



By Email/Speed Post

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-10 OTH(TS)/2/2021-SSW

Dated: 20/07/2022

To,

Chairman,
State Bank of India,
State Bank Bhawan,
Madame Cama Road,
Nariman Point,
Mumbai-400021
(Email: chairman@sbi.co.in)

Sub: Harassment and discriminatory treatment meted to the ST employees by the SBI, LHO, Hyderabad-a representation dated 09.08.2021 of Shri G. Vasanth Kumar, MMGS-II, PF No. 3876624, State Bank of India, Vanasthalipuram Branch, Hyderabad.

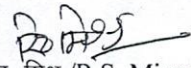
Sir,

I am directed to refer to the subject cited above and to enclose copy of minutes of Sitting held on 20.06.2022 at 11:00 AM under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi-110003 in the matter.

It is, requested that action taken on the suggestions / recommendations of the sitting held on 20.06.2022 at NCST may please be sent, for placing it before the Hon'ble Member.

Encl: As above.

Yours faithfully,


(आर.एस. मिश्र /R.S. Misra)
अनुसंधान अधिकारी /Research Officer

Copy to:

Shri G. Vasanth Kumar,
H. No. 1-1-66/418, Urban Colony,
Near Railway Rest House, Bhongir,
Yadadri Bhongir District-508116,
(Telangana)
(Mob No. 9133885885)
(Email: gajjalavasanthkumar@gmail.com)

Copy for information to:-

1. PS to Hon'ble Member, NCST
2. NIC, NCST (please upload on the Commission's website).

National Commission for Scheduled Tribes

(File No. NCST-100TH(TS)/2/2021- SSW)

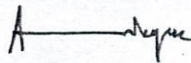
Minutes of sitting held in the NCST's Headquarters on 20.06.2022 at 11:00 AM under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes in the case of Shri G. Vasanth Kumar, MMGS-II, PF No. 3876624, State Bank of India, Vanasthalipuram Branch, Hyderabad.

List of participants is annexed.

Shri G. Vasanth Kumar vide representation dated 09.08.2021 has alleged that the appointing authority (GM, SBI) vide order dated 11.03.2020 has imposed major punishment of bringing down by 19 stages in the pay scale, frozen the next 5 increments on permanent basis, reduction in the rank, which is the harassment of ST employee. He has also mentioned that an appeal dated 09.08.2021 filed before Chief General Manager, SBI Local Head Office, Hyderabad. The matter was referred to Chairman, SBI, Mumbai and Chief General Manager, SBI, LHO, Hyderabad on 22.09.2021 for facts and comments.

The LHO, SBI Hyderabad vide letter NO. HR-3/GRK/1170 dated 16.11.2021 has furnished the detailed report. In the letter, it has also been mentioned that the petitioner has confessed his involvement in unequivocal terms. The petitioner has filed an appeal on 09.08.2021 challenging the order of penalty which was received by the Bank on 07.09.2021. Since, the appeal has been filed more than one year and 5 months, as against the stipulated time limit of 45 days from the date of acknowledgement of the penalty order, the petitioner has advised vide letter dated 23.09.2021 to submit the appeal along with sufficient reason for the delay seeking condonation of delay for placing the appeal before the appropriate authority.

Shri G. Vasanth was suspended on 28.10.2019 and as per the order of penalty, the suspension period is not to be treated as on duty. The petitioner's suspension was revoked on 12.03.2020 and he was advised to report for duty forthwith. However, he has not reported for duty till date despite repeated reminders and is on unauthorized absence since 12.03.2020, because of which Bank has issued notice calling upon him to report for work. However, he is yet to report for duty. Further, there is no provision for processing voluntary retirement from retrospective date as requested in the representation and the same has been duly informed to him. Further request for resignation or voluntary retirement has to be submitted to the appropriate authority, as per the relevant service rules. Petitioner has not utilized the appeal provisions and review mechanism laid down in the Bank to approach the appellate authority.



The petitioner vide rejoinder dated 07.06.2022 has refuted the facts and requested to set aside the punishment order dated 11.03.2020 and treat him as voluntary retire from service since then. A sitting may please be convened to resolve the matter. The Hon'ble Member decided to discuss the issue with the Chairman, SBI and petitioner in a sitting on 20.06.2022 at 11:00 AM. Accordingly, the Summon was issued to Chairman, SBI for personal appearance in the sitting dated 20.06.2022.

The petitioner stated that the order dated 11.03.2020 of the General Manager (NW-I) and Appointing Authority of LHO, SBI Hyderabad may be set aside by the Appellate Authority and may be treated as Voluntary Retirement from SBI services since March, 2022

The Officers of SBI reiterated the reply of the Bank and stated that the he has to join the Bank. Thereafter, the bank will take initiative on the grievance of Shri G. Vasant Kumar. Further, the request for resignation or Voluntary Retirement is to be submitted to appropriate authority as per the relevant service rules.

After detailed discussions with the Officers of SBI and petitioner, the Hon'ble Member recommended/suggested the following points: -

1. The petitioner is advised to join the bank, at first. Thereafter, he may submit the Review Appeal before the concerned authority for Voluntary Retirement from the service, since, March, 2020.
2. The Management of SBI, LHO Hyderabad is recommended to cooperate with the petitioner for resolving his problems amicably, as his facing financial crises.



(Ananta Nayak)
Member

National Commission for Scheduled Tribes
New Delhi

अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Annexure

List of participants of the sitting held on 20.06.2022 at 11:00 AM under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST in the case of Shri G. Vasanth Kumar, MMGS-II, PF No. 3876624, State Bank of India, Vanasthalipuram Branch, Hyderabad

I.	<u>State Bank of India, Mumbai</u>
1	Shri Debashish Mitra, GM-NW-II, LHO, Hyderabad.
2	Ms. Ruhi Rub, LHO, Hyderabad.
II.	<u>Petitioner</u>
	Shri G. Vasanth Kumar