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

File No. VD/19/2015/MFIN9/SEHRMT/RU-IV

10.12.2015

To,

The Chairman cum Managing Director,
Oriental Bank of Commerce,
HO: No.5, Institutional Area,
Sector-32, Gurgaon,
Haryana - 122001.

Sub: Representation of Shri Vinay Demta, Sr. Manager, Oriental Bank of Commerce, Kutchery Branch, Ranchi regarding transfer and harassment.

Sir,

I am directed to enclose a copy of the Proceeding of the Sitting held in the NCST on 23.11.2015 on the above mentioned subject for necessary action and to send the action taken report to the Commission at an early date.

Yours faithfully,

SA

**(N. Balasubramanian)
Research Officer**

Copy to:-

Shri Vinay Demta,
Senior Manager,
Oriental Bank of Commerce,
Kuchery Road Branch,
Ranchi, Jharkhand.

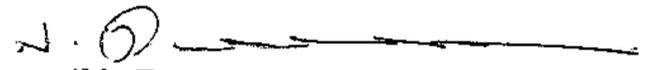
SA

**(N. Balasubramanian)
Research Officer**

Copy to :-

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

✓ (2) SSA, NIC


(N. Balasubramanian)
Research Officer

NATIONAL COMMISSION FOR SCHEDULED TRIBES

VD/19/2015/MFIN9/SEHRMT/RU-IV

Proceedings of the Sitting taken by the Hon'ble Chairperson, NCST on 23.11.2015 in the case of Shri Vinay Demta, Sr. Manager, Oriental Bank of Commerce, Kutchery Branch, Ranchi (Jharkhand) regarding transfer and harassment.

Date of Sitting: 23.11.2015

List of the officers present: (Annex- I)

Representation dated 29.08.2015 received from Shri Vinay Demta, Sr. Manager, Oriental Bank of Commerce, Kutchery Branch, Ranchi (Jharkhand) is regarding his frequent transfers (14 transfers during 16 years).

2. Matter was taken up with the Chairman cum Managing Director, Oriental Bank of Commerce, Gurgaon for report vide Notice dated 14.09.2015. In response notice Chief General Manager, Oriental Bank of Commerce (Annex – II) sent reply, vide letter dated 07.10.2015

3. Considering the gravity of matter, a Sitting was fixed on 23.11.2015 to discuss the matter with the Chairman cum Managing Director, Oriental Bank of Commerce.

4. Due to pre occupation, CMD, Oriental Bank of Commerce, sought exemption for appearing in the sitting vide letter dated 07.11.2015 and on behalf of Chairman cum Managing Director, Shri Atul Gautam, Chief General Manager (HRD) was allowed to attend Sitting.

Rameshwar Oraon

Dr. Rameshwar Oraon/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

5. During deliberation it was informed to officers of Oriental Bank of Commerce normally Commission does not intervene in the cases of transfer of employees but certainly takes up the specific cases of discrimination and harassment to Tribals. In the instant case Commission noted that the usual terms of the Bank to transfer an employee is 2-3 years but petitioner, Shri Vinay Demta, having been transferred 14 times during 16 years of service period is an unusual case. As per records, Shri Vinay Demta had been accepting transfers. Petitioner was transferred to his home place (Ranchi) on 23.12.2014 as Senior Manager. However, he was transferred to Kolkata on 19.08.2015 before completing the usual tenure of three years at one station.

6. Considering the circumstances of the case, Chief General Manager (HR) assured that Shri Vinay Demta would be accommodated in Ranchi any other branch.



डॉ. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

VD/19/2015/MFIN9/SEHRMT/RU-IV

Annexure-1

List of participants

NCST

1. Dr. Rameshwar Oraon, Hon'ble Chairperson (In chair)
2. Mrs. K.D. Bhansor, Director
3. Shri N. Balasubramanian, Research Officer

Officers of Oriental Bank of Commerce

1. Shri Anil Gautam, CGM (HRD)
2. Shri Sunil Dutt, AGM (HRD)

Petitioner

Shri Vinay Demta

ओरियन्टल बैंक ऑफ़ कॉमर्स

(भारत सरकार का उपक्रम)

म.स.वि. विभाग
प्रधान कार्यालय : प्लॉट सं. 5, इंस्टीट्यूशनल एरिया,
सेक्टर-32, गुड़गाँव-122001



ओ.बी.सी.

