



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A constitutional body under Article 338A of the Constitution of India)

File No. NCST/SER-732/MFIN/45/2023-SSW

Dated: - 27.08.2024

To,

Shri Shanti Lal Jain
Managing Director and CEO
Indian Bank
254-260, Avvai Shanmugam Salai
Royapettah,
Chennai -600014 (Tamil Nadu)
Email: md@indianbank.co.in
Phone:- 044-28134398

Sub: Discrimination and harassment of ST employee by the India Bank - a rep. dated 05.07.2019 of Shri D.S. Tomar (Sr. Manager, India Bank, Dismissed), Ghaziabad (UP).

महोदय ,

I am directed to enclose herewith a copy of the minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST on 22.08.2024 at 5:00 PM in the National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the NCST.

Yours faithfully,

(आर.एस.मिश्र / R.S. Misra)

अनुसंधान अधिकारी / Research Officer

Tel:-011-24641640

Copy to:-

Shri D.S. Tomar,
Flat No. 1210, 2nd Floor,
Divyansh Pratham,
Near DPS Indrapuram,
Ghaziabad-201014 (UP)
(Mob No. 9818606043) (Email: dhoomtomar832192gmail.com)

Copy for information

1. PS to Hon'ble Member (Shri J. Hussain), NCST
2. NIC, NCST for uploading on the website of the Commission.

National Commission for Scheduled Tribes

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Shri Dhoom Singh Tomar, Senior Manager (retired), Indian Bank regarding discrimination and harassment of ST employee by the India Bank.

File No.: NCST/SER-732/MFIN/45/2023-SSW

Date of the Sitting: 22/08/2024, 05.00 PM

Participants in the Sitting: As per Annexure

Shri D.S. Tomar (Sr. Manager, India Bank, Dismissed), Ghaziabad vide his representation dated 21.11.2022 had stated that the Indian Bank Administration is still harassing him by taking technical possession of Flat No. 1210 where the Applicant resides with his family. The Bank has also not paid his Gratuity to him. A favorable Order was passed by Regional Labour Commissioner (Central), Noida on 19.09.2022 directing the Bank to pay gratuity of Rupees 20 Lakhs along with interest to the Petitioner. The Petitioner stated that Bank has become even more vengeful after the said order and instead of complying with the Order they have taken possession of his flat as well.

In this case two sitting were held on 24.03.2023 and 19.12.2023. The recommendations of last sitting 19.12.2023 were as: 'that Indian Bank may consider the plea of the Petitioner not to auction the Petitioner's flat until the decision of Hon'ble Allahabad High Court regarding the release of gratuity.' The minutes were forwarded to the concerned authority and petitioner on 18.01.2024. Indian Bank vide letter dated 02.02.2024 has intimated that the recommendations of the Commission shall be duly explored in accordance with the SARFAESI Act, 2002.

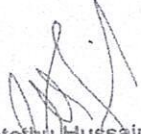
NCST decided to discuss the issue with the CMD, Indian Bank and petitioner on 22.08.2024 at 5:00 PM. Hence, a sitting notice issued to CMD, Indian Bank, Chennai and petitioner on 14.08.2024. The CMD, Indian Bank, Chennai vide letter dated 17.08.2024 has sought the exemption and deputed Chief General Manager (HRM) and Assistant General Manager to attend the sitting.

In the Sitting, the deputed officials from Indian Bank and petitioner were present. The petitioner reiterated his earlier prayers. Officers from Indian Bank informed that a net loss of more than Rupees 8 Crores was held accountable against the petitioner. They also informed that bank is willing to provide about Rs. 12 Lakhs as Gratuity of which he is eligible and suggested that his Provident Fund has already been paid.

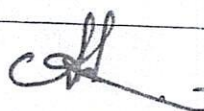
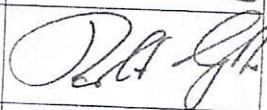
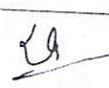
After hearing both the sides, the Commission recommends the following and suggested that Action Taken Report may be submitted within 30 days.



1. Dismissal order of the petitioner may be reviewed and re-examined by management of Indian Bank.
2. Order of Regional Labour Commission, Noida may be followed and necessary action may be taken at earliest, as per rules.
3. Terminal Benefits of the petitioner may be provided, as per rules.


जाटोतु हुसैन / Jatohu Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

List of participants of the sitting held on 22.08.2024 at 5:00 PM under the Chairmanship of Shri J. Hussain, Hon'ble Member, NCST in the case of ~~Shri. Gundela Hari Krishna S/o Ramarao and Shri Gedela Srinivasa Rao, Parvathipuram Manyam District, Andhra Pradesh.~~ Shri D.S. Tomar .

Sr. No.	Name and Designation	Address & Phone No.	Signature
<u>I</u> <u>National Commission for Scheduled Tribes</u>			
1.			
2.			
3.			
4.	Shri Akash Tripathy Sr. Investigator		
5.	Sh. Radhakant Tripathy, Sp. Rapporteur		
6.			
<u>II</u> <u>Eastern Power Distribution Company of A.P. Ltd</u> <u>INDIAN BANK &</u>			
Sr. No.	Name and Designation	Address & Phone No.	Signature
1.	A. Ganesaraman CGM	9840237477	
2.	PARTHA G4054 AGM	9432067771	
3.			
4.			
<u>III</u> <u>Petitioner</u>			
1.	D. S. TOMAR	9818606043	
2.			