vacancies for each State will be allowed for participating in the Promotion Process on the basis of Seniority-cum-weightage.

#### 2.1.3. Weightage :

For the purpose of participating in the Promotion Process, in addition to Simple Seniority, an employee in the Clerical Cadre will be entitled to weightage in seniority in the following manner:

#### For Educational Qualifications:

i)	To those who have passed National Diploma in Commerce and/or First Degree of recognized University such as B.A., B.Com. and B.Sc. in disciplines other than Music, Painting, Sculpture etc.	: 1 Year
ii)	To those who have obtained Double Degree as B.A.-B.Com. or B.A.-B.Sc., or B.Com.-B.Sc., or B.A.- LL.B. or B.Com.-LL.B or B.Sc.-LL.B and/or who have passed M.A., M.Com. or M.Sc. of a recognized University in disciplines other than Music, Painting, Sculpture etc.	: 1 Year

#### For Banking Qualifications :

iii)	To those who have passed Part-I of CAIIB/JAIIB	: 1 Year
iv)	To those who have passed Part-II of CAIIB/CAIB	: 2 Years

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**NOTE**

Weightage provided in 2.1.3. (i) and (ii) above together will not exceed a maximum of two years.

2.2 There would be a written test comprising of one paper consisting of topics on Practical Banking and Computer Application on Core Banking Solution (CBS) carrying a total of 100 marks. The minimum qualifying marks for General candidates will be 35 and in case of SC/ST candidates, the minimum qualifying marks will be 30.

2.3 From among the employees obtaining minimum qualifying marks, a list of candidates would be prepared in order of their State-wise simple seniority. From this list, the employees to the extent of 100% of the identified vacancies of the State will be declared successful in the Promotion Process and they would be offered promotion in Officer cadre in Junior Management Grade Scale-I in the same State.

2.4 Those eligible employees, who in response to their applications, are called for written test but do not participate in the same without adducing sufficient and cogent reasons acceptable to the Management well in advance, will be debarred for future promotion for a period of 3 years from the date of declaration of the results pertaining to the subject promotion process.

2.5 For the purpose of conducting Promotion Process, a State-wise seniority list of the Clerks with weightage will be prepared as of 31<sup>st</sup> March every year and such Seniority list will be circulated by 30<sup>th</sup> June. Seniority list of Schedules Castes / Tribes will be published separately.

2.6 The employees promoted under State Services are liable to be posted anywhere in the State to have mobility.

2.7 In case of a tie of the marks obtained by the employees, the determining factors for ranking will be in the following order:-

- a) length of service in the same cadre;
  - b) date of joining the Bank's service; and
  - c) date of birth of the employee.
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CHAPTER - IIIALL INDIA SERVICES (MERIT CHANNEL)

- 3.1 Eligibility: A minimum of 2 years service in Clerical cadre.
- 3.2 For the vacancies identified under All India Services, all those clerical employees, who apply and are eligible, would be allowed to participate in a Written Test. The Written Test shall consist of the following:

	Subjects	Maximum Marks	Minimum Qualifying Marks
i)	Banking	100	35%
ii)	CBS / IT	100	35%
iii)	Commercial Law / Accountancy	100	35%
iv)	English	100	35%

Note: Although each of the above papers will carry 100 marks, Percentage weightage for these papers will be 50 marks each. Therefore, in all, for the purpose of promotional parameters, total marks for written test would be 200.

For SC/ST candidates, the minimum qualifying marks will be 30% in each of the above subjects.

Marks obtained in English will not be treated for ranking purpose.

- 3.3 Marks for the length of the service in Clerical Cadre would be added at the rate of 1 mark for each completed year, after 10 years of service, subject to a maximum of 10 marks.
- 3.4 All those employees who have worked at a rural branch on or before the specified cut-off date for the promotion process will be granted 2 additional marks for each completed year of service in rural branches subject to a maximum of 10 marks.
- 3.5 Additional marks for Educational / Banking Qualifications shall be allotted as under:

Post Graduation	.. 2
LL.B/Any of the Diploma conferred by IIB&F	.. 3
CAIIB Part-I / JAIIB	.. 4
CAIIB Part-II	.. 6

Subject to a maximum of 10 marks.

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- 3.6 The total marks to be allotted as stated in paras 3.3, 3.4 and 3.5 should not exceed 25 marks.
- 3.7 There will be an interview, which would carry 20 marks only for the purpose of ranking. There will be no minimum qualifying marks in the interview.
- 3.8 The following shall be the procedure for deciding the number of candidates to be called for interview:
- a) A provisional list in the descending order, as per the marks obtained in the written test and the marks obtained as stated in paras 3.3, 3.4 and 3.5 will be prepared from among those employees, who are successful in the written test.
  - b) From the above list, the following candidates will be called for interview -
    - i) All those candidates, in the descending order of merit, upto the exact number of identified vacancies

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- ii) All subsequent candidates, whose marks, after adding maximum notional marks of 20 obtainable at the interview, are equal to or more than the marks of candidate placed last as per (b) (i) above in the provisional list at the exact number of identified vacancies.

