



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)

F.No. NCST/SER-732/MFIN/45/2023-SSW(RU-III)

24.03.2025

**Shri Binod Kumar**  
Managing Director & CEO,  
Indian Bank,  
Avvai Shanmugam Salai,  
Royapettah, Chennai (Tamil Nadu)- 600014  
Email:- [md@indianbank.co.in](mailto:md@indianbank.co.in)  
Tel. No: 04428134300

**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).**

Mam/Sir,

I am directed to enclose herewith a copy of the minutes of the sitting held under the Chairmanship of Shri Jathothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 05.03.2025 at NCST, New Delhi on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be submitted to NCST within stipulated time from receipt of the letter, for placing it before Hon'ble Commission.

Yours faithfully,

(एच.आर. मीना/H.R.Meena)  
अनुसंधान अधिकारी/Research Officer  
Telephone No. : 011-24641640

Copy to:-

1. Smt. Shri D.S. Tomar, Flat No. 1210, 2nd Floor, Divyansh Pratham, Near DPS Indrapuram, Ghaziabad-201014 (Mob No. 9818606043) (Email: dhoomtomar832192gmail.com).
2. PS to Hon'ble Member (Shri Jathothu Hussain), NCST.
3. NIC, NCST for uploading on the website of the Commission

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**  
**FILE NO.: NCST/SER-732/MFIN/45/2023-SSW**

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 (Dismissed), Indian Bank regarding discrimination and harassment of ST employee by the India Bank.

Date of the Sitting:-05.03.2025 at 2:40 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.

2. In this matter, sittings were held on 10.02.2022, 24.03.2023, 19.12.2023 and 22.08.2024. In the last sitting held on 22.08.2024, the following recommendations were made and the minutes was forwarded on 27.08.2024 to all concerned.
- Dismissal order of the petitioner may be reviewed and re-examined by management of Indian Bank.
  - Order of Regional Labour Commission, Noida may be followed and necessary action may be taken at earliest, as per rules.
  - Terminal Benefits of the petitioner may be provided, as per rules.

3. The Indian Bank vide letter dated 27.09.2024 has furnished the point-wise information in respect of the recommendations made in the sitting held on 22.08.2024. In the letter, the Bank has informed that the Dismissal order cannot be revisited. In regards to 2nd point of the recommendation, it has been stated that the Bank has filed a Writ Petition before the Hon'ble High Court of Allahabad, The Hon'ble Court vide dated 21.08.2023 has stayed the implementation of order dated 19.02.2022 and 5.04.2023 of Labour Commissioner However, the Bank is ready to provide Gratuity amount of Rs. 1248470/- along with interest.

4. In regard to 3rd point, as per Bank rules, the petitioner was dismissed from service, hence he is not entitled for Terminal Benefits. This reply was forwarded to the petitioner on 18.11.2024 for information.

5. The petitioner vide letter dated 16.12.2024 has requested to set aside the Dismissal order and pay all retiral dues with interest and back wages. Hence, NCST has decided to discuss the matter with the MD & CEO, Indian Bank, Chennai and petitioner on 5.03.2025. Accordingly, a sitting notice was issued to MD & CEO, Indian Bank, Chennai and petitioner on 21.02.2025.



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



6. In the sitting, the CGM (CDO & CLO) alongwith other officer of Indian Bank were present on behalf of MD & CEO of Indian Bank. The petitioner alongwith his representative were also present. The petitioner has reiterated his earlier submission and requested for justice. The officers of Indian Bank has also reiterated their comments submitted to NCST vide letter dated 27.09.2024 and again stated that the bank is ready to provide Gratuity amount of Rs. 1248470/- along with interest to petitioner. The petitioner demanded that the full gratuity and retirement benefits may be paid. The bank officers has denied his demand. The petitioner demanded that his case alongwith recommendations of Regional Labour Commissioner and Dy. Chief Labour Commissioner for payment of Gratuity and recommendations of NCST for reviewing dismissal order may be placed before the Board of Indian Bank.


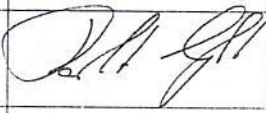
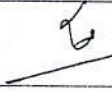
7. After discussion with the officers of Indian Bank and petitioner, the following recommendations were made and action taken report may be submitted to NCST within 30 days from the receipt of the minutes.

- The Indian Bank may place the case of the petitioner alongwith recommendations of Regional Labour Commissioner and Dy. Chief Labour Commissioner before the Board of Directors of Indian Bank for payment of Gratuity in favor of petitioner and recommendations of NCST in the sitting held on 22.08.2024 and for reviewing dismissal order of the petitioner.
- He may be given an opportunity for a personal hearing before the Board, either in person or through a representative to ensure a just and impartial consideration of the matter for a fair review.
- The Board may also compare the punishment imposed on other employees under similar circumstances and ensure non-discrimination in the petitioner's case.

(Jatothu Hussain)

जाटोतु हुसेन / Jatothu 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 5.3.2025 at 2:40 PM under the Chairmanship of Shri J. Hussain, Hon'ble Member, NCST in the case of Shri D.S. Tomar (Sr. Manager, India Bank, Dismissed), Ghaziabad (UP) regarding discrimination and harassment of ST employee by the India Bank

Sr. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Dr. P.K Reddy Director		
2.	NCST Officials		
II	<u>Govt. of Andhra Pradesh</u>		
Sr. No.	Name and Designation	Address & Phone No.	Signature
1.	A. GANESA RAMAN	CGM (CDO & UO) 9840237477	
2.	DARTHA GHOSH	AGM (HRM) 9432067771	
3.			
4.			
III	<u>Petitioner</u>		
1.	D.S Tomar	 578/2021	
2.			