



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. BBM/4/2018/MFIN9/SEHRMT/RU-IV

Dated: 12.11.2018

To,

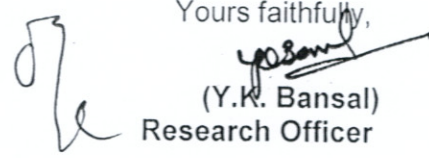
- | | |
|---|---|
| 1. The Managing Director & CEO, Andhra Bhawan, 5-9-22, Hotel Sarovar Complex, Secretariat Road, Saifabad, Ambedkar Colony, Khairatabad Hyderabad, Telangana – 500 004. | 2. The Executive Director, Andhra Bank Head Office, Dr. Pattabi Bhawan, Hyderabad – 5-9-11, Saifabad, Hyderabad Telangana – 500 004. |
|---|---|

Sub: Proceedings of the Sitting taken by Smt. Maya Chintamn Ivnate, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 29.10.2018 in the matter of Shri Shri Bharat Bhushan Meena, Andhra Bank, Jaipur Main Branch regarding discrimination, harassment and revocation of suspension.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 29.10.2018 under the Chairmanship of Smt. Maya Chintamn Ivnate, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission expeditiously for placing the same before the Hon'ble Member, NCST.

Yours faithfully,


 (Y.K. Bansal)
 Research Officer

Copy to:

Shri Bharat Bhushan Meena,
Andhra Bank,
Jaipur Main Branch,
Panch Batti, M.I. Road,
Jaipur – 320 025 (Rajasthan).

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Copy to: - SAS, NIC, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. BBM/4/2018/MFIN9/SEHRMT/RU-IV

PROCEEDINGS OF SITTING HELD ON 29.10.2018 AT 02.30 P.M. CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI BHARAT BHUSHAN MEENA, MANAGER, ANDHRA BANK, JAIPUR MAIN BRANCH, JAIPUR REGARDING DISCRIMINATION, HARASSMENT AND REVOCATION OF SUSPENSION.

Date of Sitting: 29.10.2018

List of officers present in sitting is Annexed.

The petitioner Shri Bharat Bhushan Meena, Manager, Andhra Bank, Jaipur Main Branch vide his representation dated 01.07.2018 has submitted grievances of discrimination, harassment on caste ground and illegal suspension.

He alleged that he was sent on deputation to Bank's Branch at Vaisali Nagar, Jaipur, wherein the Branch Manager of Vaisali Nagar Branch of Andhra Bank had misbehaved and abused on caste ground against him. He was manhandled and restrained to do official work by the Branch Manager. In this regard, he had made complaints before the higher authority in the Bank. However, instead of taking action against accused Branch Manager, the Zonal Manager, Andhra Bank had suspended him from service without any prior investigation. This was a clear cut discrimination against the Schedule Tribe employee.

2. As per procedure the NCST vide its notice dated 20.07.2018 sought a report from the Andhra Bank Management.

3. The Andhra Bank vide its letter dated 29.09.2018 has submitted a report stating that the petitioner Shri Meena was sent for deputation to Vaisali Nagar Branch on 29.06.2018. There, the petitioner manhandled and misbehaved with Branch Manager Shri Hari Nath Reddy. The matter was got inquired by Zonal Office of Andhra Bank and on the basis of available evidence, CCTV footage of the incident, he was placed under suspension w.e.f. 02.07.2018. The petitioner's allegation for caste abuse was found as not true. There is no case of discrimination in the matter.

4. Since the Bank's action taken report was not convincing and therefore, a sitting was fixed on 29.10.2018 before the Hon'ble Member, Smt. Maya Chintamn Ivnate in the Commission.

5. The Senior officers from the Andhra Bank appeared before the Commission along with exemption request letter from the Managing Director & CEO, Andhra Bank. The petitioner was also present.

6. During the Sitting, the petitioner has submitted that on intervention of the Commission, he got letter dated 30.10.2018 from the HR Department of Andhra Bank regarding revocation of suspension and posting to New Delhi Zone. Accordingly, he



Smt. Maya Chintamn Ivnate
Member
National Commission for Scheduled Tribes
Govt. of India, New Delhi

has joined the duty at New Delhi on 23.10.2018. However, it has been mentioned in the Bank's letter that it has been decided to revoke the said order of suspension without prejudice to the right of the Management to reinstate disciplinary action against you. Hence, he is fear to start departmental proceedings against him. Apart from he has not paid full salary of suspension period.

7. The officer appeared from Andhra Bank submitted an action taken report and informed the Commission that the petitioner's grievances have been successfully resolved as his suspension revoked. The petitioner has been transferred to New Delhi wherein he has joined on 23.10.2018. In addition, the petitioner has not submitted any document for withdrawal of cases from Court/police or any other forum filed by him. Hence, the petitioner be advised to submit the required document to the Bank for closer the case.

8. The case discussed in detail. The Commission observed that on intervention of the Commission, the petitioner's grievances of suspension has successfully been resolved as the petitioner's suspension has been revoked. The petitioner also joined the duty at New Delhi on 23.10.2018. However, the Commission felt that while issuing the revocation of suspension order by the Bank Management, it was mentioned that the Bank has right to initiate departmental inquiry against the petitioner, which seems to be unnecessary and unjustified act from the Bank's side. The Commission therefore, recommends that:

- The Bank Management will not initiate any departmental action against the petitioner in the instant matter. At the same time, the petitioner Shri Bharat Bhushan Meena is advised to submit all required documents about withdrawal of the cases from the Court, Police or any other agencies to the Bank Management to close the case.
- The Bank Management should examine the petitioner's pending salary issue of suspension period and take necessary action for release of salary as per Bank's rule.
- The Bank Management should ensure that no injustice be meted out against the petitioner on caste ground in future.

9. On the above Commission's recommendations, the case is closed being successful.



Smt. Maya Chintamni Ivate
Member
National Commission for Scheduled Tribes
Govt. of India, New Delhi

(File No. BBM/4/2018/MFIN9/SEHRMT/RU-IV)

List of participants

NCST

1. Shri Maya Chintamn Ivnate, Hon'ble Member (In Chair)
2. Shri P.T. Jameskutty, Hon'ble Member
3. Shri Y.K. Bansal, Research Officer
4. Shri S.K. Atram, PS to Hon'ble Member

Officers of Andhra Bank

1. Shri. Bimbadhar Mishra, Deputy General Manager, Circle Office, New Delhi
2. Shri A.D.N.V. Prasad, Zonal Manager, Jaipur

Petitioner

Shri Bharat Bhushan Meena