

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. SS/3/2013/MFIN9/SEOTH/RU-IV

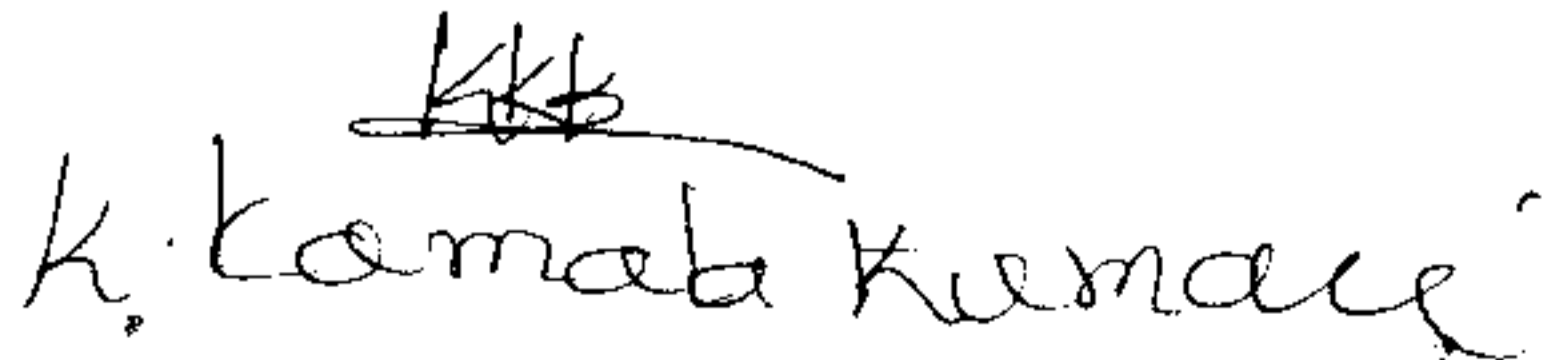
Proceedings of the Sitting taken by Smt. K. Kamala Kumari, Hon'ble Member, NCST on 25.02.2014 to discuss the case of Shri Shakti Singh, Chief Manager (Retd.), UCO Bank regarding penalty and promotion.

Date of Sitting : 25.02.2014.

Lists of the officers present as (Annexure I)

Subject: Representation dated 09.01.2013 from Shri Shakti Singh, Chief Manager (Retd.) regarding appeal against discrimination by the Management of UCO Bank by awarding punishment.

1. Shri Shakti Singh Chief Manager (Retd.), Pathankot, Punjab represented to the Commission on 09.01.2013 alleging that:
 - i) the AGM Lucknow fixed the responsibility, penalized him and started recovering penal interest from him without conducting any enquiry. His repeated pleas on the same went without any response from the management.
 - ii) that the Regional Office letter No. ROL-PND-BR-0506-13552 dated 17.03.2006, that the decision to penalize him was already taken by the CMD of UCO Bank. The statement of imputation or lapses was a mere post facto exercise to substantiate and endorse the already prejudiced decision of the CMD of the UCO Bank.
 - iii) that the Appellant Authority (Executive Director) was a direct reportee of the CMD whose decision was being substantiated by the management of the UCO Bank. This negates any chance of him getting a fair & impartial appeal. The Management of UCO Bank that charge sheet issued by the UCO Bank vide Order dated 24.03.2008.
2. In his representation Shri Shakti Singh has requested the NCST to look into his grievance and to provide justice to him:-



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For refund for Rs. 182000/- recovered from him with interest at the staff rate with quarterly compounding and to promote him retrospectively to the next higher grade with all the consequential financial benefits.

3. NCST vide letter dated 10.01.2013 sought comments from the CMD, UCO Bank, Kolkata. UCO Bank vide letter dated 06.02.2013 sent comments on the representation. The petitioner Shri Shakti Singh was informed of the reply vide letter dated 04.06.2013. Shri Shakti Singh refuted the comments furnished by the Bank authority and filed a rejoinder dated 11.07.2013 and was taken up with the UCO Bank vide NCST letter dated 18.09.2013 followed subsequent reminder dated 17.10.2013.

4. The petitioner appeared before the Commission and requested to look into his case sympathetically about the injustice done to him by UCO Bank.

5. A Sitting was fixed on 25.02.2014 by the Hon'ble Member Smt. K. Kamala Kumari. The Chairman cum Managing Director vide letter dated 24.02.2014 sent the General Manager, Deputy General Manager and Chief Manager and no prior exemption was taken by the Chairman cum Managing Director, UCO Bank.