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- iii) All those SC/ST candidates who have acquired minimum qualifying marks of 30% in each of the 3 subjects in the Written Test but not included under Clause 3.8 (b)(i) and (ii) above.
- 3.9 In case there is a tie in the marks obtained by the employees, the determining factors would be the same as specified in para 2.7.
- 3.10 If vacancies available in the same State after considering the request transfers of Promotee Officers, who have been posted earlier out of State on their promotion and/or request transfers, these vacancies will be filled up from the employees promoted under the All India channel.
- 3.11 Notwithstanding the vacancies in JMGS-I cadre available in the State, the candidates declared successful under the All India Services will be posted on All India basis. The Promotee Officers who are posted on promotion out of State in which they are working prior to promotion, will be brought back in a phased manner on completion of three years of service in that State. Such transfer shall be on "first to go, first to

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come back" basis. It is clarified that the transfer of such promotee officers to be done in a phased manner automatically except in cases where they desire to be retained in the State where they have been posted on promotion or where they desired to be posted in a State other than their parent State (from which they were relieved on promotion), by sending their written request to General Manager (P), Central Office. Such request should be routed through proper channel.

- 3.12 If an employee refuses an offer of promotion under All India Service, he will be debarred for promotion for a period of 5 years from the effective date of promotion.

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## CHAPTER - IV

### GENERAL

4. The following will be applicable to both the channels of promotions:

The final lists of candidates to be declared successful will be restricted to 100% of the vacancies available in each channel. In addition to this, a waitlist to the extent of next 10% under each channel will be prepared as per the Government guidelines, to cover the vacancies arising out of the selected candidates refusing the offer of promotion.

After offering promotion to eligible candidates under each channel, to the extent of 100% of vacancies identified, the candidates on the waitlist shall be offered promotion only to the extent of refusals, if any, in their order of seniority or merit, as the case may be. The wait list shall lapse automatically after all identified vacancies stand filled in. The names of wait-listed candidates, who have been offered promotion, would be circulated.

In case, however, sufficient candidates are not available in Seniority channel, 10% wait list of merit channel will be utilized to fill up such vacancies.

- 4.1 Reservation for SC/ST, physically handicapped will be in accordance with the Government directives. This scheme, as at present, is detailed in Annexure-II. Amendments to the directives, if any, will be informed to the AIUBEA and implemented.
- 4.2 SC/ST employees will be offered pre-promotion training before appearing for the Written Test as per the Government directives.
- 4.3 Ex-servicemen will have an option to reckon their past service in the Armed Forces (which is at present 1 year for every 5 years of services, subject to a maximum of 2 years) provided they have rendered at least 3 years of actual service in the Bank, either at the time of promotion or for being considered for the post of Higher Assignments carrying Special Allowance in the same cadre as per Government guidelines.
- 4.4 Necessary change in the Promotion Policy, if any, will be carried out through mutual consultations with the representatives of the AIUBEA after completion of every promotion process, provided, however, that as and when industry-wise settlement is arrived at between the Indian Banks Association and the Workmen, or any Government guidelines are received necessitating amendments to the policy so as to conform with the industry-wise settlement and/or comply with Government guidelines, the same will be carried out in consultations with AIUBEA.

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- 4.5 The Promotion Policy shall continue to be valid and binding unless and until it is replaced by a fresh Settlement. It shall, however, be open to the parties to modify or amend or alter any of the provisions of this Policy through mutual agreement.
- 4.6 Creation and abolition of posts are Management functions.
- 4.7 It will be open for an employee to appear for the Promotion Process in both the channels if he is eligible to do so. If he is found successful in both the channels, his name will be included in the successful list under State Services as specified in clause 2.2 of Chapter II.
- 4.8 Promotion of Sportsmen / employees for acts of bravery during dacoity as per the Government / IBA guidelines, will be outside the purview of this Promotion Policy. The guidelines / amendments thereto will be informed to the AIUBEA from time to time.
- 4.9 Management will determine from time to time the syllabus for Written Test for promotions and announce the same at least 45 days in advance. All the tests will be objective type, the details whereof will be announced along with the syllabus.
- 4.10 Subject-wise mark list along with cut-off mark (i.e the marks obtained by the last promotee candidate) will be sent to all respective unsuccessful candidates in both the Channels.
- 4.11 After promotion to Officer's cadre in Junior Management Grade Scale-I, the Officer's pay will be fitted as per the Fitment Formula circulated by the Bank on the advice of the IBA from time to time in consultation with AIUBEA.
- 4.12 The effective date of promotion will be mentioned in the letter of offer and pay and allowances will be payable from the date of promotion, subject to the condition that the said employee is not responsible for the delay in taking up the Officer's post.
- 4.13 Recruitment of Specialist Officers will be outside the purview of this Promotion Policy. However, the employees, who have acquired necessary qualifications, will be permitted to participate in the promotion process for Specialist Officers.
- 4.14 On promotion, the Officer would be on probation for a period of one year from the date he draws the Officer's salary.
- 4.15 The eligible candidates having the qualification as Chartered Accountant (ACA) / Cost Accountant (ICWA) / Company Secretary (ACS) / Chartered Financial Analyst (CFA) shall be exempted from the Written Test under the All India Services. After the interview, they

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will be listed at the end of the published merit list over and above the identified vacancies.

- 4.16 The vacancies in clerical cadre arising out of promotion under both All India and State services shall be filled up through internal promotion and direct recruitment as per the requirements of the Management.
- 4.17 The unfilled vacancies belonging to State Services (Seniority Channel) shall be filled up by adding the same to the All India Services (Merit Channel).

