



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. MKM/35/2010/MFIN9/SEOTH/RU-IV

Dated: 12.12.2018

To,

The Managing Director and CEO,  
Bank of Baroda,  
Baroda Corporate Centre,  
C-26, G-Block, Bandra Kurla Complex,  
Mumbai – Maharashtra.

Sub: Proceedings of the sitting taken by Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 23.10.2018 in the matter of Mukesh Kumar Meena, Karauli, Rajasthan regarding reinstatement into service in the Bank of Baroda.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 23.10.2018 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 within 30 days from the receipt of the letter for placing the same before the Hon'ble Member, NCST

Yours faithfully,

(Y.K. Bansal)  
Research Officer

Copy to:-

Shri Mukesh Kumar Meena,  
S/o Shri P.L. Meena,  
Village & Post – Rousi, ka Badapura,  
Tehsil Nadothi Via Shri Mahavir Ji,  
Karauli – 322 220 (Rajasthan).

10,077-078  
12/12/18

जारी किया  
ISSUED

Copy to: SAS, NIC, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. MKM/35/2010/MFIN9/SEOTH/RU-IV

PROCEEDINGS OF SITTING HELD ON 23.10.2018 AT 02.00 P.M. CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI MUKESH KUMAR MEENA, KARALI, RAJASTHAN REGARDING REINSTATEMENT INTO SERVICE IN THE BANK OF BARODA

Date of Sitting: 23.10.2018


List of officers present in sitting is Annexed.

The petitioner Shri Mukesh Kumar Meena, Karauli, Rajasthan vide his representation dated 28.10.2010 has submitted grievances of forceful dismissal from services and reinstatement into service in the Bank of Baroda.

2. As per procedure, the NCST vide its notices dated 03.11.2010, 24.11.2010, 20.01.2011, 19.04.2011, 30.04.2013, 07.11.2013, had sought report from the Bank of Baroda Management. Accordingly Bank of Baroda vide its letters dated 15.11.2010, 29.03.2011, 03.05.2011, 30.08.2011, 29.09.2012, 10.05.2013, and 02.12.2013 has submitted its report in the case.

3. Sittings were also earlier held in the Commission on 17.06.2014 and 26.07.2016 wherein the Commission had recommended that the Bank Management should relook into the case and should consider the reinstatement of his services taken into consideration of petitioner's economic condition, no case of misappropriation of funds and on humanitarian grounds.

4. The Bank of Baroda has submitted an action taken report and further informed that Shri Mukesh Meena was joined the Banks service in subordinate staff cadre on 01.05.1993. Thereafter, in the year 2002, disciplinary proceedings were initiated against Shri Meena for remaining authorisedly absent from duties for 637 days. After conduction inquiry and findings of the Inquiry Officer, the Disciplinary Authority had awarded punishment of reduction of 4 stages in basic wages with cumulative effect vide order dated 15.09.2003. The petitioner further remained unauthorisedly absent on duty at different periods for 1537 days besides misusing his post/position in the Bank while working at Bayana Branch. After conduction of inquiry and proving the charges, the Disciplinary Authority awarded punishment of removal from Bank's service with superannuation benefits i.e. pension and PF vide order dated 28.02.2007. The petitioner's appeal against punishment was also rejected by the Appellate Authority. It is pointed out that Shri Meena was provided ample opportunity to improve his conduct and attendance, but he did not improve and resultantly he was removed from the Bank's service.

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

5. The case discussed in detail. The Commission observed that the petitioner Shri Meena is eldest in the family and expect him, no one is earning member in the family. All the family members are depended upon him. He is low paid worker and he was remained on leave due to ill health of his paralyzed mother after intimating his immediate Officer in the Bank. He had submitted the leave applications to his higher Officers time to time. The Bank has also not submitted substantial documents/written complaint to prove the charges of misusing of post/position or bribery charges against the petitioner. The penalty of removal from service is very harsh and is disproportionate.

6. Keeping in view the petitioner's background, his belongingness to Scheduled Tribes, dependence of the family member upon him and condition of his bed ridden mother, the Commission recommends that the Bank Management should consider to provide employment atleast on contractual/daily paid work to the petitioner so that he could feed the family members and to sustain livelihood.

7. An action taken report in the matter should be submitted before the Commission within 30 days from the receipt of the proceedings of the Sitting.

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**Smt. Maya Chintam Ivate**  
Member  
National Commission for Scheduled Tribes  
Govt. of India  
New Delhi

(File No. MKM/35/2010/MFIN9/SEOTH/RU-IV)

List of participants

NCST

1. Shri Maya Chintamn Ivate, Hon'ble Member (In Chair)
2. Shri P.T. Jameskutty, Hon'ble Member
3. Shri Y.K. Bansal, Research Officer
4. Shri Sudhir Athram, PS to Hon'ble Member (MCI)
5. Shri H.R. Meena, Sr. Investigator

Officers of Bank of Baroda

1. Ms. Archana Pandey, General Manager (HRM) & CLO, Mumbai
2. Shri M. Tigga, Asst. General Manager, Zonal Office, Jaipur
3. Shri C.M. Tripathy, Assistant General Manager (HR & Coord), Zonal Office, New Delhi.

Petitioner

Shri Mukesh Kumar Meena