

Speed post



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

File No. BSB/5/2016/MFIN9/SEOTH/RU-IV

Dated: 09.04.2019

To,

The Chairman Cum Managing Director,  
Union Bank of India,  
Union Bank Bhawan,  
239, Vidhan Bhavan Marg,  
Nariman Point, Mumbai- 400021  
(Maharashtra)

Sub: Proceedings of the sitting taken by Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 09.04.2019 in the matter of Shri Bhagwat Shyamrao Bende, Nagpur, Maharashtra regarding reinstatement into service in Union Bank of India.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 09.04.2019 under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission within 21 days for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully

(Y.K. Bansal)

Research Officer

Ph. 24645826

Encl: As above

Copy to:

Shri Bhagwat Shyamrao Bende,  
Sai Prasanna Apartment,  
Plot No. 12, Flat No. 102,  
Santh Kripa Society,  
Narendra Nagar,  
Nagpur (Maharashtra)

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10/4/19  
जारी किया  
ISSUED

NATIONAL COMMISSION FOR SCHEDULED TRIBES

BSB/5/2016/MFIN9/SEOTH/RU-IV

PROCEEDINGS OF SITTING HELD ON 09.04.2018 AT 03.00 P.M. CHAIRED BY SHRI NAND KUMAR SAI, HON'BLE CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) ON REPRESENTATION DATED 17.02.2016 OF SHRI BHAGWAT SHYAMRAO BENDE, (SR. MANAGER, UNION BANK OF INDIA, MUMBAI), MAHARASHTRA REGARDING REINSTATEMENT INTO SERVICE IN UNION BANK OF INDIA.

Date of Sitting: 09.04.2018

List of officers present in sitting is Annexed.

Shri Bhagwat Shyamrao Bende, (Sr. Manager, Union Bank of India, Mumbai), Maharashtra vide representation dated 17.02.2016 had requested NCST for reinstatement into service in Union Bank of India.

2. Earlier, a sitting was held on 26.11.2018 under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, NCST with the Managing Director and CEO, Union Bank of India in presence of the petitioner. The Commission recommended that the case of Shri Bende should be re-examined and placed before the Board of Bank in positive manner. One ST officer should be kept in the re-examination Committee or Sub - Committee of the Board. As per guideline of DoPT, Government of India a sympathetic attitude, should be kept while re-examining the case of Shri Bende since he belongs to Scheduled Tribe category. Thereafter, the Bank management vide its letter dated 08.01.2019 informed that as at present, there is no member of the Board who belongs to ST category. Therefore, Bank may be advised whether one ST officer should be kept in the re-examination Committee/Sub-Committee of the Board to decide the petitioner's case.

3. However, the case was fixed for sitting on 09.04.2019 and Managing Director and CEO, Union Bank of India was asked to appear before the Commission.

4. The MD & CEO of the Bank vide its letter dated 08.04.2019 submitted a request for exemption from appearance due to certain pre-scheduled engagement and also authorized Shri Rakesh Kumar Gupta, Deputy General Manager (HR), UBI.

5. The sitting was held on 09.04.2019. The DGM (HR), UBI appeared. The petitioner was also present.

6. In sitting, the DGM (HR) informed the Commission that the Commission's recommendations could not be implemented due to non having a member belonging to ST category in Board of the Bank. However, there is one ST Officer namely Shri Roop Lal Meena, DGM in Scale-VI level and 9 ST Officers in Scale-V level in the Bank. If, the Commission permits, then the matter will be re-examined through constitution of a Committee from the senior level ST Officers of the Bank. On other hand, the petitioner informed the Commission

नन्द कुमार, साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जात आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi  
9.4.09

that his case has already been delayed and he has no objection to re-examination of case through the newly formed Committee as suggested by the Bank Management.

6. The case was discussed in detail. After detailed discussion, the Commission recommends as follow:

- The Bank Management will constitute a Committee under the Chairmanship of Shri Roop Lal Meena, DGM (Scale VI Officer), UBI. There will also be two other ST members from Scale – V level Officers of the Bank in the Committee to examine the case of reinstatement of service of Shri B.S. Bende.
- The Committee will hear the petitioner in person and will also consider the petitioner's defence documents.
- The Committee will submit report within 15 days period positively.
- The Committee's report will be placed before the Board of the Bank for considering the petitioner's reinstatement in services.
- As per guideline of DoPT, Government of India a sympathetic and lenient view, should be taken while re-examining the case of Shri Bende since he belongs to Scheduled Tribe category.

7. Compliance/action taken report should be submitted to the Commission within 21 days from the receipt of the proceedings

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9.4.09  
नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. BSB/5/2016/MFIN9/SEOTH/RU-IV)

List of participants

NCST

1. Shri Nand Kumar Sai, Hon'ble Chairperson (In chair)
2. Shri A.K. Singh, Secretary
3. Shri Y.K. Bansal, Research Officer
4. Shri H.R. Meena, Sr. Investigator

Union Bank of India

Shri Rakesh Kumar Gupta, Deputy General Manager

Petitioner

Shri B.S. Bende