



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)

Case File No. VKM/1/2019/MFIN9/SEOTH/RU-IV

Dated: 06.01.2020

To,

The Chairman,
State Bank of India,
State Bank Bhawan,
Madam Cama Road,
Mumbai – 400 021 (Maharashtra).

Sub: Proceedings of sitting held on 18.11.2019 chaired by Smt. Maya Chintamn Ivnate, Hon'ble Member, National Commission for Scheduled Tribes (NCST) in the case of Smt. Varsha Kumari Meena, District-Karauli, Rajasthan regarding reinstatement into service in State Bank of India.

Sir,

I am directed to enclose a copy of the proceedings of the Sitting held on 18.11.2019 under the Chairmanship of Smt. Maya Chintamn Ivnate, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action.

It is requested that action taken report in the matter may please be sent to the Commission within 30 days positively for placing the same before the Hon'ble Member, NCST.

Yours faithfully,

(Signature)
(Y.K. Bansal)
Research Officer
Ph. No. 24645826

Encl: As above

Copy to:

Smt. Varsha Kumari Meena,
D/o Shri S.R. Meena,
Bhatta Colony, Bayana Mode,
District – Karauli, Hindon City,
Rajasthan.

Copy to: — SAS, NIC, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. VKM/1/2019/MFIN9/SEOTH/RU-IV

PROCEEDINGS OF SITTING HELD ON 18.11.2019 AT 12.00 NOON CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SMT. VARSHA KUMARI MEENA, DISTRICT – KARAUJI, RAJASTHAN REGARDING REINSTATEMENT INTO SERVICE IN STATE BANK OF INDIA.

**List of officers present in sitting is Annexed.
Date of Sitting – 18.11.2019**

The petitioner Smt. Varsha Kumari Meena vide her representation dated 31.10.2018 has submitted that she was appointed as an Assistant in Clerical cadre at SBI Branch Viramgram, Gujarat. After joining duty, on 07.01.2013, she proceeded on Maternity leave from 15.04.2013 with due approval. She then requested extension of Maternity leave upto 15.04.2014 vide letter dated 25.09.2013. The Bank vide letter dated 05.10.2013 advised her to deposit three month's salary for Maternity leave from 15.04.2013 to 15.07.2013 and directed to report on duty on 17.10.2013 and also rejected request for extension of her leave. However, due to her family bad position and having small children, she could not have joined duty. Thereafter, the Bank issued another order advising her to join duty vide letter dated 19.12.2013. She again requested for extension of leave and transfer of her services to her native place or Delhi circle. However, her transfer request was not considered and finally her services were terminated without providing any opportunity.

2. The NCST vide its notice dated 25.01.2019 sought a report from the Bank.

3. In pursuance of the Commission's notice, the SBI Management vide its letter dated 03.04.2019 has submitted a report wherein it was informed that the petitioner was appointed as Assistant on 07.01.2013 at Viramgram Branch, (Gujarat). She proceeded on Maternity leave from 15.04.2013 to 15.10.2013. Thereafter, she requested for extension of leave for another period of 6 months. The Bank declined the petitioner's request and requested her to join the duty. But, the petitioner was failed to join duty. Accordingly, as per Bank's rule, her services were terminated on the ground of continuous unauthorised absence.

4. Finding the Bank's report being unsatisfactory, the Hon'ble Member, Smt Maya Chintamn Ivnate fixed a sitting on 18.11.2019 to have a discussion in the case.


5. As per schedule, the sitting was held on 19.11.2019. In sitting, the General Manager, SBI, LHO, Ahmedabad along with Senior officers from SBI were appeared. The petitioner was also present.

6. In the sitting, the petitioner has submitted that she had joined as Assistant in clerical cadre of State Bank of India, Viramgram Branch, Gujarat on 07.01.2013. Thereafter, she proceeded on maternity leave on 13.04.2013 and thereafter, she requested for extension of maternity leave upto 15.04.2014 as her newly born child was very weak and there was no one in family to look after her child. The Bank declined her request and directed to join the service. She then submitted another request explaining therein the reasons of his absence from duty and family conditions and also requested to transfer her to near native place or Delhi circle. She also showed her willingness to join official duty as soon as her child's recovery from prevailing health related issues through ~~two~~ letters dated 19.12.2013, 15.01.2014, 20.04.2014 and 08.06.2014. But her request was not considered and finally the Bank has voluntary retired her ^{on} 15.04.2013 vide notice dated 25.07.2014 without not conducting Departmental inquiry and providing any opportunity to defend the case.


श्रीमती माया चिंतामण ईवनाते
Smt. Maya Chintamn Ivnate
सदस्य / Member
राष्ट्रीय अनुसूचित जनजाती आयोग
National Commission for Scheduled Tribes
भारत सरकार / Govt. of India
नई दिल्ली / New Delhi

7. The General Manager, SBI, LHO, Ahmedabad has stated that the petitioner had joined as Assistant in SBI, Viramgram Branch, Gujarat and she proceeded on maternity leave from 15.04.2013 to 15.10.2013. Thereafter, she requested for extension of leave, which was turned down by the Bank. She was also requested to join the service. But there was no response from the petitioner side and she remained absent from duty unauthorisedly. Accordingly, as per Bank's rules, she was given voluntary retirement from the service on the ground of long absence from service. In addition, it is to submit that the petitioner has filed a Writ petition before the Hon'ble Court against Bank's VRS orders and the matter is subjudice.

8. The case was discussed in detail. The Commission observed that the petitioner's family condition and her newly born child's health condition were very bad in nature and there was no member in the family to look after the newly born child. She made several request for extension of leave and request for transfer to Delhi circle or near native place. But all were proved futile. The Bank did not consider the request and awarded harsh punishment which is disproportionate to the nature of allegations. The petitioner has also given assurance that she will withdraw the court case subject to resolve her grievances. The Commission therefore, recommends that the SBI Management should review the case and take necessary corrective action to redress the petitioner's grievances by providing an opportunity to serve in the Bank. An action taken report on the Commission's recommendation be also submitted within 30 days.


श्रीमती माया चिंतामणि ईयनाते
Smt. Maya Chintamni Inate
सदस्य / Member
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. VKM/1/2019/MFIN9/SEOTH/RU-IV)

List of participants

NCST

1. Smt Maya Chintamn Ivnate, Hon'ble Member (In chair)
2. Shri Y.K. Bansal, Research Officer
3. Shri Sudhir Atram, PS to Member (MCI)

Officers from State Bank of India

1. Shri Ramesh Agarwal, General Manager, SBI, LHO, Ahmedabad
2. Shri Shrikant Khisti, AGM, (HR) SBI, LHO, Ahmedabad
3. Shri Sharad Yadav, Chief Manager (IR), SBI, LHO, Ahmedabad
4. Shri Govind Singh Shekhawat, SBI, LHO, Ahmedabad

Petitioner

Ms. Varsha Kumari Meena