And the unfilled vacancies of All India Services (Merit Channel) shall be filled up through direct recruitment.

- 4.19 The Promotion Policy shall continue to be valid and binding unless and until it is replaced by a fresh Settlement. It shall, however, be open to the parties to review, modify, amend or alter any of the provisions of this Policy through mutual agreement.

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## CHAPTER - V

### DISQUALIFICATION FOR PROMOTION

The following employees will be disqualified from participating in the promotion process under both the channels:

- 5.1 Employees on whom punishment of stoppage of increment/s is in operation at the time of considering the eligibility for the Written Test, interview and/or at the time of offer of promotion. The disqualification period will start from the date of passing of Disciplinary Authority's order and would be deemed to be over after the specified period, for which increments are stopped, irrespective of the fact whether the employee has actually earned the increment/s. The period for which an employee can be disqualified due to the above shall not exceed two years.
- 5.2 Similarly, as stated in para 5.1, employees on whom punishment of withdrawal of special allowance / reduction of basic pay is imposed, the disqualification period will be maximum two years from the date of passing of the Disciplinary Authority's order.
- 5.3 Employees on whom punishment of 'Censure' / 'Warning' has been imposed twice during the year prior to holding of the test, interview and/or date of offer of promotion, will be disqualified for that particular promotion process.
- 5.4 If a Promotee Officer during the period of probation, requests the Management for reversion to Clerical cadre, he will be reverted as a Clerk and posted in the same Station subject to availability of vacancy, or in the same State. However, such Promotee Officer shall be disqualified from participating in future promotion process for a period of 3 years from the date of reversion.
- 5.5 In case an Officer is reverted by the Management during the period of probation due to his unsatisfactory performance, he will be posted back at the same Station and in the same post, subject to availability of vacancy, where he was working prior to promotion.
- 5.6 Employees against whom disciplinary proceedings have been initiated will not be disqualified from participating in the Promotion Process but in their cases sealed cover procedure will be followed as per Annexure III.
- 5.7 If a request transfer of an employee is acceded to, transferring him from one State to another, such an employee will be disqualified in taking part in the promotion process under State Services for a period of 3 years from the date he reports to the new place of posting of his choice.

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Annexure I

1.	Computer Specialists recruited in Scale IV, Scale V & Scale VI
2.	Security Officers
3.	Law Officers
4.	Economists
5.	Company Secretary
6.	Officers (Integrated Treasury)
7.	Officers (Computer Audit)
8.	Chartered Accountants
9.	Information Technology Officers (IT)
10.	Fire Officer
11.	Electrical Officer
12.	Architects / Engineers
13.	Officers (Lending Automation Solution)
14.	Officers (Asset-Liability / Risk Management)
15.	Marketing Officers (Retail Banking, New Initiatives & Forex)
16.	Officers (Cash Management Services)
17.	Rural Development Officers
18.	Official Language (Hindi) Officers
19.	Personnel Officers
20.	Technical Officers

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Annexure-II

Following are the Government guidelines, for the time being on reservations:

- (a) 15% of the promotions will be made from amongst the eligible candidates belonging to the reserved category candidates (Scheduled Castes) and 7½% of the promotion will be made from amongst the eligible candidates belonging to the reserved category candidates (Scheduled Tribes).
- (b) Eligible candidates will be classified and listed in the following categories:
  - (i) Scheduled Caste candidates.
  - (ii) Scheduled Tribe candidates.
  - (iii) Other candidates not covered by (i) and (ii) above.
- (c) If the vacancies reserved for Scheduled Castes and Scheduled Tribes are not filled, the same will be filled in, in accordance with the guidelines received from the Government of India in that behalf from time to time.
- (d)
  1. The SC/ST candidates appointed by promotion on their own merit and not owing to reservation or relaxation of qualification will not be adjusted against the reserved points of the reservation roster. They will be adjusted against the unreserved points.
  2. If an unreserved vacancy arises in a cadre and there is any SC/ST candidate within the normal Zone of consideration in the feeder grade, such SC/ST candidate cannot be denied promotion on the plea that the post is not reserved. Such a candidate will be considered for promotion along with other candidates treating him as if he belongs to General category. In case he is selected, he will be appointed to the post and will be adjusted against the unreserved point.
  3. SC/ST candidates appointed on their own merit (by Direct Recruitment or Promotion) and adjusted against unreserved points will retain their status of SC/ST and will be eligible to get benefit of reservation in future / further promotions, if any.
  4. 50% limit on reservation will be computed by excluding such reserved category candidates, who are appointed / promoted on their own merit.
- (e) The provisions of the Promotion Policy will stand amended, altered or modified in accordance with the guidelines received from the Government of India in that behalf from time to time.

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Annexure - IIISealed Cover Procedure :

The following category of Clerical staff will be permitted to take part in the Promotion Process but their empanelment / promotion will be kept in a sealed cover, which would be informed to the employee. The cover would be opened after the conclusion of the disciplinary / Court proceedings:

1. Employees, who are under suspension.
2. Employees against whom Charge Sheets have been served and disciplinary proceedings are pending.
3. Employees against whom prosecution / suit has been filed in the Court of Law or sanction for prosecution / filing of suit has been given to an outside agency e.g. CBI / Police.

