



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)

Dated: 13.08.2019

Case File No. VS/17/2018/MFIN9/SEOTH/RU-IV

To,

The Managing Director and CEO,
Indian Bank,
HQ: Post Box No. 1384,
66, Rajaji Salai,
Chennai – 600 001
(Tamil Nadu).

Sub: Proceedings of the Sitting taken by Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 12.07.2019 in the case of Shri V. Srinivasulu, Manager (Dismissed), Indian Bank, Kakatiya Nagar Branch, Hyderabad regarding reinstatement into service.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 12.07.2019 under the Chairmanship of Dr. 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 from the receipt of the letter for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully,

(Signature)
(Y.K. Bansal)
Research Officer

Copy to:

Shri V. Srinivasulu,
Flat No. 102, Sri Lakshmi Residency,
Park Avenue Layout, Near Gem Service
Station,
Rajarajeswarinagar,
Kondapur, Hyderabad – 500 084.

Copies: - SAS, NIC, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. VS/17/2018/MFIN9/SEOTH/RU-IV

PROCEEDINGS OF SITTING HELD ON 12.07.2019 CHAIRED BY Dr. NAND KUMAR SAI, HON'BLE CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI SRINIVASULU, MANAGER (DISMISSED), INDIAN BANK, KAKATIYA NAGAR BRANCH, HYDERABAD REGARDING REINSTATEMENT INTO SERVICE.

Date of Sitting: 12.07.2019


List of officers present in sitting is Annexed.

The petitioner Shri Srinivasulu, Manager (Dismissed), Indian Bank, Kakatiya Nagar Branch, Hyderabad vide his representation dated 08.08.2018 has submitted the grievances before the Commission requesting to recommend for reinstatement into service. He alleged that he had been given unjust/harsh punishment of dismissal of service by the Bank without taking into consideration of his defence documents. The Banks filed many charges against him. After inquiry a harsh punishment of dismissal from service was imposed against him. His appeal was also rejected by the Appellate Authority. The recommendation of the Commission made during the sitting held on 22.01.2019 regarding reinstatement into service was not implemented and his review petition was also turned down.

2. In this regard, a report dated 19.11.2018 received from the Indian Bank, Chennai. The Bank Management has reported that the petitioner was issued a charge sheet for transactions were made deliberately by the complainant for his personal gain and for gains of his relatives. The complainant in his complaint has not denied any of the transactions made by him in government account, customer's account and in sanction of loans which itself proves that his intention was to benefit himself and his relatives only. This reveals the fraudulent intention on the part of the complainant. Further, the complainant claims that the transfer of funds was inadvertently made by him and the procedural lapses in loans sanctioned are due to his lack of experience as Branch Manager. It may be noted that the complainant has put in 15 years as Officer. Hence, the claim that the procedural lapses in the loans sanctioned are due to his lack of experience as Branch Manager is not acceptable.

3. Earlier the Commission took up this case and subsequently a sitting was held on 22.01.2019 before the Hon'ble Member (MCI), NCST. The Commission recommended that the the petitioner will submit an appeal highlighting his achievements made during the Bank's service and explanation on the alleged charges to the Appellate Authority (GM-HR) of the Bank. The appeal will be decided in positive manner. The Bank management will also review the petitioner's harsh punishment and will consider his reinstatement into service taking into the petitioner's good service records. The Commission's recommendations were forwarded to the Indian Bank on 18.02.2019. But there is no action taken report from the Indian Bank.

4. In the meanwhile, the petitioner Shri V. Srinivasulu vide his representation dated 08.03.2019 stated that as per the Commission's recommendations, he had submitted an appeal dated 24.01.2019 against the punishment before the Appellate Authority of the Bank. But, the CMD being an Appellate Authority of the Bank rejected his appeal wantonly and mercilessly. The Commission's recommendation has not been implemented by the Bank Management.


Dr. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
एन.टी. बिल्डिंग/Govt. of India
New Delhi/Indi

5. As no action taken report on the Commission's recommendations were received, a sitting was fixed on 12.07.2019 in the Commission with the Bank's Management.
6. In sitting, the Executive Director, Indian Bank appeared with the exemption request for appearance of the MD & CEO of the Bank. The petitioner was also present.
7. During the sitting the petitioner stated that the earlier recommendation of the Hon'ble Member, NCST was not implemented by the bank and his appeal was rejected. He informed the Commission that the alleged mistake happened during his first posting as Manager and due to lack of experience he made some inadvertent mistakes, hence he requested that a lenient view may be taken and the harsh punishment from dismissal from the service may be reviewed.
8. The representative of the Indian Bank informed that after taking into account all the factors which are found relevant and after complete evaluation of all evidences on record, the penalty imposed by the disciplinary authority is appropriate and justified. Accordingly, the appeal was also rejected.
9. The matter was discussed in detail, during the sitting the petitioner was repeatedly saying that the inadvertent mistake happened as a manager in his first posting. The Commission observed that Shri Srinivasulu put in 26 years of service and there where earlier no serious allegations against him. The Commission also noted that in sanctioning and crediting, other officials are also involved. But in this case other officials are found to be not punished.

Recommendation of the Commission

The petitioner Shri Srinivasulu is a Scheduled Tribe person. He has served the bank about 26 years. No major allegation was made against him earlier. Although some mistakes were committed by the petitioner, over all there is no loss to the bank. Other officials who pass the credit was not punished and no enquiry was instituted. Therefore, the Commission find that the quantum of punishment disproportionate to the gravity of the offence. Accordingly, the Commission recommends that the petitioner being Scheduled Tribe person, the bank should reconsider the extreme punishment of dismissal and reinstate him with the other punishment other than dismissal.

2. The Action Taken Report may be provided to the Commission within 30 days to the receipt of this letter.

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08-08-2019

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

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. VS/17/2018/MFIN9/SEOTH/RU-IV)

List of participants

NCST

1. Dr. Nand Kumar Sai, Hon'ble Chairperson (In chair)
2. Miss. Anusuiya Uikey, Hon'ble Vice-Chairperson
3. Shri H.K. Damor, Hon'ble Member
4. Smt. Maya Chintamn Ivnate, Hon'ble Member
5. Shri S.K. Ratho, Joint Secretary
6. Shri P.T. Jameskutty, Consultant
7. Shri Y.K. Bansal, Research Officer
8. Shri H.R. Meena, Sr. Investigator

Officers of Indian Bank

Shri. V.V. Shenoy, Executive Director

Petitioner

Shri V. Srinivasulu