



Government of India
National Commission for Scheduled Tribes
(A Constitutional Commission set up under Art. 338A
of the Constitution of India)

File No. SS/3/2013/MFIN9/SEOTH/RU-IV

24.08.2016

To,

The Chairman cum Managing Director,
UCO Bank,
10, BTM Sarani,
Kolkata - 700 071
West Bengal.

**Sub: Representation of Shri Shakti Singh, Chief Manager (Retd.)
regarding appeal against discrimination by the Management of
UCO Bank.**

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held in the NCST on 17.06.2016 on the above mentioned subject for necessary action and to send the action taken report to the Commission at an early date.

Yours faithfully,

D.S. Kumbhare
(D.S. Kumbhare) 24/8/16
Under Secretary
Ph. No. 24657271

Copy to:-

Shri Shakti Singh,
Retd., Chief Manager,
112, Ekta Vihar,
Patel Chowk,
Pathankot - 145 001 (Punjab).

Copy to :-

Director (Admn, RU-III & RU-IV), Under Secretary (RU-I & RU-II), All Units of Head
quarter, Director/Assistant Director/Research Officer of Regional Offices of NCST

SSA, NIC

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. SS/3/2013/MFIN9/SEOTH/RU-IV

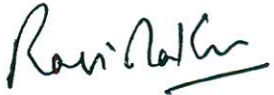
Proceedings of the Sitting taken by Shri Ravi Thakur, Hon'ble Vice Chairperson, NCST on 17.06.2016 to discuss the case of Shri Shakti Singh, Chief Manager (Retd.), UCO Bank regarding appeal against discrimination by the Management of UCO Bank.

Date of Sitting : 17.06.2016

Lists of the officers present as (Annexure I)

In pursuance to the discussion held in the Commission on 28.09.2015 in the matter of Shri Shakti Singh, Chief Manager (Retd.), UCO Bank. The Commission noted that:

1. UCO Bank had withdrawn the charges leveled against Shri Shakti Singh vide its letter No. HRM/MPP/MKA/IA/35597/2015-16 dated 30.01.2016. His main grievance was regarding discrimination meted out to him in the departmental promotion exam also (specifically in the interview levels). The discrimination stands rectified at the instance of NCST.
2. He alleged that there was a clear case of discrimination against him during the interview process because during the time of the interview he had a case going on which was later withdrawn due to the intervention of National Commission for Scheduled Tribes. Bank had neither informed the details of mark to him indirectly nor by means of circular.
3. Bank simply declared the names of successful candidates. Therefore, it was not possible for him to prefer an appeal with the Bank within 45 days. He can appeal after knowing the details of marks noticing something wrong in the process. By filing an RTI, he obtained his marksheet which showed that he scored very well in the PAR (Performance Appraisal Report) and the Branch Experience Report. He said he had even got an appreciation letter from the General Manager, UCO Bank, Chandigarh vide letter dated 02.04.2009 and there was no adverse comment by bank against him.


रवि ठाकुर/RAVI THAKUR
उपध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

4. On the exam result declared on 16.04.2011, his PAR was 71.33% and his Branch Experience marks was 100%. But in the interview he got only 50%. He got 72.50% in previous interview i.e. on 08.12.2008 and 75% in the subsequent interview on 15.12.2011. Therefore, interview marks as of 16.04.2011 do not commensurate to the marks secured by him in PAR and previous and subsequent interviews. On the exam result declared on 08.08.12, his PAR was 80% and Branch Experience was 100% and group discussion 75% but in the interview he got only 43.33%. Aggregate marks 86 i.e. more than cut off marks for promotion i.e. 84.86.
5. Therefore, he alleged that there was a deliberate bias in the interview board to deny him promotion. Had he got a few more marks in the interview, he would have been promoted, he alleged. The CMD and the other Bank officers, on their part, questioned the authenticity of his case.
6. The CMD asked what took the petitioner so long to file his case when there was a rule to file appeals against departmental exam results within 6 months. It was pointed out by the Bank officials that the petitioner complained against the result near on retirement, i.e. years after the declaration of result and there was little that could be done. To this the petitioner replied that he got to see the discrimination only after seeing his marksheet after filing an RTI as he was not informed detail of marks earned by him in the promotion process & result earlier.
7. Shri Shakti Singh also produced a circular dated 14.06.2012 regarding weightage criteria to be considered in the interview. He contended that he had all the plus point in all the criteria points mentioned in the circular. To this, the Bank officers replied that in an interview there are many other criteria like personality, attitude, and potential etc. which are also assessed. However it is not clear, if



these criterias are not met, how earlier 75% marks were given to Shri Shakti Singh just eight months back i.e. on 15.12.2011.

