# UNITED FORUM OF BANK UNIONS

**(AIBEA-AIBOC-NCBE-AIBOA-BEFI-INBEF-INBOC-NOBW-NOBO)**

164, Linghi Chetty Street, Chennai-600001

**UFBU/2026/LTR-4** **Date : 17-09-2026**

**To**
**The Chief Labour Commissioner (Central)**
**Ministry of Labour & Employment,**
**Government of India,**
**Shrameva Jayate Bhavan**
**Dwarka, New Delhi-110075**

**For the kind attention :** Ms Sonal Mishra, IAS, Chief Labour Commissioner (Central) and Shri Niranjan Kumar, Dy. Chief Labour Commissioner (Central)-cum-Conciliation Officer

**Reference:**

(i) Your office's record of conciliation proceedings F. No. 21(05)/2026-IR dated 22nd January 2026;

(ii) UFBU's notice of strike dated 26 August 2026 served on the Indian Banks' Association and on your office;

(iii) Conciliation proceedings held on 08 and 09 September 2026 on the said notice.

**Subject:** Strike duly notified for 28, 29 and 30 September 2026, repetition by bank managements, under the Department of Financial Services' "Crisis Management Plan 2024" and under bank-level standard operating procedures going beyond that Plan, of cadre-based intimidation of officers in SMGS-IV and SMGS-V contrary to the direction recorded on 22 January 2026, alteration of conditions of service during the pendency of conciliation selective collection of names and declarations of intent from officers of those scales before 11 September 2026, complaint under Section 91 of the Industrial Relations Code, 2020 and request for directions.

**Madam,**

1. The United Forum of Bank Unions served notice dated 26 August 2026 on the Indian Banks' Association (IBA) and on your office of strike action on 11 September 2026, on 28, 29 and 30 September 2026 and, if the demands remain unresolved, of an indefinite strike from 26 October 2026. The demands are stated in the notice, principally the implementation of five-day banking in terms of the MoU dated 07 December 2023 and the settlement dated 08 March 2024, the Performance Linked Incentive framework as applied to officers in Scale IV and above, and pension updation. The strike on 11 September 2026 was observed. The action on 28–30 September 2026 is duly notified under Section 62 of the Industrial Relations Code, 2020 ("the Code") pursuant to the said notice.

2. In conciliation held on 22 January 2026 on an earlier notice on the same demand, the Conciliation Officer, after hearing the parties, advised the bank managements (F. No. 21(05)/2026-IR, page 2) that every employee/officer has the lawful right to participate in duly notified organisational action, and that any intimidatory or coercive communication, "particularly those selectively addressed to SMGS-IV/SMGS-V or issued as blanket deterrents … may amount to impermissible interference with trade union rights and may attract action u/s 25(U) of the ID Act, 1947", for which reason "all such letters/instructions already issued must be kept in abeyance and withdrawn/rescinded forthwith". The record also notes UFBU's submission, not contradicted, that "no further action should be taken or pursued on the basis of

such communications", that banks calling the proposed strike "illegal" act "beyond their jurisdiction", and that Section 36AD of the Banking Regulation Act, 1949 is not to be invoked against trade union action in view of the Government's assurance to Parliament in 1968. The record was signed on behalf of the Department of Financial Services, IBA and the banks present.

3. It has since come to UFBU's knowledge that the Department of Financial Services, Ministry of Finance, issued on 22 October 2024 (Ef. No. 6/8/2014-IR) a "Crisis Management Plan , During Industry Wide Strike in the Banking Industry" (Enclosure 1), applicable to all public sector banks, which each bank has implemented through its own standard operating procedure. UFBU draws attention to the following provisions of the Department's document:

   (a) Step 2(c), page 9: "An advisory to be issued to the officers in Senior Grade (scale IV and above) not to participate in the strike otherwise disciplinary action may be initiated against them." This is a standing Government instruction to every public sector bank to do precisely what your office directed to be withdrawn on 22 January 2026.

   (b) Step 2(f), page 10: "All this data will be used and list of non-participating employees has to be prepared by the HR Dept. at controlling offices well in advance."

   (c) Crisis Information Flowchart, item 13, page 9: "Bank's branch office/controlling office to monitor the ground level preparedness of union & association and report the same to higher authorities" , an instruction to bank offices to monitor trade union activity and report it through a chain which, by the same flowchart, runs to the Ministry of Home Affairs and the National Crisis Management Committee.

   (d) Step 2(e), page 10: employees and officers in currency chests "may be pursued and restrained from participating in strikes".

