



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. AS/1/2019/MFIN9/SEHRMT/RU-IV

Dated: 16.12.2019

To,

The Managing Director & CEO,
Union Bank of India,
Union Bank Bhawan,
239, Vidhan Bhavan Marg,
Nariman Point,
Mumbai-400021 (Maharashtra)

Sub: Proceedings of the sitting taken by Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 14.11.2019 in the in the case of Shri A. Shanmugasundaram, General Secretary, Union Bank SC/ST Employees Welfare Association, Tamil Nadu regarding dismissal from Bank's service of Shri G. Purushothaman, MMGS-II.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 14.11.2019 under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission within 30 days from the receipt of the letter for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully,

(Y.K. Bansal)

(Y.K. Bansal)
Research Officer
Ph. No. 011-24645826

(Enell Asahave)

Copy to:

1. Shri. A. Shanmugasundaram,
General Secretary,
Union Bank SC/ST Employees Wel. Asso.,
No. 235, Oppanakkara Street,
Coimbatore – 641 002 (Tamil Nadu).
2. Shri G. Purushothaman,
139/1, Parvathi Street,
New Fair Lands,
Salem – 636 016
Tamil Nadu.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. AS/1/2019/MFIN9/SEHRMT/RU-IV

PROCEEDINGS OF SITTING HELD ON 14.11.2019 AT 04.30 P.M. CHAIRED BY DR. NAND KUMAR SAI, HON'BLE CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI A. SHANMUGASUNDARAM, GENERAL SECRETARY, UNION BANK SC/ST EMPLOYEES WELFARE ASSOCIATION, TAMIL NADU REGARDING DISMISSAL FROM BANK'S SERVICE OF SHRI G. PURUSHOTHAMAN, MMGS-II.


**List of officers present in sitting is Annexed.
Date of Sitting – 14.11.2019**

The petitioner Shri A. Shanmugasundaram, General Secretary, Union Bank SC/ST Employees Welfare Association, Coimbatore (Tamil Nadu) vide his representation dated 14.12.2018 has submitted the grievances regarding dismissal from Bank service of Shri G. Purushothaman, MMGS-II, Union Bank of India, Namakkal Branch and request for reinstatement into service.

It has been alleged that one ST Officer namely Shri G. Purushothaman had joined as a clerk on 01.08.1986 and thereafter, he was promoted as MMGS-II Manager w.e.f. 16.02.2001. Further while working as Branch Manager at Namakkal Branch, he developed Bank business inspite of stiff competition amongst the poor Nationalised Bank's as well as Private Sector Banks. He served Namakkal Branch for last six years and got lot of appreciation from the Management in respect of Business Development. After working peacefully and with dedication, he was transferred from Namakkal Branch to another Bank's Branch. Immediately on his relieving from Namakkal Branch, the Bank management posted another officer at Namakkal Branch and the new Officer then collected complaints from the Borrower of the Bank regarding non-payment of loan. The new Branch Manager branded Shri G. Purushothaman, as brokers and driven him out. He also threatened the borrowers to give false complaint against him and also made complaints to the Bank Management about irregularities in sanctioning of the loan.

On receipt of the complaint from the new Bank's Branch Manager, the Bank Management issued a charge sheet against Shri G. Purushothaman, and finally, he was awarded a punishment of dismissal from service in the year 2014, when he was going to be retired. It is pointed out that during the Departmental inquiry, the Bank Management did not produce any of the complainants as Management witness to examine and for cross examination by him. The petitioner was also not provided opportunities to produce documents in the Inquiry. Moreover, the Management could not prove the charges levelled against him. The Bank has also violated rules of inquiry and no natural justice was provided to him. His appeal was also rejected by the Appellate Authority. The petitioner requested the Commission to direct the UBI Management to reinstate the services of Shri G. Purushothaman with all back wages consequential benefits.

2. As per procedure, the representation was referred to the MD &CEO, Union Bank of India on 22.03.2019 for a report.


डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

3. In pursuance of the Commission's notice, the UBI Admn. vide its letter dated 12.04.2019 has submitted a report and informed that there were allegation of certain lapses and irregularities against Shri G. Purushothoman, while working as Branch Manager at Namakkal Branch. Then he was issued a charge sheet for certain serious lapses on his part i.e. sanctioned of fictitious loans. A Departmental inquiry was initiated against him and after proving charges, a major penalty of dismissal from the service of the Bank with immediate effect was imposed against him by Disciplinary Authority in terms of order dated 30.08.2014. The petitioner's appeal was also rejected by the Appellate Authority. Shri G. Purushothaman, had been given all the opportunities to defend his case and all the principles of natural justice were followed.

4. Since the Bank's report was found to be unsatisfactory, the Hon'ble Chairperson, NCST fixed a sitting on 14.11.2019 to have a discussion on the case in the Commission.

5. As per schedule, the sitting was held on 14.11.2019. In the sitting, the General Manager (HR), DGM, (IR) from Union Bank of India along with the petitioners appeared.

6. In the sitting, the petitioner has raised the grievances of imposition of major penalty of dismissal from service on the charges of alleged irregularities in sanctioning of loan which were not proved during the Departmental inquiry and failing to produce witnesses from Bank's side to substantiate the charges.

The GM (HR), UBI apprised the facts of the case and also informed that there were certain charges of irregularities in sanctioning of loan to fictitious persons being the Branch Manager. The Departmental proceedings were held and after due procedure and proving the charges, a punishment of dismissal from service was awarded to the petitioner.

7. The case was discussed in detail. The Commission observed that the case pertains to the year 2013 wherein the petitioner, Shri G. Purushothaman while working as Branch Manager at Namakkal Branch, who sanctioned certain Bank's loan after following due procedure was awarded punishment of dismissal from service. It is felt that the Bank has a procedure to sanction loan where the subordinate officers will put up the case to the Branch Manager for sanctioning of loan after careful examination of the applications. In the instant case, the Bank Management initiated Departmental proceeding against the petitioner only and no punishment was given to subordinate officers of the Bank's Branch. The Bank Management has also failed to submit witnesses and relevant documents i.e. complaints collected from the borrowers at the time of inquiry. In addition, the punishment imposed against the petitioner is very harsh and disproportionate. Thus, it appears to be a case of harassment of an ST officer.

8. In the light of the above observations, the Commission recommends that the UBI Management will review the case of dismissal from service to Shri G. Purushothaman and take action to consider his reinstatement of services or imposition of minor penalties. The Bank will also provide the details of action taken and imposition of penalty against the subordinate staff of the Namakkal Branch involved in this case. Details of complaints made by the borrowers will also be submitted to the Commission. An action taken report on the Commission's recommendations should be submitted before the Commission within 30 days of receipt of the proceedings.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. AS/1/2019/MFIN9/SEHRMT/RU-IV)

List of participants

NCST

1. Dr. Nand Kumar Sai, Hon'ble Chairperson (In chair)
2. Shri H.K. Damor, Hon'ble Member
3. Shri A.K. Singh, Secretary
4. Shri K. Touthang, Joint Secretary
5. Dr. Lalit Latta, Director
6. Shri Y.K. Bansal, Research Officer

Officers from Union Bank of India

1. Shri. Brajeshwar Sharma, General Manager (HR)
2. Shri Rakesh Chopra, Deputy General Manager (IR)

Petitioners

1. Shri A. Shanmugasundaram
2. Shri G. Purushothaman