ANNEXURE - II
ORIENTAL BANK OF COMMERCE
(A GOVERNMENT OF INDIA UNDERTAKING)

H.R.D. Department
Head Office : Plot No. 5, Institutional Area,
Sector - 32, Gurgaon-122001

HO/HRDI/1921

Sun 5/10/15

7th October, 2015

Shri N. Balasubramanian
Research Officer
National Commission for Scheduled Tribes
6th Floor, 'B' Wing
Loknayak Bhawan
Khan Market
New Delhi - 110 003

Dear Sir,

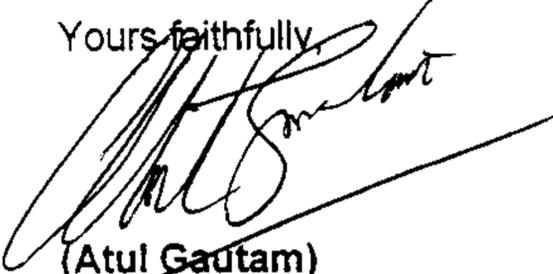
Reg: Representation dated 29.08.2015 received from Shri Vinay Demta, Senior Manager, Oriental Bank of Commerce, Kutchery Branch, Ranchi regarding transfer and harassment

This is reference to your letter F.No. VD/19/2015/MFIN9/SEHRMT/RU-IV dated 14.09.2015 on the captioned subject. In this regard it is to submit that we have already received a letter dated 31.08.2015 from National Commission for Scheduled Tribes, Regional Office, Ranchi in the matter and furnished our reply vide letter dated 06.10.2015 to the same. We are enclosing a copy of the same herewith for your perusal, please.

We trust you will find the above in order and request your good self to kindly close the above matter.

With Regards

Yours faithfully,


(Atul Gautam)
Chief General Manager (HRD)
Phone No.0124-4126361

12/10/15

2/5

afc

HO/HRD/

6th October, 2015

Shri S.R. Triya
Research Officer
National Commission for Scheduled Tribes
Regional Office
Jurisdiction: Jharkhand, Bihar & Uttar Pradesh
14, New AG
Cooperative Colony
Kadru
Ranchi - 834 002

Dear Sir,

Reg: Representation dated 29.08.2015 received from Shri Vinay Demta (Scheduled Tribe), Senior Manager, PF No. 177361, B/o Kutchery Road, Ranchi regarding alleged intentional harassment by the Bank management by frequent transfer

This is reference to your letter no. JHK-10-B/7/2015-16-Gen. dated 31st August, 2015 on the captioned subject. In this regard it is informed that Bank does not discriminate its employees on the basis of caste and creed and all employees are treated equally without any prejudice. As regards to representation of Shri Vinay Demta to your office and your concern in the matter, we have examined the matter and found that Sh. Demta has joined the Bank on 16.11.1998 in Sriganganagr region and he was posted at B/o Chaiya under the region for on-the-job training and regular posting from 1998 to 2002 and thereafter he has been transferred to B/o Kheruwala, Dhaba and Gaushala Road under the same region on 30.04.2002, 12.01.2004 and 18.08.2005 respectively on account of administrative/rotation transfer. In 2006, Sh. Demta has been transferred to Bhubaneswar region on his request and posted at B/o Jamshedpur Mango on 16.03.2006 and on 10.12.2007 he was transferred to another local branch SSI Jamshedpur. Both these branches falls within his home state Jharkhand.

On 31.03.2008, he was promoted to Scale-II and retained in the same region/branch in his home state. On 28.04.2010, he was transferred to Chas Bokaro and on 14.03.2012 to B/o Hazaribagh. On 31.03.2012, he was promoted to Scale-III and retained in Patna region and after his promotion; he was posted in Regional Office, Patna. Thereafter, he was again transferred in his home state branches on 12.08.2013 to B/o Dhanbad and on 23.1.2014 to B/o Kutchery Road.

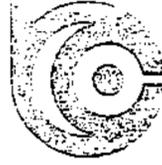
Now, he has been transferred to RI Kolkata due to the feedback of the branch customers and his unsatisfactory performance. Sh. Demta has been given ample opportunities to improve his performance and behavior with the customers but he has not shown the desired improvement. On the contrary, in one case; customers have even threatened to close accounts with the Bank due to his unruly behavior.

Further it is informed that Sh. Demta has been previously transferred during his tenure in the Bank either on personal requests or administrative exigencies as per policy of the Bank. It is pertinent to note that Sh. Demta has remained posted near to his home town most of his service period despite it being an All India service.

ओरियन्टल बैंक ऑफ़ कॉमर्स

(भारत सरकार का उपक्रम)

म.स.वि. विभाग
प्रधान कार्यालय : प्लॉट सं. 5, इंस्टीट्यूशनल एरिया,
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ORIENTAL BANK OF COMMERCE

(A GOVERNMENT OF INDIA UNDERTAKING)

H.R.D. Department
Head Office : Plot No. 5, Institutional Area,
Sector - 32, Gurgaon-122001

We trust you will find the above in order and request your goodself to kindly close the above matter.

With Regards

Yours faithfully,

Sd/-

(Atul Gautam)

Chief General Manager (HRD)

Phone No.0124-4126361

Copy for information to:

1. The Asstt. General Manager, Board Sectt. Corporate Office, Gurgaon.
2. The Dy. General Manager, MD&CEO Sectt. Corporate Office, Gurgaon in reference to the Dak no. MoF 750/15 dated 09.09.2015.
3. The Dy. General Manager, Compliance Deptt. Corporate Office, Gurgaon.

Chief General Manager (HRD)