   (e) Part 4A(ii)(b), page 5: the Steering Committee headed by the Chairman, IBA, which represents the managements in conciliation before your office, "shall make efforts to avert the strike call … by engaging them in dialogues, negotiation in conciliation proceedings before the Chief Labour Commission", and is by the same document the body that directs the counter-strike measures , a dual mandate which UFBU submits bears on the obligation to bargain in good faith.

   (f) Step 3(b), pages 10–11, and flowchart items 6 and 12: the Department's Crisis Management Group "will approach the Ministry of Home Affairs to issue an Advisory to Local administration/Police Authorities to maintain law & order in the event of Bank strike", in advance of any incident.

   UFBU notes that the same document states, at page 3, that trade unions act "within the legal framework" and are "legally bound to provide at least 14 days' notice of any strike".

4. UFBU further submits that certain bank managements have, through their standard operating procedures, issued advisories and instructions which go beyond the Department's Plan and, in UFBU's submission, beyond the law. Specimen extracts, with identifying particulars redacted, are at Enclosure 3. These include:

   (a) an advisory to officers that, since the Conciliation Officer has commenced conciliation proceedings, the strike "shall be deemed to be illegal" , a determination which your office has recorded as being beyond a bank's jurisdiction, and which the Department's own Plan contradicts by stating that unions act "within the legal framework";

   (b) instructions that absence "amounts to a break in service", and that wage cut be imposed from the next month's salary, including "for sitting in dharna" , although such break in service has admittedly been condoned by the banks in the past, and a deduction for a demonstration held outside working hours has no basis in the principle of "No Work No Pay";

(c) the premise that officers in Scale IV and above "are not expected to be members of the associations of which officers in Scale I, II and III are also members", and that "an entry should also be made in their service record" if they participate, a premise with no basis in the officers' service rules or in any settlement, officers in SMGS-IV and SMGS-V having been members of the officers' organisations throughout the period in which the banks have negotiated with them;

(d) a draft letter to be addressed individually to officers in Scale IV/V treating participation as "a breach of service conditions", threatening "an appropriate entry … in your service record" and, on repetition, "termination of service", and stating that condonation of break in service "need not be taken for granted", the very communication your office directed to be withdrawn;

(e) a notice to staff stating that banking services are "included in essential services under the Essential Service Maintenance Act, 1981" and warning of consequences, although that Act ceased to have effect on 23 September 1990 by operation of its Section 1(4);

(f) the reproduction of Section 36AD of the Banking Regulation Act, 1949 as obliging the bank and "its officers and managers" to keep offices open on strike days, whereas that Section penalises obstruction of entry, violent demonstrations within premises and acts undermining depositors' confidence, imposes no duty on an individual officer to attend on a strike day, and, as assured by the Government to Parliament in 1968, is not to be invoked against trade union action;

(g) the extension of the categories exempted from strike action under Clause 17 of the 8th Bipartite Settlement and Clause 16 of the 5th Joint Note dated 02 June 2005 to certain administrative units and to currency-chest staff generally;

(h) a "special casual leave" regime under which an officer wishing to be treated as a non-participant must give a prior written declaration and, if prevented from attending, "state the name(s) of the persons who prevented him/her" , a mechanism which requires officers to give undertakings and to inform on their colleagues; and

(i) "strict compliance" instructions under which a Branch Manager who does not give "due intimation … well in advance" is treated as having deserted the branch and is exposed to "stringent actions".

5. Pursuant to Step 2(f), and through the cadre singled out by Step 2(c), controlling offices in several banks asked officers in Scale IV and Scale V, and, in the cases reported to UFBU, only those scales, individually, whether they would participate in the strike on 11 September 2026, and compiled lists of names with the answers. The asking took the form of telephone calls from controlling offices, messages on official groups requiring a "yes/no" reply, printed sheets circulated for signature and personal visits, in each case against the background of the Scale-IV+ advisory and its reference to disciplinary action. Letters in the terms described at paragraph 4(d) were also issued to individual officers. A bank-wise summary of the incidents reported to UFBU is at Enclosure 4, and specimen communications, with identifying particulars redacted, at Enclosure 5; full particulars, with the statements of the officers concerned, will be placed before the Conciliation Officer on request under conditions of confidentiality. UFBU has reason to believe the same exercise is being repeated for the action on 28–30 September 2026.