If, on conclusion of the Department / Court proceedings, candidate is completely exonerated, the result kept in sealed cover would be declared. If found successful, promotion will take effect from the date of declaration of initial promotion for the purpose of seniority / fixation of salary as an Officer. No arrears of salary, however, as per Officer's cadre shall be payable for the intervening period.


If however, punishment of Censure / Warning is imposed on the candidate (if the punishment of Censure / Warning is not earlier imposed in the same year) as a result of departmental proceedings / Court proceedings, the result kept in the sealed cover would be declared. If found successful, promotion will take effect from the date of declaration of initial promotion for the purpose of seniority / fixation of salary as an Officer. No arrears of salary, however, as per Officer's cadre shall be payable for the intervening period.

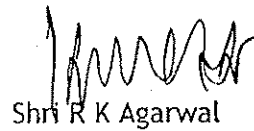
If punishment is imposed other than that of Censure / Warning the candidate as a result of the departmental proceedings / found guilty in the Court proceedings against him, he will not be eligible for promotion for which his result is kept in sealed cover.


Signed at Mumbai on 25<sup>th</sup> July, 2009

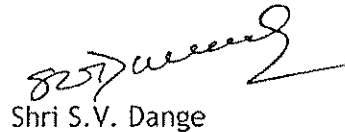
FOR UNION BANK OF INDIA

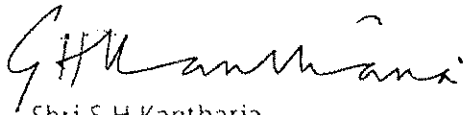
FOR ALL INDIA UNION BANK  
EMPLOYEES' ASSOCIATION

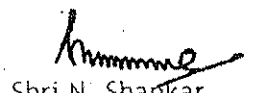
  
Shri U.B. Rairikar  
General Manager (P)


  
Shri R K Agarwal  
President

  
Shri M K Patnaik  
Dy. Gen. Manager (P)

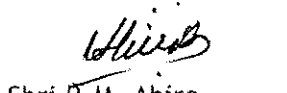
  
Shri S.V. Dange  
General Secretary

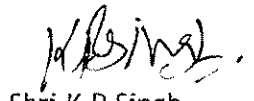
  
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Asst. Gen. Manager (IR)

  
Shri N. Shankar  
Organizing Secretary


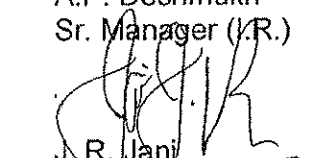
  
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Senior Manager (P)

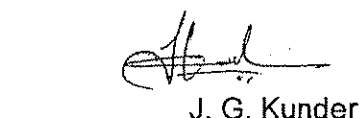
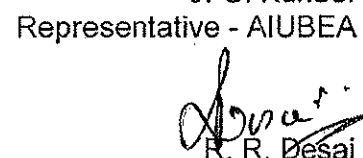
  
Shri N K Patel  
Assistant Secretary

  
Shri R.M. Ahire  
Manager  
SC/ST Representative

  
Shri K P Singh  
Assistant Secretary

**WITNESSES (S/Shri)**

  
A.P. Deshmukh  
Sr. Manager (I.R.)  
  
J. R. Jani  
Sr. Manager (I.R.)

  
J. G. Kunder  
Representative - AIUBEA  
  
R. R. Desai  
Representative - AIUBEA

Copy to :

1. Assistant Labour Commissioner (Central)
2. Regional Labour Commissioner (Central)
3. Chief Labour Commissioner (Central), New Delhi
4. The Secretary to the Government of India, Ministry of Labour, New Delhi

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MEMORANDUM OF SETTLEMENT DATED 9<sup>TH</sup> JULY 2009 BETWEEN THE  
MANAGEMENT OF UNION BANK OF INDIA AND THE ALL INDIA UNION BANK  
EMPLOYEES' ASSOCIATION (AIUBEA) REGARDING THE PROMOTION POLICY  
FOR SUBORDINATE STAFF FOR PROMOTION TO CLERICAL CADRE, UNDER  
SECTION 2(p) AND SECTION 18(1) OF THE INDUSTRIAL DISPUTES ACT,  
1947 READ WITH RULE 58(4) OF INDUSTRIAL DISPUTES (CENTRAL) RULES,  
1957

Representing the Management

1. Shri U.B. Rairikar  
General Manager (P)
2. Shri M K Patnaik  
Deputy General Manager (P)
3. Shri S H Kantharia  
Assistant General Manager (IR)
2. Shri K.S. Venkatesh  
Senior Manager (P)
3. Shri R.M. Ahire  
Manager, SC/ST Representative

Representing the Workmen

1. Shri R K Agarwal  
President
2. Shri C K Aggarwal  
Vice President
3. Shri S.V. Dange  
General Secretary
4. Shri N. Shankar  
Organizing Secretary
5. Shri N K Patel  
Assistant Secretary
6. Shri K P Singh  
Assistant Secretary
7. Shri S Chakraborti  
Assistant Secretary
8. Shri B C Nigam  
Assistant Secretary
9. Shri K Bosu Babu  
Assistant Secretary
10. Shri C A James Kutty  
Assistant Secretary
11. Shri A Chidambaram  
Assistant Secretary
12. Shri G R Karanth  
Assistant Secretary
13. Shri R B Saraiya  
Assistant Secretary

