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भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

No.	RU-IV/17/2/2012/RO/NCST/Bhopal	छष्ठा माजल, बा विग, लाक नायक भवन खान मार्किट, नई दिल्ली—110003 6th Floor, 'B' Wing, Lok Nayak Bhawan Khan Market, New Delhi-110 003
		Dated
Го		21.02.2013

The Chairman-cum-Managing Director State Bank of India Corporate Center, State Bank Bhawan Madam Cama Road **Mumbai** – 400 021

Sub: Representation of Shri B.S. Prakash Bangalore regarding alleged harassment and reinstatement in service.

Sir.

I am directed to refer to this Commission' letter of even number dated 29.11.2012 on the above subject and to forward herewith a copy of the proceedings of the Sitting held in this Commission.

2. It is requested that action taken report with reference to the above proceedings may please be sent to this Commission at an early date.

Yours faithfully,

(N. Balasubramanian)
Research Officer

Copy to:-

Shri B.S. Prakash

Dy. Manager

State Bank of India NIdagundi – Village

Basawbagewadi – Taluk

Bijapur – District(Karnataka)

ISSUED

(N. Balasubramanian) Research Officer

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RU-IV/17/2/2012/RO/NCST /Bhopal

Proceedings of the Sitting held in the NCST on 07.12.2012 at 03.30.P.M to discuss the case of Shri B.S. Prakash, Deputy Manager, SBI, Bangalore regarding his alleged harassment by the Bank authorities and his re-instatement in Bank service without loss of seniority and other benefits.

The following were present:

NCST

- 1. Smt. K. Kamala Kumari, Hon'ble Member
- 2. Shri Aditya Mishra, Joint Secretary
- 3. Mrs. K.D. Bhansor, Deputy Director
- 4. Shri N. Balasubramanian, Research Officer

State Bank of India

- 1. Shri R. Goswami, GM(HR), Mumbai.
- 2. Shri D. Bose, DGM, Mumbai
- 3. Shri R.C. Srivastava, LHO, Bangalore
- 4. Shri S.C. Jatav, AGM, Mumbai
- 5. Shri Dinesh Prasad, AGM(HR), LHO, Bangalore

Petitioner:

1. Shri B. S. Prakash

Issue: Representation dated 20.01.2012 of Shri B.S. Prakash, Dy. Manager, SBI, Bangalore regarding alleged harassment by the bank authorities.

Kiloning language

The Assistant Director, NCST, Regional Office, Bhopal vide letter No. BSP/1/2012/MFIN5/SEHRMT/RO-BH dated 22.06.2012 forwarded the case of Shri B.S. Prakash, Dy. Manager, SBI, Bangalore about harassment by the SBI. The petitioner in the representation dated 22.06.2012 mentioned that he has been working in SBI, Shivaji Nagar Branch, Bangalore as Deputy Manager and had submitted his resignation from the Bank on 31.05.2010. Thereafter exit interview was also conducted on 05.04.2011 by the AGM, Region V, Bangalore. However, in the general transfer list, he was transferred to Nidagundi Branch in May/June 2011 and he didn't join there as he had resigned from the service and was waiting for the decision of the Bank on the same. The applicant further stated that he had given his communication address to the Bank for contact and sent a fax on 27.06.2011 for adjustment of his terminal benefits and loans. Shri Prakash alleged that instead of informing him about the outcome of the exit interview after his resignation, the Bank authorities transferred him to the Nidagundi Branch (transfer order not served so far to him) and now they were treating him absent from duty under Rule 20 of the SBI Officer's Service Rules, Shri Prakash stated that the bank never informed him about this Rule and without following it, the Bank authorities had conducted the exit interview. Thus, the Bank authorities neither accepted his resignation, nor allowed him to continue in service.

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"Even now, Shri Prakash can rejoin duty and the Bank is prepared to permit him to rejoin duty at the place of his posting without prejudice to deal with the period of his unauthorized absence".

Discussion

- 4. At the outset, the petitioner Shri Prakash was given opportunity to explain his case. The petitioner mentioned harassment meted out to him viz, non- delivering of letters at his residential address etc. He added that study leave was not sanctioned in time and extention of leave was also not sanctioned. He applied for VRS without loss of seniority.
- 5. SBI authorities stated that Shri Prakash had frequently changed his residence and the letters were returned undelivered. The petitioner obtained the information by e-mail and through his advocate. He joined the Bank as a Probatationary Officer in 1998, and was posted at Bangalore for more then eight years. He got promotion for Deputy Manager and have to work in the rural area as per the SBI guidelines.
- 6. SBI further mentioned that the petitioner was promoted within five years. The Bank had given adequate opportunity to him to serve in Bangalore and also sanctioned study leave. They waited for his joining him in the Bank and due to disregard shown by him in this regard then issued notice to terminate his services. The Bank has followed prescribed procedures in his case in a fair manner.

In his representation, he also mentioned several instances of harassment and alleged discrimination by the Bank authorities. The petitioner had requested the Commission for intervention in the matter and reinstatement in the service without loss of seniority.

- 2. The Commission noted that the NCST Regional Office, Bhopal had protracted correspondence with the Chief General Manager, State Bank of India, Bangalore. The SBI vide letter dated 06.03.2012 forwarded their comments on the representation. The RO, Bhopal vide letter dated 23.04.2012 sent the reply to the applicant for submitting the rejoinder if any. The NCST RO, Bhopal also forwarded the case to the NCST Hqrs for placing the case before the Commission for holding a Sitting in the matter.
- 3. Taking into consideration the grievances of Shri B.S. Prakash, Smt. K. Kamala Kumari, Hon'ble Member, NCST decided to discuss the case with the CMD, SBI on 07.12.2012. A communication in this regard was sent vide NCST letter dated 29.11.2012. The SBI authorities informed the NCST vide their letters dated 03.12.2012 and 14.09.2012 that the representation dated 12.08.2012 submitted by Shri B.S. Prakash, had already been examined by their Local Head Office, Bangalore and their point-wise/factual position of the case was submitted vide their letter No. HR/990 dated 14.09.2012. It was stated in the aforesaid letter that:-

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Conclusion

- 7. After detailed discussion, the Commission
 - a) observed that SBI authorities followed all rules and procedures in the case of Shri Prakash and there is no violation of service safeguards provided to ST employees.
 - b) advised the petitioner to join the duty at the place of his posting in State Bank of India on 10.12.2012 as per the discussion held with the SBI Management.
 - c) advised the SBI Management to consider other grievances of Shri Prakash after he joins his duties.

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