

STATE BANK OF INDIA OFFICERS' ASSOCIATION

(BENGAL CIRCLE)

(Registered under Trade Unions Act 1926-Regd. No. 6908)

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IP No. 500077

Circular No. 119/2019

Date : 13.09.2019

To All Members (Please Circulate)

We reproduce hereunder the Circular No. 84 dated 13.09.2019 issued by the General Secretary, All India State Bank Officers' Federation, the contents of which are self-explicit.

With revolutionary greetings,

Shubhajyoti Chattopadhyay
(General Secretary)

To all our Affiliates / Members:

SAVE OBC SAVE INDIA

We reproduce hereunder the text of AIBOC Circular No. 2019/54 dated 10-09-2019 contents of which are self-explanatory for information of the members.

(Soumya Datta)
General Secretary

SAVE OBC SAVE INDIA

We have sent a communiqué to all the Directors of Oriental Bank of Commerce Board requesting them to oppose the proposed merger with United Bank and Punjab National Bank. Text of the letter is appended.

With greetings,
Sd/-

(Soumya Datta)
General Secretary

Text of Letter No. AIBOC/2019/75 dated 10.09.2019

Ref No. AIBOC/2019/75

Date: 10.09.2019

The Director
Oriental Bank of Commerce

Dear Sir,

SAVE OBC, SAVE INDIA

Greetings from All India Bank Officers' Confederation (AIBOC), the apex organisation of bank officers' of over 3,20,000 members.

We are writing to you in the backdrop of the recent announcement made by the Union Minister of Finance and Corporate Affairs, Mrs Nirmala Sitharaman on 30th August, 2019 regarding the merger/amalgamation of United Bank of India along with Oriental bank of Commerce with Punjab National Bank. We feel that this move is a unilateral imposition, which goes against the interests of all stakeholders of the banks.

AIBOC urges upon you as the respected Board Member of Oriental Bank of Commerce to take an objective view of the implications of such a decision thrust from above by the Finance Ministry on the bank's business operations, financial health, morale of the officers and employees and the confidence of the bank customers.

Shubhajyoti Chattopadhyay

General Secretary
Mobile : 9434551152

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Decision-making with regard to bank mergers is being thrust upon the Board of the banks by the Govt. showcasing scant regard for the independence and competence of the board. This has serious ramifications for the functional autonomy of the Bank Boards.

Further, you are well aware that the Board is currently deficient in constitution because of the non-appointment of Workman and Officer Directors, which is mandatory under the Bank Nationalisation Act(s) and the Schemes made thereunder, and/or other equivalent extant and applicable statutory provisions. Such unilateral decision has profound consequences for the Bank, and the Board cannot take such a crucial decision without the participation of such Directors. If the Board proceeds to deliberate on such a decision and eventually approves it, such procedure would clearly be illegal and vitiated for want of quorum. The provision(s) of law that validates such decisions despite a deliberate non-appointment of mandatory Workman and Officer Directors by the government are presently under challenge before Hon'ble Supreme Court (in TC(C) 21 of 2019, *AIBOC v. Union of India* and connected matters) and notice has been issued to the Government on the same. You are therefore requested to not consider the agenda item relating to merger or acquisition in the meeting of your Board prior to the appointment of such directors, as such decision involves withering away of the institution itself.

Furthermore, on the merits of the merger, independent of the procedural issue noted above, we place before you the following points with regard to the Union Finance Ministry's proposal for merger/amalgamation of the three banks for your kind consideration:

1. Oriental Bank of Commerce (OBC) was started in Lahore Pakistan in 19th February of the year 1943. It suffered the brunt of the partition and had to move its Registered Office twice. OBC took over the ailing Global Trust Bank in the year 2004 and absorbed all its toxic assets. This is a classic example of the strength of this bank when it rescued a private sector lender opened with much fanfare and gusto and did justice to its customers. The merger of OBC with PNB with overlapping area of operation will lead to large scale branch rationalisation with resultant disruptive impact on the very process of integration and will defeat the proclaimed purpose of synergy in operation. We are afraid that the entire scheme will be counterproductive and the declared goal is unachievable through this process of merger destroying in the process an iconic bank run so efficiently by your esteem guidance.