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- 14 Shri S P Rathi  
Assistant Secretary
- 15 Shri R K Singh  
Assistant Secretary
- 16 Shri A V Bhatt  
Treasurer

**SHORT RECITAL OF THE CASE :**

WHEREAS the parties herein had entered into settlements dated 01.03.1996 and 11.07.2002 AND WHEREAS the parties have deemed it necessary to reframe, revise and rewrite the Promotion Policy governing the promotions from Subordinate cadre to Clerical cadre. It is hereby agreed that the existing Promotion Policy for promotion from Subordinate cadre to Clerical cadre would be as under:

**PREAMBLE**

The Management and the All India Union Bank Employees' Association (hereafter referred to as AIUBEA) had discussions in the Small Committee Meeting at Central Office. The AIUBEA demanded a policy for two channels of promotion - one to enable senior employees to get promotion on the basis of seniority and experience and other on merit basis, through modifications to the existing Promotion Policy.

AIUBEA submitted that difficulties were being faced by employees in Subordinate cadre who appeared in the Written Test of the previous promotion process. The Management underlined the importance and the need of computer know-how of the employees in view of all branches of the Bank being covered by the CBS environment.

This Policy is subject to various directives/guidelines received from time to time from the Government of India/Reserve Bank of India in respect of reservation of SC/ST, physically handicapped employees, Ex-servicemen, etc. in the matter of promotion of such categories of Subordinate staff. Anything contained in any of the existing policy / settlement, which is inconsistent with and/or contrary to the modifications herein shall automatically stand superceded by this modifications.

The revised Policy for promotion from Subordinate cadre to Clerical cadre shall come into effect from the date it is signed by both the parties.

If there is any difference of opinion regarding interpretation of any of the provision of this Settlement or in the event of any difficulty experienced

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in implementing this Settlement, the same shall be resolved jointly by the representatives of the Management at Central Office and those of AIUBEA through discussion and settlement.

### **DEFINITIONS :**

For the purpose of this Promotion Policy, unless context otherwise requires, the various words and terms will have the following meanings:

a) **Promotion:**

The term 'Promotion' will mean Promotion from the Subordinate Cadre to the Clerical Cadre.

b) **Seniority:**

The term 'Seniority' will mean the total length of service in the Bank of an employee in the Subordinate cadre as specified in Chapters II and III, (i.e. Seniority Channel and Merit Channel), respectively.

c) **State:**

The term 'State' will mean geographical area as defined or determined by the Government of India from time to time. Centrally Administered Area or a Union Territory will also be treated as a separate State for the purpose of this Policy,

Provided that:

Branches of Puducherry State and suburbs will be deemed to be part of the State of Tamil Nadu.

New Delhi/Delhi will be treated as a State.

Mahe will be deemed to be part of Kerala State.

Chandigarh will be treated as a Station within the State of Haryana.

Mumbai will include all branches / offices in Greater Mumbai, Navi Mumbai, Thane District and Raigarh District.

Maharashtra will include all branches in the State of Maharashtra excluding those in Mumbai as stated above

Mumbai, as defined above and the rest of Maharashtra will be treated as two separate States.

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Daman, Diu, Dadra & Nagar Haveli will be deemed to be part of Gujarat State.

**Competent Authority :**

The term 'Competent Authority' for the purpose of this Policy shall mean the General Manager (P) or General Manager (HR) or Authority above him.



## CHAPTER I

### **1.1 Identification of vacancies for promotion from Subordinate cadre to Clerical Cadre :**

20% of vacancies in the Clerical Cadre in each State will be filled up every year by promotion from Subordinate cadre as provided hereunder:-

### **1.2 Two Channeled Promotion**

There shall be a two-channelled system of Promotion from subordinate cadre to Clerical cadre as under:

- i) Seniority Channel
- ii) Merit Channel

### **1.3 Reservations**

As per the Government guidelines in this regard.

### **1.4 Service Weightage**

The service put in by Full Time Subordinate Staff members as Part Time Sweepers prior to such conversion (excluding the period on stipend basis) shall be counted in proportion to their part time service as detailed hereunder -

1.4.1 Those who were working on one-third scale of wages will get seniority of four months for every completed year of service as such part time employees.

1.4.2 Those who were working on one-half scale of wages will get seniority of six months for every completed year of service as such part time employees.

1.4.3 Those who were working on three-fourth scale of wages will get seniority of nine months of every completed year of service as such part time employees.

