



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. VPA/21/2016/MFIN9/SEOTH/RU-IV

Dated: 13.05.2019

To,

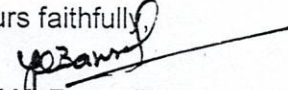
**The Managing Director & CEO,**  
United Bank of India,  
11, Hemant Basu Sarani,  
Kolkata – 700 001  
(West Bengal).

Sub: Proceedings of the sitting taken by Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 02.05.2019 in the matter of Shri V.P. Arunagiri, Chief Manager, United Bank of India, Bangalore regarding discriminatory punishment.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 02.05.2019 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 30 days for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully

  
(Y.K. Bansal) -  
Research Officer  
Ph. 24645826

Copy to:

Shri V.P. Arunagiri,  
Chief Manager,  
United Bank of India,  
Bangalore Regional Office,  
Geetha Mansion, 40 KG Road,  
Bangalore – 560 009.



✓ copy to: - SAS, NIC, NCST

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

Case File No. VPA/21/2016/MFIN9/SEOTH/RU-IV

**PROCEEDINGS OF SITTING HELD ON 02.05.2019 CHAIRED BY SHRI NAND KUMAR SAI, HON'BLE CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI V.P. ARUNAGIRI, CHIEF MANAGER, UNITED BANK OF INDIA, REGIONAL OFFICE, BANGALORE REGARDING DISCRIMINATORY AWARD OF PUNISHMENT AND HARASSMENT IN TRANSFER/POSTING.**

List of officers present in sitting is Annexed.

Date of Sitting – 02.05.2019

The petitioner Shri V.P. Arunagiri, Chief Manager, United Bank of India, Regional Office, Bangalore had submitted a representation before the Commission regarding discriminatory award of punishment and harassment in transfer/posting. He alleged that the DGM and CRM Shri R.K. Singhal, SRO, Chennai harassed him by way of threaten to transfer, non assignment of work, writing below APAR and removal from Credit Committee. While working as Chief Manager (Credit) at Bank's Regional Office, Chennai and being a member of Regional Committee (Credit) from 01.02.2010 to 07.10.2010, he and other members of the Committee had approved the process note enabling sanction of overall limit of Rs. 30 crores loan to a company named M/s. Ignis Technology Solutions Pvt. Ltd. on 08.04.2010. The approved sanction amount to the company has undergone major changes i.e. change of collateral security, extension of time of credit rating, change of operational branch. But before releasing of sanctioned amount, he was transferred to Kolkata in October, 2010. The Head Office of Bank has then confirmed Regional Office's action on release of cash credit facility and disbursement of term loan account on 20.10.2010 after his transfer. The loan account was turned NPA on 30.06.2011. Due to this, the Bank had first called for explanation from him on 02.12.2011 and thereafter issued charge sheet on 13.04.2013. He then submitted explanation. However, the Bank conducted inquiry into the matter on 19.02.2014 and 14.03.2014 wherein he has again submitted all the defend documents against the irregularities. His defend documents were not taken into consideration and finally, the Disciplinary Authority awarded a punishment of reduction of basic pay by two stages in the time scale of a pay for a period of two years vide order dated 31.03.2015. It is pointed out that during the inquiry, the Inquiry Officer has not proved all the charges except one charge. However, being disagreed with the IO's report, the Disciplinary Authority awarded harsh punishment. On the other hand, the Bank has awarded minor punishment of imposition of penalty of reduction of one increment to the another officer belonging to general category involved in the said irregularities. His appeal dated 15.05.2015 was also rejected by the Appellate Authority.

Further, the Bank has transferred him from Chennai to Bangalore on 09.02.2015 and his representation for cancellation of transfer on the ground of serious medical illness of his son was also turned down. Due to discriminatory punishment and transfer, his family life was affected as financially and mental stress.

2. As per procedure, the NCST vide its notice dated 04.10.2016 called a report. Thereafter, the United Bank of India vide its letter dated 04.11.2016 submitted a report and informed the facts of the case that the petitioner's allegation of harassment against DGM and CRM, Southern Region Office was raised after a period of six years of the incident which is an attempt to divert

attention from the charges levelled against him. The petitioner was charge sheeted for various irregularities committed by him while approving the process note for sanctioning of the loan of Rs. 30 Crore. The Disciplinary Authority after going through the entire facts and circumstances of the case and documents available on record imposed Major penalty of "Reduction of Basic Pay by two stages in the time scale of pay for a period of two years during which period he will not earn any increment and on expiry of the said period the reduction will have the effect of postponing future increments of his pay" which was subsequently affirmed by the Managing Director and CEO & Appellate Authority while deciding in his appeal dated 13.04.2016. The Board of Bank being a delegated reviewing authority also reviewed the punishment order imposed upon the petitioner. Considering the contentions raised by the petitioner, also upheld the decision of the Disciplinary Authority, as new facts or evidence were not brought out by the petitioner through the instant review petition. As regard, the contention of the disparity of punishment, it is informed that the Disciplinary Authority has specifically dealt with the charges and observed the said charges has proved detailing reasons for the same. In addition, apart from the petitioner, four more officers of the Bank involved in the loan sanctioning process of loan account of M/s Ignis Technology Solutions Pvt. Ltd. were awarded harsh punishment. One officer namely Shri R.K. Singal, DGM and CRM removed from service, Shri Balachandran, AGM & DGM and Shri K.R. Tamilselvam, Chief Manager were downgraded one scale below. Shri M.K. Raman, Sr. Manager was awarded punishment reduction of basic pay by one stage for one year. Thus, there was no discrimination on caste ground.