6. Shri Shakti Singh, petitioner was given an opportunity to explain his case before the Commission. Shri Shakti Singh stated that he was working as Chief Manager(Branch head) IT College Lucknow Branch w.e.f. June 2005 to 2006. There was currency chest of RBI operative in the IT College Lucknow Branch. On 01.10.2005 Shri R.N . Bhalla Manager was holding charge of currency chest in place of Shri S.K. Singh Manager who was on leave. The figures of currency chest transactions were being reported by the officers of currency chest through telegram followed by currency chest slip to Halsay Road Kanpur branch of the UCO Bank daily for onward reporting to RBI Kanpur. The petitioner further said that Sr. Manager H.R. Kanpur branch reported the wrong figures to RBI of Currency Chest I.T. College Lucknow without any written authority of dated 01.10.2005. Sr. Manager H.R. Kanpur branch had said that he had received the figures of dated 01.10.2005 over telephone, which were very high. Why Sr. Manager did not ask for written confirmation of figure from the branch I.T. College Lucknow before reporting to RBI Kanpur as per usual practice. The petitioner

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mentioned that the charges leveled in the letter of imputation dated 24.03.2008 are very generic and vogue in nature.

6.1 The petitioner pointed out that it was the duty of Currency Chest Officers to report figures day to day transaction to HR Kanpur Branch. The day to day figures of Currency Chest are not put before Chief Manager for approval/shown. Chief Manager was nowhere in the picture in the case. Therefore, question of failing to discharge his duties does not arise. The charge is misplaced and irrelevant.

6.2 To ensure the integrity and devotion to duty of each employee for routine act/duty is not possible. The every employee is himself accountable for his acts and duties. Therefore, the charge leveled is prejudicial against him. The disciplinary proceedings started against him on 24.03.2008 were just to substantiate the action of Bank's CMD taken in the year 2005 without any inquiry/investigation. Because all the Officers conducting the discipline proceedings were under the control of Bank's CMD, therefore, in the inquiry subsequently conducted, the bank officer could not back track from the earlier decision of recovering the panel interest taken by the CMD. Therefore, it is case of denial of natural justice.

6.3 The petitioner invited the attention towards Bank's Circular No. CHO/POS/19-2007-08 dated 19.12.2007, Currency Chest are directly reporting to Zonal office and for all purpose they were treated as independent entities. Therefore, Chief Manager cannot be held liable for day today affair of the Currency Chest as the Currency Chest was reporting to Zonal Office.

6.4 Shri Singh also said that he had worked sincerely and honestly during his employment in the Bank. The Bank has appreciated his services by issuing appreciation letter dated 16.04.2007 and 02.04.2009. His performance Report are also very good during the working period in the Bank. His services were appreciated by the Bank. Still he was not promoted from SM scale IV to SM scale V by the Bank due to biased administrative action taken against him.

7. The General Manager explained and reiterate that no discrimination was made against Shri Singh for his being an officer belonging to ST Community. However, they were sympathetic towards him on account of good services rendered to the Bank by him. They have assured to take up the matter with

higher authorities for sympathetic consideration. For his such lapses, the bank had suffered loss, a part of which had been recovered from Shri Singh vide order dated 20.12.2008 of DA. As alleged by Shri Singh that he was made scapegoat only due to his caste factor is not based on facts.

8. The Commission heard the case and noted that the charges leveled against Shri Shakti Singh are not found to be justifiable. Because as per charge No. CRN 287/2007-08 dated 19.12.2007 there is no role of Chief Manager when currency chests were directly reporting to zonal offices. The Bank's Circular No. CHO/POS/19-2007-08 dated 19.12.2007 was not taken care by the authorities and initiated action against Shri Shakti Singh. It is not understood how Shri Shakti Singh was picked up for the lapse which was committed by the currency chest officers and the zonal office officers who were responsible for the mistake of accepting the amount details over phone.

Conclusion

The Commission noted that petitioner Shri Shakti Singh has been victimized/harassed by the Bank authorities and advised to look into the matter for withdrawal of the charges leveled against Shri Shakti Singh. Also consider the case of Shri Shakti Singh to the next higher grades. The General Manager assured that the Bank will take up the case of Shri Shakti Singh to the Board of the Bank with full justification and revert back to Commission within 45 days.



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List of participants

NCST

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| 1. Smt. K. Kamala Kumari, Hon'ble Member (In chair) | (Sitting was joined by |
| 2. Mrs. K.D. Bhansor, Deputy Director | Hon'ble Vice Chairperson, |
| 3. Shri N. Balasubramanian, Research Officer | NCST also) |

Officers of UCO Bank

1. Shri A. Jaiswal, GM
2. Shri A. Misha, DGM
3. Shri P.K. Aggarwal, CM

Petitioner

1. Shri Shakti Singh