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## CHAPTER-II

### SENIORITY CHANNEL

- 2.1 40% of the vacancies identified for promotion will be filled up through Seniority Channel (fraction above 0.5 to be rounded off to the next higher integer while the fraction below 0.5 will be ignored).
- 2.2 All Subordinate staff employees (including Full Time Sweepers) who have completed 03 years of full time service as on the Cut Off date, as specified in the Circular inviting applications, will be eligible to participate in the Promotion Process under this Channel.
- 2.3 For the purpose of conducting the Promotion Process, State-wise Seniority List of Subordinate staff with weightage will be prepared as of 31<sup>st</sup> March every year by the respective FGMO. Such Seniority List will be circulated by 30<sup>th</sup> June every year.
- 2.4 The eligible Applicants to the extent of TWICE the number of identified vacancies will be called for appearing in the Process on the basis of Seniority of Subordinate staff with weightage in the State.
- 2.5 The Applicants eligible as above will be imparted 06 days training in basic computer applications.
- 2.6 Thereafter, these candidates shall be required to appear for a Written/Practical test in the Basic Computer applications, comprising of 40 marks, to assess their awareness and aptitude to work in Clerical cadre in CBS environment.
- 2.7 After the completion of Written/Practical Test, all candidates will have to appear for an interview comprising of 10 marks.
- 2.8 The candidates securing 15 marks out of total 50 marks as above will be empanelled on the basis of Simple Seniority in the descending order.
- 2.9 The list of successful candidates to the extent of 100% of the identified vacancies will be published and such candidates will be entitled to receive the offer of promotion.
- 2.10 The list of remaining empanelled candidates will be valid until the vacancies for which the promotion process (both the Channels) has taken place, are filled in or for a period of one year from the date of declaration of results, whichever is earlier. Such list will remain unpublished under the control of the Competent Authority.

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## CHAPTER-III

### MERIT CHANNEL

- 3.1 60% of the vacancies identified for promotion will be filled up through Merit Channel (fraction above 0.5 to be rounded off to the next higher integer while the fraction below 0.5 will be ignored).
- 3.2 All Subordinate staff employees (including Part Time Sweepers) as on the Cut Off date will be eligible to participate in the Promotion Process under this Channel as per the criteria laid down hereunder:
- 3.2.1. Those who have passed Matriculation / School Final / Higher Secondary School Certificate / Senior School Certificate / Senior Cambridge Examination and have put in a minimum of 02 years of service.
- 3.2.2. Those who have put in 5 years of minimum service and have passed Seventh standard.
- 3.2.3. Those who have put in 10 years of minimum service will be exempted from the minimum educational qualification.

### 3.3 Marks for Written Test and Interview:

- 3.3.1 The written test will be administered to the eligible Subordinate staff in the following subjects -

Test	Maximum Marks	Minimum Qualifying Marks
Clerical Aptitude	20	6 (30%)
Elementary Banking Knowledge	40	12 (30%)
Computer Literacy	40	12 (30%)
<b>TOTAL</b>	<b>100</b>	<b>30</b>

- 3.3.2 There shall be 10 marks (maximum) for interview and the marks obtained shall be considered only for the purpose of ranking in the merit list.

### 3.4 Marks for Seniority

- 3.4.1 One mark for every completed year of Full Time service beyond 5 years will be given subject to a maximum of 15 marks.

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3.4.2 While computing the marks as above, the service put in as Part Time Sweeper (excluding the period on stipend basis) shall be counted as hereunder:

- 3.4.2.1. Those who were working on one-third scale of wages will get 0.33 marks for every completed year of service.
- 3.4.2.2. Those who were working on one-half scale of wages will get 0.5 marks for every completed year of service.
- 3.4.2.3. Those who were working on three-fourth scale of wages will get 0.75 marks for every completed year of service.

### 3.5. Interview:

From amongst those candidates, who have obtained minimum qualifying marks in the written test as shown in clause 3.3 above the actual number of candidates to be called for Interview will be restricted as under:

- 3.5.1 A provisional list will be prepared in the descending order on the basis of aggregate marks obtained in the written test and for seniority.
- 3.5.2 The marks obtained by the candidate listed at 133% of the vacancies of the provisional list to be filled in, will be taken as cut-off marks.
- 3.5.3 Notional 10 marks (the maximum marks for Interview) will be added to the marks obtained by all candidates below the cut-off marks in the provisional list prepared as above.
- 3.5.4 The actual number of candidates who will be called for Interview will be restricted up to twice the number of vacancies.

### 3.6. Offer of Promotion:

- 3.6.1. The list of successful candidates based on the aggregate marks obtained by them in the Written Test, Seniority and Interview will be prepared in the descending order of the marks so obtained. Such list restricted to the extent of 100% of the vacancies will be published and the promotions will be offered in the order of merit.

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3.6.2 The list of remaining empanelled candidates will be valid until the vacancies for which the promotion process (both the Channels) has taken place, are filled in or for a period of one year from the date of declaration of results, whichever is earlier. Such list will remain unpublished under the control of the Competent Authority.

3.6.3 Vacancies on account of refusals will be filled up by such candidate/s, who are immediately below the last candidate (to the extent of 100% of vacancies) in the above merit list.

3.7. Special Provision for promotion of Subordinate staff who have acquired certain qualifications:

3.7.1 Notwithstanding anything contained hereinabove, those members of Subordinate staff, who passed Graduation, will be promoted to Clerical cadre, from the date of declaration of results. Such employees should give satisfactory proof of having passed Graduation to the satisfaction of the Management e.g. Provisional Certificate of having passed Graduation, etc. In any case, Mark Sheet and Graduation Certificate should be submitted when received from the University for Bank's record. In case it is found later that the employee has obtained promotion on false Graduation Certificate, then such employee will be liable to appropriate disciplinary action.

3.7.2 Such promotions shall be over and above the vacancies identified for being filled in through Promotion and will be adjusted from direct recruitment clerical quota.

3.7.3 The Subordinate staff member should make an application on his passing the Graduation and the Promotion in such cases will be effected from the date of declaration of results, i.e. the date appearing in the mark sheet and emoluments in the Clerical cadre will be paid accordingly.