6. **In view of the above the UFBU makes the following submissions.**

(a) The conduct described in paragraphs 4 and 5 is the conduct directed to be withdrawn on 22 January 2026, repeated in another form after that direction, under a standing Government instruction. In UFBU's respectful submission it amounts to an unfair labour practice within Section 84 of the Code read with the Second Schedule, Part I (interference with, restraint of, and coercion of workers in the exercise of the right to engage in concerted activities, including threatening workers with discharge or dismissal, and discharging or dismissing a worker for taking part in a strike which is not illegal under the Code), attracting the penalty provided in Section 86(5) of the Code.

(b) Compiling lists of officers by reference to their intended participation in the very action under conciliation, and using such lists to determine deployment, custody of keys, access rights and leave, is an alteration, to the prejudice of the officers concerned, of the conditions of service applicable to them immediately before the commencement of the proceedings, in regard to a matter connected with the dispute, without the express permission in writing of the Conciliation Officer, contrary to Section 90(1)(a) of the Code.

(c) The instructions described at paragraph 4(b), (c), (h) and (i), treating absence as a break in service, making a service-record entry for participation, deducting wages for demonstrations held outside working hours, conditioning leave on a prior written declaration and on naming colleagues, and treating a Branch Manager's participation as desertion , introduce new rules of discipline and withdraw a customary concession, and are conditions of service within the meaning of the Code. Their issue and application during the pendency of conciliation, in regard to participation in the very action under conciliation, is likewise an alteration of conditions of service to the prejudice of the employees and officers concerned contrary to Section 90(1)(a), and any service-record entry or disciplinary proceeding for participation would be a punishment for misconduct connected with the dispute requiring the Conciliation Officer's express permission in writing under Section 90(1)(b). UFBU further submits that no notice of change under Section 40 of the Code read with the Third Schedule has been given in respect of any of these instructions.

(d) UFBU and the officers concerned are "employees" aggrieved by the contravention within the meaning of Section 91 of the Code read with Section 2(l), and this letter is submitted as a complaint under Section 91(a) to the Conciliation Officer, who is required to take it into account in mediating in and promoting the settlement of the dispute. UFBU will file the complaint in the form, if any, prescribed under the Industrial Relations (Central) Rules, 2026 on being so advised by your office, and reserves the right to approach the Tribunal under Section 91(b) and Section 53(6).

7. In view of the foregoing, UFBU requests that your office be pleased to:

(a) reiterate, for the purposes of the notice dated 26 August 2026 and each phase of the action notified therein, the direction recorded on 22 January 2026, and direct the managements of all public sector banks and IBA to withdraw forthwith all advisories, letters and instructions issued under Step 2(c) of the Department's Plan and under the bank-level provisions described in paragraph 4, and any similar communications;

(b) direct that no employee or officer be required to declare in advance whether he or she will participate in the notified action, that no cadre be singled out for any such enquiry, and that all lists compiled under Step 2(f) of the said Plan in connection with the action on 11 September 2026 be withdrawn and destroyed, each bank certifying in writing that no such list is retained or will be used;

(c) direct, under Section 90(1) of the Code, that no condition of service of any employee or officer concerned in the dispute , including custody of keys, deputation, CBS access rights and leave , be altered by reference to participation or intended participation in the notified action, and that no service-record entry, treatment of absence as break in service, or disciplinary proceeding be initiated in connection with such participation, without the express permission in writing of the Conciliation Officer;

(d) take this letter on record as a complaint under Section 91 of the Code in respect of the matters at paragraphs 4 and 5, take it into account in the proceedings on the notice, and record the contraventions in the report under Section 53;

(e) examine Step 2(c), Step 2(e), Step 2(f) and item 13 of the Crisis Information Flowchart of the Department's Plan, and the bank-level provisions described in paragraph 4, as unfair labour practices within Section 84 of the Code, and advise the Department of Financial Services and IBA accordingly;

(f) advise the managements that advisories describing the notified action as "illegal", and notices invoking the Essential Services Maintenance Act, 1981 or Section 36AD of the Banking Regulation Act, 1949 against participation, be withdrawn; and

(g) inform UFBU whether the report contemplated by Section 53 of the Code on the notice dated 26 August 2026 has been forwarded to the appropriate Government and, if so, on what date; and, if not, forward it at the earliest.