2. In a note to the Parliamentary Estimates Committee on Bank NPAs, former RBI Governor Dr. Raghuram Rajan had termed bank mergers as a "non-solution" to the NPA problem. He had observed *"We need concentrated attention by a high level empowered and responsible group set up by government on cleaning up the banks. Otherwise the same non-solutions (bad bank, management teams to take over stressed assets, bank mergers, new infrastructure lending institution) keep coming up and nothing really moves. Public sector banks are losing market share as NBFCs, Fintech companies, Payment Banks, the private sector banks et al."* It is a question to ponder why the Union Government going against such sane advice particularly at this juncture, when the GDP has administered a growth of just 5% marking the lowest growth since Q4 of FY 13. The PSBs are required to play a dominant role in revival of the economy, which could only possibly happen by making the individual banks stronger and not by merger of entities. We also draw your kind attention to the observation of Credit Suisse the reputed international rating agency which observed that the present decision of merger will be counterproductive.

3. The Government's notion that we have too many public sector banks in the country whose numbers need to be brought down through mergers/amalgamations, is a prejudiced idea which does not have any basis in economic theory or empirical evidence. Bank branch penetration continues to remain low in India compared to the developing country peers, which warrants an expansion of bank branches and activities. Mergers/amalgamations on the other hand would cause greater concentration in banking, which will curb domestic competition and lead to reduction in bank branches. Moreover, given the much larger contagion effect of the failure of big banks on the financial system as a whole, concentration of banking will enhance financial fragility.

4. The claim that mergers/amalgamation always work to the advantage of all the stakeholders and lead to synergies and greater efficiency due to economies of scale is not borne out by evidence as has been stated in the foregoing. As things stand today, the combined balance sheet of the proposed new entity will have a CASA ratio of 40.52% (existing 42.16), CRAR ratio 10.77% (existing 9.73%), net NPA 6.61% (existing 6.55) which could only worsen further in the current and next fiscal.

5. The organisational disruption caused in these banks through the merger/amalgamation would relegate every other activity to the backstage. Banks involved will have to do fire-fighting for the next few years, adversely affecting other banking activities in order to integrate people, processes, technological platforms and procedures. The outcome may well be higher losses on account of provisioning and NPA accumulation, which will outweigh any efficiency gain that is being projected. Moreover, cost cutting measures through staff and branch rationalization will be severely detrimental to the interests of the employees and will vitiate the industry climate.

The points noted above and other issues have to be discussed, deliberated on from the point of view of the workmen and the officers and that can be properly and effectively done only when their representatives are duly allowed to participate in the meetings and the decisions of the Board. You are, therefore, requested to persuade the Government of India to take immediate steps to appoint such directors prior to consideration of any such agenda of merger or acquisition.

Shubhajyoti Chattopadhyay
General Secretary
Mobile : 9434551152

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6. The luminaries who have occupied your position in the Bank Board in the previous period had collectively carried forward the vision underlying bank nationalisation, which had a transformational impact on the banking sector. We request you to consider whether the proposed merger/amalgamation of the three public sector banks is in keeping with that vision and take a conscientious and prudent decision.

We believe that the bank managements, associations and unions have the inherent and collective strength to revive the public sector banks and restore their financial health. What is required is a favourable policy thrust from the Union Government and the apex regulator in adequately recapitalizing the PSBs and improving the legal system to facilitate NPA recovery. We seek your support for this alternative vision and urge upon you to negate the proposed merger of Punjab National Bank with United Bank of India and Oriental Bank of Commerce.

Please express your views as per your conscience and not merely surrender to the diktat of the powers that be. Your opinion can make or mar the Bank's future and country's economic prospects. Say **No** to the proposal of merger. Kindly place your objections when such resolution comes up in the ensuing Board Meeting.

We look upon you to save **Oriental Bank of Commerce** and "**Save India**" With best regards,

Yours sincerely,

Sd/-
(Soumya Datta)
General Secretary
Mob - 9830044737

Shubhajyoti Chattopadhyay
General Secretary
Mobile : 9434551152