8. The CMD also said that there could not be a possible bias on the part of the interview board as alleged by Shri Shakti Singh because they (the interview board) are not intimated of candidates' history to maintain fairness and un-biasness. Also, of the 5 members of the board, there were 2 external members. Shri Shakti Singh in the previous sitting on 28.09.2010 had stated that the Bank application form instruct the candidates to state.

The details of disciplinary action, if any, period of suspension, if any, during the officers tenure are also to be entered. The Bio data form presented before the Interview Board is prepared from the application and it has a column of disciplinary action taken in the past. This Bio-data form tells the Interview Board the disciplinary action taken in the past. Thus the Interview Board get biased towards a candidate. In his case the disciplinary action was wrongly taken and the same stand withdrawn by the Bank now, had definitely influenced the Interview Board. He has also stated that he himself was the member of some of the Bank board and had noticed that disciplinary action taken against a candidate is reported to in the Bio-data form.

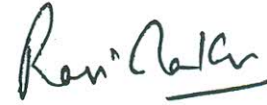
9. He also added that interview boards are surely independent and nobody has the authority to challenge it. Also, if any unsatisfaction with the results appeal should be made within 6 months.
10. And also that questioning the integrity of the interview board would tantamount to questioning the whole system itself. Also that the case of Shri Shakti Singh had already been taken up with the Board of Directors previously as directed by the NCST and the Board

of Directors being the highest body in the bank, nothing more could be done. To this Shri Shakti Singh said that on its Sitting dated 28.09.2015 Commission advised the Bank authorities to review the grievances of Shri Shakti Singh thoroughly in respect of marks awarded in the interview and send action taken report along with documents to Commission for further action in the matter. Bank did not submit any documents with the action taken report so as to see what the matter was put up before the Banks' Board. He further stated that when he got excellent marks in all other Heads, how he can be given less marks or failed in the interview.

11. The petitioner nevertheless insisted that there was a case of bias against him. He also said that even though he could not file his appeal or complaint in the required time of 6 months, justice could not be too late due to the facts when the discrimination is clearly visible to a layman even on 3 occasions.
12. The Hon'ble Vice-Chairperson further pointed out that the petitioner apprehends biasness and asked the CMD on what could be done. The CMD however insisted that the integrity of the interview board could not be questioned. They said nothing much could be done and on the question of the integrity of the interview board raised once again by the Deputy Secretary, Shri Pramod Chand, the CMD replied positively that there was no such bias.
13. From the facts of the case and marks allotted under different heads of promotion process completed on 16.04.2011 and 08.08.2012 to Shri Shakti Singh, we observe that injustice had been meted out to Shri Singh in allocation of interview marks, which is quite clear and apparent. It may be due to existing bias of Bank against him on account of disciplinary action taken in the matter of currency chest I. T. College. Lucknow Branch. Further, we had also noted that the charges leveled against him in the case were subsequently withdrawn by the Bank vide

its letter HRM/MPP/SCT/MKA/IA/3558/2015-16 dated 30.01.2016. Now, the justice demands that Bank should allocate the average marks secured by him in the immediate previous interview i.e. of result dated 08.12.2008 and immediate subsequent interview i.e. of result dated 15.12.2011, in the interview for results of 16.04.2011 to him. Thus his aggregate marks will be 74.80 i.e. more than the cut off marks 73.60 required on 16.04.2011 for promotion.

14. In view of the discussion The National Commission for Scheduled Tribes, Government of India, feels that Shri Shakti Singh had preferred an appeal with National Commission for Scheduled Tribes, which is a Constitutional Authority under Article 338A of the Constitution of India, where no time limit is specified for the cases filed by the Scheduled Tribe persons. The Commission therefore recommends that Shri Shakti Singh should be promoted to the next grade of Scale V with effect from 16.04.2011, with all consequential benefits, so that justice is restored to a Scheduled Tribe Officer.



रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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Case of Shri Shakti Singh, Chief Manager (Retd.), UCO Bank regarding appeal against discrimination by the Management of UCO Bank.

List of participants

NCST

1. Shri Ravi Thakur, Hon'ble Vice Chairperson (In chair)
2. Shri Pramod Chand, Deputy Secretary,
3. Shri V.P. Shahi, Assistant Director
4. Ms. N. Singsit, Assistant SO

Officers of UCO Bank

1. Shri R.K. Takkar
2. Shri Naresh Kumar

Petitioner

Shri Shakti Singh