

F.NO.D-11/BANK-5/2006/ST/SSW/RU-IV

Proceedings of the Hearing held on 01.10.2009 at 12 Noon to discuss the case of Shri Durga Prasad Meena, Ex-Clerk-cum-Cashier, SBB&J with reference to his representation against the penalty of dismissal from service.

The following were present:

NCST

1. Shri Maurice Kujur, Hon'ble Vice Chairperson (in Chair)
2. Shri Aditya Mishra, Joint Secretary
3. Shri R.C. Durga, Director
4. Smt. K.D. Bhansor, Deputy Director
5. Shri N. Balasubramanian, Research Officer
6. Shri K.C. Behera, PS to VC

SBBJ

1. Shri Supratik Chatterjee
2. Shri Narsimha Reddy
3. Shri O.P. Somra

Petitioner:

Shri Durga Prasad Meena

Background

Shri. Durga Prasad Meena submitted a representation, dated 25.04.06 to the Commission against the penalty of discharge from service imposed on him by the Bank in March, 2005. He alleged that he had been discharged from service on the basis of baseless allegations of stealing of cheque books, irregularity in cheque payment and getting bribes, etc. The matter was taken up with the Bank but the replies received from them were not found to be satisfactory. The case was therefore discussed with the MD and other officers of the Bank in a hearing held in the Chamber of Hon'ble Chairman, National Commission for Scheduled Tribes on 07.11.2006. It was found that there were a number of shortcomings on the part of Bank authorities in handling the case of Shri. Meena. These shortcomings were listed in the proceedings of the hearing **(Annexure-I)** held on 07.11.06. It was observed by the Commission that there was no case of termination of services of Shri Meena and therefore the Managing Director of the Bank had agreed that he would get the entire matter re-enquired and give fair opportunity to Shri Meena to present his case. MD had stated that the fresh enquiry would be completed in two months and necessary orders would be issued accordingly under intimation to the Commission.

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2. The proceedings were forwarded to the Bank on 17.11.2006. MD, SBB&J informed the Commission vide his letter, dated 17.01.2007 that he had directed the Appellate Authority to consider the matter afresh. The Bank informed vide their letter, dated 19.03.2007 that the case had been referred to CVC for advice on some technical points as the original Appellate Authority had since changed. In reply to the further reminders from the Commission, the Bank repeatedly intimated that the requisite advice from CVC was awaited despite reminders. The Bank in its letter, dated 22.09.07 and 29.11.07 had also requested this Commission to take up the matter with the CVC for an early reply. Thereafter the case was again discussed in the hearing on 04.02.2008 in the Chamber of Hon'ble Chairperson.

3. The proceedings of the hearing were sent to the MD, SBBJ, Jaipur vide Commission's letter dated 11.02.2008 for compliance report within 10 days. A reply dated 28.02.2008 was received from the CGM and MD (Offg.), SBBJ with reference to the Commission's proceedings. A copy of the reply was sent to the petitioner for information. The petitioner submitted a rejoinder dated 21.04.2008 to the Hon'ble Chairperson for implementation of the decision taken in the hearing held in the Commission on 07.11.2006. A self-contained letter dated 17.03.2009 was then sent to MD advising that the request of Shri D.P. Meena for re-instatement may be examined on the lines of the case of the Shri Babu Lal Meena who was re-instated after his case was considered by the Executive Committee of the Bank. The Bank did not agree and reiterated earlier stand that there was no provision for review of the case of Clerical Cadre officials.

Discussion

4. Hearing was held on 01.10.2009 for reinstatement into service of Shri Durga Prasad Meena. The petitioner Shri Meena was given opportunity to explain his case. The matter was re-discussed with Chief General Manager, State Bank of Bikaner and Jaipur threadbare on the view and advice of the Commission.

5. After a detailed discussion, the petitioner, Shri Durga Prasad Meena was asked to file review petition to the Bank. The Commission advised the Bank authorities to re-consider the review petition of Shri Meena for his reinstatement into service.

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