8. Copies of this letter are being endorsed to the Secretary, Department of Financial Services; the Chairman and the Chief Executive, IBA; the Chairman/Managing Director & Chief Executive Officer of each public sector bank; and the Secretary, Ministry of Labour & Employment. In place of separate correspondence, and so that the conciliation file carries the whole record, UFBU requests:

(a) the Department of Financial Services to withdraw or amend Steps 2(c), 2(e) and 2(f) and item 13 of the Crisis Information Flowchart of its Plan, and, pending amendment, to instruct all public sector banks to withdraw advisories issued under Step 2(c), to withdraw and destroy lists compiled under Step 2(f), to require no declaration of intent from any employee or officer, and to treat absence on the notified days on the principle of "No Work No Pay" only;

(b) IBA, as the association of the managements and the head of the Steering Committee under the Plan, to advise all member banks accordingly, and to state how it reconciles its role in conciliation before your office with its mandate under Part 4A(ii)(b) of the Plan;

(c) each bank management to confirm to UFBU in writing, by 23 September 2026, that (i) all advisories, letters and instructions issued to officers in Scale IV and above in connection with the notified action are withdrawn, and no service-record entry, treatment of absence as break in service, or disciplinary proceeding will be initiated for participation; (ii) any list compiled in connection with the action on 11 September 2026 is withdrawn and destroyed, no such list is retained or will be used, and no employee or officer will be treated differently, in deputation, custody of keys, CBS access rights, leave, appraisal or service record, by reference to any such list or declaration; (iii) no employee or officer will be required to declare in advance whether he or she will participate, or to furnish any undertaking or declaration regarding participation or association membership; (iv) absence on 28, 29 and 30 September 2026 in pursuance of the notified action will be treated on the principle of "No Work No Pay" for those days only, and no deduction will be made for demonstrations held outside working hours; (v) on receipt of an advance intimation from an employee or officer holding keys, the bank will nominate in writing the custodian to whom the keys are to be handed over in accordance with its laid-down procedure; and (vi) instructions regarding installations exempted from strike action will be confined to the categories agreed under Clause 17 of the 8th Bipartite Settlement and Clause 16 of the 5th Joint Note dated 02 June 2005; and

(d) the Ministry of Labour & Employment to take up with the Ministry of Finance the incompatibility of Steps 2(c), 2(e) and 2(f) and item 13 of the Plan with Sections 84 and 90 of the Code and with the direction of its own Conciliation Officer dated 22 January 2026.

9. UFBU records that absence on 28, 29 and 30 September 2026 in pursuance of the notified action will be treated on the principle of "No Work No Pay" for those days, consistent with settled practice in the industry, and that it contests only measures beyond that principle. UFBU

further records that its members will not obstruct any person from lawfully entering or leaving any office of any bank, that its demonstrations will be held outside bank premises with prior intimation to the local administration, that nothing will be said or done calculated to affect the confidence of depositors, and that members holding keys will intimate their banks in advance and hand over keys in accordance with the banks' laid-down procedures.

10. UFBU reiterates its willingness to resolve the dispute through discussion at any time, and requests that the Department of Financial Services be advised to communicate the Government's decision on the settlement dated 08 March 2024, which has awaited approval for more than two and a half years and which is the principal and immediate reason for the action.

Thanking you,

Yours sincerely,

**C.H. VENKATACHALAM**
**AIBEA**

**RUPAM ROY**
**AIBOC**

**L. CHANDRASEKHAR**
**NCBE**

**SANJAY KHAN**
**AIBOA**

**DEBASISH BASU CHOUDHARY**
**BEFI**

**PREM MAKKER**
**INBOC**

**O.P. SHARMA**
**INBEF**

**Copy for information and necessary action, with reference to paragraph 8, to:**

(1) Secretary, Department of Financial Services, Ministry of Finance, New Delhi ( attention : Chairman, Crisis Management Group)
(2) Chairman, Indian Banks' Association, Mumbai;
(3) Chief Executive, Indian Banks' Association, Mumbai;
(4) Chairman, State Bank of India, Mumbai;
(5) Managing Director & CEO, Punjab National Bank, New Delhi;
(6) Managing Director & CEO, Bank of Baroda, Vadodara;
(7) Managing Director & CEO, Canara Bank, Bengaluru;
(8) Managing Director & CEO, Union Bank of India, Mumbai;
(9) Managing Director & CEO, Bank of India, Mumbai;
(10) Managing Director & CEO, Indian Bank, Chennai;
(11) Managing Director & CEO, Central Bank of India, Mumbai;
(12) Managing Director & CEO, UCO Bank, Kolkata;
(13) Managing Director & CEO, Bank of Maharashtra, Pune;
(14) Managing Director & CEO, Punjab & Sind Bank, New Delhi;
(15) Managing Director & CEO, Indian Overseas Bank, Chennai;
(16) Secretary, Ministry of Labour & Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi 110 001.