

Speed post



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. TM/18/2016/MFIN9/SEHRMT/RU-IV

Dated: 01.05.2018

To,

The Chief General Manager,  
State Bank of India,  
Local Head Office,  
Tilak Marg C-Scheme,  
Jaipur – 302 005  
(Rajasthan).

**Sub: Proceedings of the sitting taken by Smt. Maya Chintamn Ivrate, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 23.03.2018 at 12.00 Noon in the matter of Shri Tivesh Meena, State Bank of India, Nadbai, Bharatpur, Rajasthan regarding harassment.**

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held under the Chairmanship of Smt. Maya Chintamn Ivrate, Hon'ble Member, National Commission for Scheduled Tribes on 23.03.2018 on the above mentioned subject for necessary action at your end.

It is requested that action taken report on the Commission's recommendations in the matter may be sent to the Commission at the earliest.

Yours faithfully,

*Y.K. Bansal*  
01/05/2018  
o/c (Y.K. Bansal)

Research Officer  
Ph. No. 24601346

(Encl. As above)  
Copy to:-

Shri Tivesh Meena,  
S/o Shri Rameshwar Lal Meena,  
Near Railway Station Meena Colony,  
Nadbai Bharatpur,  
Rajasthan – 321602  
(Jaipur).

3337-38  
3/5/18  
ISSUED

NATIONAL COMMISSION FOR SCHEDULED TRIBES

TM/18/2016/MFIN9/SEHRMT/RU-IV

PROCEEDINGS OF SITTING HELD ON 23.03.2018 AT 12.00 NOON CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI TIVESH MEENA (CLERK IN ERST WHILE STATE BANK OF BIKANER AND JAIPUR) STATE BANK OF INDIA (SBI), NADBAI, BHARATPUR (RAJASTHAN) REGARDING HARASSMENT BY BANK AUTHORITIES.

Date of Sitting: 23.03.2018


List of officers present in sitting is Annexed.

Shri Tivesh Meena, (working as Clerk), State Bank of Bikaner and Jaipur, Nadbai, District - Bharatpur, (Rajasthan) vide representation dated 08.06.2016 has alleged regarding harassment by the Bank Authorities.

2. As per procedure, NCST refer the representation to the General Manager, State Bank of Bikaner and Jaipur, Jaipur for furnishing the facts in the matter vide notice No. TM/18/2016/MFIN9/SEHRMT/RU-IV dated 08.08.2016 and subsequent reminders dated 02.09.2016 and 05.09.2017.

3. In response to NCST's communication notice dated 05.09.2017, the State Bank of India, Local Head Office, Jaipur vide letter No. HR:IR:707 dated 13.10.2017 had informed that:


"due to merger of erstwhile SBBJ with SBI and in consequent thereof, the department, which was dealing with the said complaint, was closed and its files and record were transferred to the respective administrative units of the Local Head Office of Jaipur Circle. Though, we have taken necessary steps to locate the concerned files, however, in view of practical difficulties to locate the same please allow us to request yourself for the copies of the Commission's earlier notices dated 08.08.2016 and 02.09.2016 and their enclosures, if any, in order to expedite the process of attending the said notice".

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

The NCST vide letter dated 13.11.2017 sent the copy of the notices dated 08.08.2016 and 02.09.2016 along with enclosures to AGM (HR), State Bank of India, Local Head Office, Jaipur with request to send the action taken report within 30 days from receipt of the letter. Response was not received, NCST vide reminder dated 09.01.2018 had requested the AGM, SBI, Jaipur for furnishing the facts within 15 days. The requisite information/facts and action taken report was not received within stipulated time.

5. Meanwhile, petitioner visited the Commission and requested for justice vide representation dated 02.03.2018. Smt. Maya Chintamn Ivnate, Hon'ble Member fixed a Sitting for 23.03.2018 at 12.00 Noon to discuss the matter with the Chief General Manager, State Bank of India, Local Head Office, Jaipur and the petitioner. The Sitting Notice was sent on 09.03.2018. The Chief General Manager, Local Head Office, SBI, Jaipur vide letter No. HR:IR:380 dated 19.03.2018 intimated that due to last quarter of financial year and other prior business related appointments on 23.03.2018 requested for exemption for personal presence and deputed G.M. and Deputy G.M. (Vigilance) posted at Jaipur for attending the Sitting.

