



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)

(A Constitutional body under Article 338A of the Constitution of India)

File No NCST/SER-732/MFIN/45/2023-SSW

Dated: 05.04.2023

To,

The Managing Director and CEO
Indian Bank
254-260, Avvai Shanmugam Salai
Royapettah,
Chennai -600014 (Tamil Nadu)
Email: md@indianbank.co.in
Phone:- 044-28134398

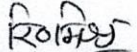
Sub:- Discrimination and harassment of ST employee by the Indian Bank - a rep. dated 05.07.2019 of Shri D.S. Tomar (Sr. Manager, India Bank, Dismissed), Ghaziabad (UP).

Sir,

I am directed to enclose herewith a copy of the minutes of sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 24.03.2023 at 12:00 (Noon) in NCST, New Delhi on the above mentioned subject.

2. It is requested that the action taken/ to be taken in the matter may be submitted to NCST within stipulated time for placing it before the Hon'ble Member, NCST.

Yours faithfully,


(आर.एस.मिश्र / R.S. Misra)

अनुसंधान अधिकारी / Research Officer
Tel:- 011-24641640

Copy to:-

Shri D.S. Tomar,
Flat No. 1210, 2nd Floor,
Divyansh Pratham Aptt,
Near DPS Indrapuram, Ahinsa Khand -2, Indrapuram
Ghaziabad-201014 (UP)
(Mob No. 9818606043) (Email: dhoomtomar832192gmail.com)

Copy for information

1. PS to Hon'ble Member, NCST.
2. NIC, NCST for uploading on the website of the Commission

National Commission for Scheduled Tribes

No. NCST/SER-732/MFIN/45/2023-SSW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Shri D.S. Tomar (Sr. Manager, Indian Bank, Dismissed), Ghaziabad regarding non-payment of gratuity and other issues.

Date of Sitting: 24/03/2023, 12:00 Noon

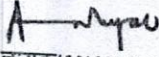
Participants in the Sitting - As per Annexure

Shri D.S. Tomar (Sr. Manager, India Bank, Dismissed), Ghaziabad vide his representation dated 21.11.2022 has stated that the Indian Bank Administration is still harassing him by taking technical possession of Flat No. 1210, where the applicant resides with his family. The Bank has also not paid his gratuity to him. A favourable order was passed by Regional Labour Commissioner (Central), Noida, on 19.09.2022 directing the Bank to pay gratuity of Rupees 20 Lakh along with interest to the petitioner. The petitioner states that Bank has become even more revengeful after the said order and instead of complying with the order, they have taken possession of his flat as well.

The matter was referred to MD and CEO, Indian Bank for facts and comments vide NCST notice dated 27.01.2023.

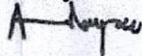
In response, Indian Bank vide letter dated 1.03.2023 has stated that the petitioner was dismissed as per rules on 9.05.2018 and his gratuity was forfeited by the Bank as per rules. The Bank has filed appeal against the order of regional labour commissioner before the Appellate Authority. Further the Bank has initiated action against the petitioner for non payment of loan.

After careful examination of the petition and replies, the Commission issued Summons to Shri Shanti Lal Jain, MD and CEO, Indian Bank. ~~to~~ discuss the issue on 24.03.2023 at 12:00 Noon. The petitioner was also informed to attend the Sitting.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

The representatives of Indian Bank and the petitioner appeared before the Commission. After hearing both the sides, the Commission recommends action on the following points be taken by Indian Bank—

1. The case of the petitioner to be considered on humanitarian grounds and payment of gratuity to be made as per rules
2. The petitioner's Flat not to be auctioned and the gratuity amount may be adjusted against the loan amount
3. Copy of the dismissal order, appeal and review appeal orders of the petitioner to be submitted within 15 days of the receipt of the minutes.



अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Annexure

List of participants of the sitting held on 24th day of March, 2023 at 12:00 (Noon) under the Chairmanship of Shri Ananta Nayank, Hon'ble Member, NCST, New Delhi in the case of Shri D.S. Tomar (Sr. Manager, India Bank, Dismissed), Ghaziabad (UP) regarding discrimination and harassment of ST employee by the Indian Bank

I	<u>Indian Bank</u>
1.	Shri T. Dhanraj, GM (HR)
2.	Shri Parthaghosh, AGM (HRM)
3.	Shri B.P.S Rana, Chief Manager
II	<u>Petitioner</u>
	Shri D.S. Tomar