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## CHAPTER IV

GENERAL

- 4.1. The promotion and new salary/emoluments shall be effective from the specific date mentioned in the Promotion Order and the seniority in the clerical cadre will be reckoned from the same date. However, where the delay on taking up the new assignment on promotion is attributable to the employee, the new salary/emoluments and seniority will commence from the date of reporting at the new place of posting.
- 4.2. The time limit for the candidate to refuse or to accept promotion shall be 15 days from the date of receipt of the promotion offer failing which the same will be deemed to have been refused and the candidate will lose the chance of promotion in that process.
- 4.3. Vacancies on account of refusals will be filled up by such candidates, who are immediately below the cut-off marks (to the extent of 100% vacancies) from the merit list.
- 4.4. Those who refuse to carry out promotion as offered will be barred for a period of 02 years from the date of such refusal and the name of such employees will be struck off from the list. However they will not be barred from the higher assignments.
- 4.5. The Subordinate staff, on promotion to Clerical cadre, shall be on probation for a period of six months. If during the said period of probation, the conduct, attendance and work are found to be satisfactory, he/she will be confirmed in the Clerical cadre, otherwise, he/she will be reverted to the same post in the Subordinate staff cadre and will be posted as far as possible, in the same Station, however, subject to the availability of identified vacancy.
- 4.6. A promotee Clerk can seek reversion during his probation period and if the request for reversion is acceded to, he shall be posted in the same station subject to availability of an identified vacancy and will be barred for a period of 02 years for the purpose of promotion only.
- 4.7. On promotion, the Clerks will be fitted as per the Fitment Formula agreed to between the Bank and the AIUBEA & as circulated by the Bank from time to time.
- 4.8. Those who are barred from higher assignment attracting Special Pay in the Subordinate staff cadre will not be barred from participating in the promotion process.
- 4.9. On promotion, the candidate will be posted in the same Station or nearby Station subject to availability of identified vacancy.

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- 4.10. Creation and abolition of post and identification of vacancies are Management's functions.
- 4.11. The syllabus for the examination will be circulated at least 45 days prior to the date of written test.
- 4.12. If a member of Subordinate staff submits his application for promotion process and subsequently does not appear in the test / interview, he will be deemed to have refused the promotion unless he gives satisfactory explanation and adduces evidence acceptable to the Management and will be barred for participating in the promotion process for TWO years from the date of declaration of results for the promotion process for which he had applied.
- 4.13. In case of a tie of the marks obtained by the employees, the determining factors for ranking will be in the following order:
- a) length of service in the same cadre;
  - b) date of joining the Bank's service; and
  - c) date of birth of the employee.
- 4.14. It will be open for an employee to appear for the Promotion Process in both the channels if he is eligible to do so. If he is found successful in both the channels, his name will be included in the successful list under Seniority channel as specified in Chapter II.
- 4.15. If a Subordinate staff employee is not successful in the promotion process for three consecutive processes, he will be debarred from participating in the next two promotion processes.
- 4.16. While computing years of service for Ex-Servicemen, weightage will be given for the period of service rendered by them in the Defence forces in the ratio of 5:1 (i.e. 1 year's weightage for 5 years of service) subject to a maximum weightage of 2 years, provided they have rendered at least 3 years of actual service in the Bank. This weightage will be allowed only once in their entire service career.
- 4.17. If any vacancy remains unfilled for any reason whatsoever in one of the channels, the same will be filled up from the successful candidates of the other channel. Despite this, any vacancy, which remains unfilled, shall be carried over to the next Promotion Process.
- 4.18. The break up of the vacancies identified for promotion shall be intimated to AIUBEA before commencement of the Promotion Process.
- 4.19. Subject-wise mark list along with cut off marks (i.e. the marks secured by the last promoted candidate in the merit list) will be



communicated to respective unsuccessful candidates of both the Channels individually.

- 4.20 The percentage of Recruitment to Promotion in case of identified vacancies of Clerical cadre will be 80:20 and for promotion of Subordinate Staff under Merit Channel to Seniority Channel will be 60:40. However, in case of fractions, the fraction figure of 0.50 & above will be rounded off to the next higher integer while the fraction below 0.50 will be ignored. Despite above, in case of any State getting identified with Clerical vacancies up to number 10, then the following formula will be adopted to fill up the vacancies:

No. of vacancies	Recruitment 80%	Promotions 20%	
		Seniority 40%	Merit 60%
1	-	1	-
2	-	1	1
3	1	1	1
4	2	1	1
5	3	1	1
6	4	1	1
7	5	1	1
8	6	1	1
9	7	1	1
10	8	1	1

In any case, the ratio of Recruitment to Promotion will be maintained at 80:20 on All India basis.

- 4.21 The Promotion Policy shall continue to be valid and binding unless and until it is replaced by a fresh Settlement. It shall, however, be open to the parties to review, modify, amend or alter any of the provisions of this Policy through mutual agreement.