6. The Hon'ble Member asked Shri Tivesh Meena to explain the grievance and harassment by the Bank authorities. Shri Tivesh Meena informed that the Bank authorities have conducted enquiries for verification of his signature. The Enquiry Officer in its report mentioned that the allegation not proved. The Bank has initiated another enquiry. Therefore SB Civil Writ Petitioner No. 2030/2015 was filed before the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur against the enquiry. In pursuance of Hon'ble Court order, the Bank vide letter dated 11.05.2016 provided copy of enquiry report and pointed out deficiencies in the report and asked to file response within 15 days before the 27th May, 2016. Reply was filed on 26.05.2016. The Bank has set up another enquiry for examination of authenticity of thumb impression and signature. Enquiry Officer in its report mentioned that allegation not proved (against Shri Tivesh Meena). Now, State Bank of India vide letter dated 23.02.2018 cancelled the enquiry report and constituted a fresh enquiry. Hence, do the justice, since the Bank authorities unnecessary harassing.


  
श्रीमती माया चिंतामण इवनते/Smt. Maya Chintamn Ivnate  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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The Hon'ble Member asked Bank representatives to focus on the issue and action taken by the SBI in the matter. State Bank of India representatives informed that Shri Meena joined SBBJ on 21.11.2011 in Clerical Cadre. After six months said CRPD vide letter No. CRPD/ABCL/CR/201286 dated 16.06.2012 informed the Bank to investigate the allegation made against Shri Meena that instead of him, some other person had appeared in written test in his place. Accordingly, enquiry was set up against him. Disciplinary Authority examined the report and noted that Enquiry Officer has not taken care of the evidences. Disciplinary Authority ordered a de-novo enquiry. Shri Tivesh Meena challenged the enquiry order before the Hon'ble High Court of Rajasthan Bench at Jaipur as mentioned above.

In compliance with the order of the Hon'ble High Court and in accordance with the Bank's guidelines and practice, Disciplinary Authority served a notice to Shri Meena for defending the points on the allegations. Shri Meena submitted the facts, vide representation dated 26.05.2016. Disciplinary Authority after considering the representation dated 26.05.2016 of Shri Meena ordered a de-novo enquiry on 31.05.2016. The said enquiry was conducted on 10.02.2017, and thereafter, the Disciplinary Authority vide order dated 23.02.2018 quashed the said enquiry on some technical grounds and appointed Enquiry Officer and Presenting Officer to conduct fresh enquiry in the matter. Shri Meena has never been discriminated on the basis of caste.

8. The Hon'ble Member asked Shri Tivesh Meena to say something else in the matter. Shri Tivesh Meena again pointed out that the Bank is constituting again and again enquiry, which should be stopped since two Enquiry Officers (who appointed by the Bank) proved that the allegations charged against me are baseless. Hence, please do the justice.


9. The Hon'ble Member asked the representatives of the State Bank of India regarding time of completion of enquiry set up by the Disciplinary Authority on 23.02.2018. The representatives of the Bank were unable to express the exact time of completion of enquiry.

  
श्रीमती माया चिंतामणि इवनाते/Smt. Maya Chintamni Inate  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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10. The NCST observed that State Bank of India, Local Head Office, Jaipur is not taking the matter seriously, since the NCST requested the Bank to furnish reply in a stipulated time vide NCST's communication dated 13.11.2017 and 09.01.2018. State Bank of India has set up another enquiry on 23.02.2018 without responding the NCST. Reply dated 06.03.2018 of State Bank of India (duly signed by Assistant General Manager, RBO, Bharatpur) was provided in the Sitting by the representatives of the State Bank of India, copy of the same was also received in the Commission on 23.03.2018.

11. Therefore, Commission recommends that the Chief General Manager and Disciplinary Authority, State Bank of India, who is looking this case should be present before the NCST in next Sitting on the issue.

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श्रीमती माया चिंतामणि इनाते/Smt. Maya Chintamni Inate  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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नई दिल्ली/New Delhi

(File No. TM/18/2016/MFIN9/SEHRMT/RU-IV)

**List of participants**

**NCST**

1. Smt. Maya Chintamn Ivrate, Hon'ble Member (In chair)
2. Shri D.S. Kumbhare, Under Secretary
3. Shri R.S. Misra, Sr. Investigator
4. Shri Sudhir Atram, PA to Hon'ble Member

**State Bank of India, Jaipur**

1. Shri Rajiv Kohli, General Manager
2. Shri. Laxman Singh, Deputy General Manager

**Petitioner**

Shri Tivesh Meena

  
श्रीमती माया चिंतामण इवनाते/Smt. Maya Chintamn Ivrate  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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