As regard, allegations of harassment in transfer, it is informed that the petitioner joined in the Bank on 12.10.2010 and he said almost four years as Chief Manager in Southern Region Regional Office, Chennai which is home place of the petitioner. Thereafter, he was transferred to Bangalore Office. However, the petitioner's transfer made on administrative ground and requirement of the Bank. Thus, the Bank has taken disciplinary action as well as the transfer against the petitioner without any bias and depending upon proven the charges.

3. Since the Bank's report was found to be unsatisfactory and therefore, the Hon'ble Chairperson, NCST fixed a sitting on 02.05.2019 to have a discussion with the Managing Director and CEO, United Bank of India in the matter.

4. As per schedule, the Sitting was held on 02.05.2019. The Managing Director and CEO, United Bank of India, Hqrs, Kolkata along with Senior Office viz. the Chief Manager, United Bank of India, New Delhi appeared before the Commission. The petitioner was also present in the day of sitting.

5. At the outset, the petitioner has submitted his grievances of discriminatory award of harsh punishment of stoppage of two increments with cumulative effect and harassment in transfer posting. He was stated that he joined the Bank in the year of 2010. While discharging duty as Chief Manager at Bank's Chennai Branch from 01.02.2010 to 07.10.2010, he was a member of Committee to approve the process note for sanctioning of a loan of Rs. 30 crores to M/s. Ignis Technology Solutions Pvt. Ltd. and approved the loan on 08.04.2010. Thereafter, he transferred to Bangalore Regional Office. After his transfer the loan account was undergone major changes and the Bank's head office also confirmed Regional Office action to release of disbursement of loan on 20.10.2010. Thereafter, the loan account was turned NPA on 30.06.2011. Due to this the Bank has issued chargesheet and thereafter awarded a harsh punishment of reduction of basic pay by two stages. The Bank has awarded punishment in this case only to him and other officers involved in this case were exonerated. In addition, the Inquiry Officer has not proved all charges except one against the chargesheet issued to him. The Bank's contention to award

punishment to other officers involved in this case is based on the wrong fact as other officers were penalized for the lapses/irregularities committed by them in other cases, not in the case of M/s Ignis Technology Solutions Pvt. Ltd. His defence documents were not taken into consideration and his appeals were rejected by the Appellate Authority.

Regarding his transfer, it is informed that he was transferred for 4-5 times despite his mentally handicapped son during the service period. As per the Bank's policy, the transfer should be made after a period of 3 years. However, his transfer has been considered and posted him at Chennai Branch Office.

6. The MD&CEO, United Bank of India apprised the facts of the case. He informed that the petitioner was charge sheeted for various irregularities committed by him while approving the process note for sanctioning the loan of Rs. 30 Crore. He was awarded punishment of stoppage of two increments after due departmental inquiry process. The petitioner's appeal was rejected by the MD & CEO being Appellate Authority and Board of the Bank. Thus, the petitioner has exhausted all the due channel process as per the Bank's rule. As MD&CEO of the Bank, he is not position to consider the petitioner's grievances. As regard, petitioner's transfer, it is informed that his transfer at Chennai has been addressed as he has been posted at Bank's Chennai Branch. However, the petitioner will submit a review appeal highlighting new facts of the case against penalty order, then the same will be considered.

Regarding petitioner's promotion, it is informed that the petitioner has become eligible for promotion to the next higher grade. He would be considered for promotion in the next promotion exercise to be held in 2020 and hopefully, he will be promoted as per his eligibility.

7. After detailed discussion, the Commission observed that the petitioner's transfer issue has been settled by the Bank. Other issue of awarded punishment of reduction of basic pay by 2 stages in the time scale of pay for a period of 2 years was decided as per Bank's norms by duly procedure and the petitioner has exhausted of all channel of review. However, if the petitioner will submit new facts of the case, then the Bank will examine the matter. The petitioner's promotion will be considered as assured by the Bank management. However, the Commission recommends as follow:

- The Bank management should consider petitioner's promotion to the next higher post.
- The petitioner should not be harassed in transfer/posting and sympathetic view should be taken being considering his illness handicapped son in future.
- If the petitioner submits appeal highlighting new facts against the penalty order, then the Bank management should consider to review the matter.
- The petitioner was observed a best worker/officer by the Bank as he belongs to ST category, therefore, sympathetic attitude always should be kept with him by the Bank.
- An action taken report on the Commission's recommendations along with promotion orders should be submitted to the Commission within 30 days.

\*\*\*\*\*

729  
10.5.019

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