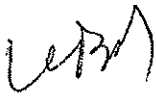
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## CHAPTER V

SEALED COVER

- 5.1 As on the date of determining their eligibility for appearing in the written test / interview, Sub-staff, who are under suspension or against whom the charge sheet has been issued and disciplinary proceedings are pending or against whom prosecution for a criminal charge is pending as also, those who have appealed against the punishment imposed by the Disciplinary Authority within the prescribed time limit, but the order of the Appellate Authority is awaited, will be permitted to take part in the Promotion Process. Such cases will be dealt under sealed cover procedure as brought out in the Annexure.



## CHAPTER VI

Disqualification / Bar

Disqualification / Bar for the purpose of taking part in the Promotion Process (Written Test / Interview) will apply to those employees against whom the disciplinary action as mentioned hereunder has been taken -

- 6.1 Where the punishment of stoppage of increment is imposed, the bar will be applicable up to the time the punishment is operative or for a maximum period of two years from the date of order of Disciplinary Authority.
- 6.2 Where the punishment of reduction in stages of pay scale and/or withdrawal of special pay are imposed, the bar will be for a maximum period of two years from the date of order of Disciplinary Authority.
- 6.3 Where the punishment of 'Censure' or 'Warning' has been imposed twice during one year prior to the cut-off date determined for eligibility, such employee will be barred for that particular promotion process.

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### Annexure

#### Procedure for Promotion under Sealed Cover

The following category of full-time Subordinate staff will be permitted to take part in the promotion process, but the findings of the Competent Authority as regards empanelment / promotion will be kept in sealed cover to be opened after conclusion of the disciplinary case / criminal prosecution:-

1. Those who are under suspension
2. Those against whom a charge sheet has been issued and disciplinary proceedings are pending
3. Those against whom prosecution for a criminal charge is pending
4. Those who have appealed against the punishment imposed by the Disciplinary Authority within the prescribed time limit, however, the order of the Appellate Authority is awaited.

The Competent Authority shall assess suitability of the employee coming within the purview of the circumstances mentioned above, along with other eligible candidates without taking into account the disciplinary case / criminal prosecution pending against him.

If on the conclusion of the disciplinary case / criminal prosecution, the employee concerned is completely exonerated and in case, he was under suspension, it is held that the suspension was wholly unjustified, sealed cover will be opened and the findings of the Competent Authority in respect of his empanelment / promotion will be acted upon. The employee concerned will be empanelled on the merit list at the place at which he would have been empanelled but for the pending disciplinary case / criminal prosecution.

The promotion if issued will be given effect from the date it would have been otherwise effected but for the disciplinary case / criminal prosecution. He will be given benefit of seniority and fixation of pay on a notional basis with reference to the date on which he would have been promoted in the normal course. Provided that it will always be open to the Competent Authority in case the employee is completely exonerated to decide the question whether the employee concerned will be entitled to any arrears of pay for the period of notional promotion preceding the date of actual promotion, and if so, to what extent, by taking into consideration all the facts and circumstances of the disciplinary proceedings / criminal prosecution. Where the Authority decides not to allow arrears of salary or any part of it, it will record its reasons for the same. Such appointments will be set off against future vacancies.

However, if on conclusion of the disciplinary case / criminal prosecution, the employee concerned is punished with penalty of Censure and in case he was under suspension and, it is held that the suspension was wholly unjustified, the sealed cover will be opened and the findings

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contained therein in respect of his promotion will be acted upon. The employee concerned will be empanelled on the merit list at the place, which he would have been empanelled but for the pending disciplinary case / criminal prosecution. The promotion, if issued will be given effect to from the date it would have been otherwise effected but for the disciplinary case / criminal prosecution. He will also be given benefit of seniority and fixation of pay on notional basis with reference to the date on which he would have been promoted in the normal course. However, no arrears of pay will be allowed in respect of the period prior to the date of actual promotion. Such appointments will be set off against future vacancies.


In case however, at the conclusion of the criminal prosecution or disciplinary proceedings (after the lapse of the period of appeal, if any) he is found guilty, the findings of the sealed cover would not be acted upon. Furthermore, he will not be entitled for empanelment on the merit list for promotion to Clerical Cadre and he will be barred for future participation in the promotion process or for promotion for a period of two years from the date of infliction of the said penalty / Court's verdict. If, however, the punishment imposed on the employee is totally set aside and he is exonerated by the Appellate Authority, his case will be dealt with as if he has not been inflicted with any punishment in the initial stage itself.

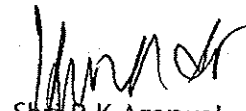


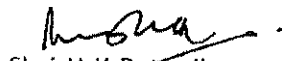
Signed at Mumbai on 25<sup>th</sup> July, 2009

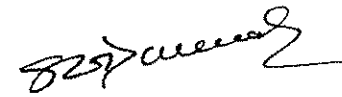
FOR UNION BANK OF INDIA

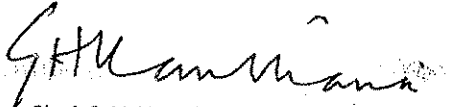
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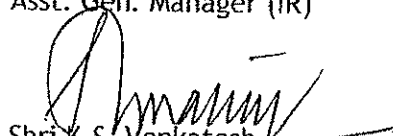
  
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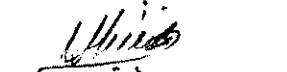
  
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2. Regional Labour Commissioner (Central)
3. Chief Labour Commissioner (Central), New Delhi
4. The Secretary to the Government of India, Ministry of Labour, New Delhi