



## न्यायालय मुख्य आयुक्त दिव्यांगजन

**COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**

दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment

भारत सरकार/Government of India

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**Case No.: 14322/1022/2023**

### Complainant:

Shri Ratnesh Kumar Singh  
Flat No 01, Balaji Apartment  
Street No. L-2, New Vikas Agrawal Classes  
Vinobad Nagar, Bilaspur  
Chhattisgarh - 495001  
Email - ratnesh123@gmail.com

### Respondent:

- (1) The Managing Director and CEO  
Punjab National Bank  
Plot No 04, Sector - 10, Dwarka  
New Delhi - 110075  
Email - md@pnb.co.in
- (2) Head of Human Resource Division  
Punjab National Bank, Circle Office Bilaspur  
Ring Road No 02, Gaurav Path, Bilaspur  
Chhattisgarh - 495001  
Email - cobilaspur@pnb.co.in; cobilaspurhrd@pnb.co.in

## 1. Gist of the Complaint:

1.1 Shri Ratnesh Kumar, a person with 75% locomotor disability, submitted his complaint dated 20.07.2023 stating

that he is currently posted at BDA-Bilaspur Branch Office (Scale-II) under Circle Office, Punjab National Bank.

1.2 He has been serving with the Bank for the past 10 years and has consistently performed his duties with dedication. As per the transfer order dated 13.07.2023, he has been directed to report to BO: Bhatapara, which is approximately 54 km from his current posting in Bilaspur, despite not having completed two years at his present branch or within the circle. He submitted a representation dated 15.07.2023 to the Liaison Officer (PWD) of Circle Office Bilaspur via email, requesting cancellation of the transfer. However, no response has been received till date.

1 . 3 He seeks the cancellation of the said transfer order and requests to be retained at Bilaspur or posted near his hometown, Ambikapur, in line with the Government of India's guidelines for the transfer and posting of employees with disabilities.

## **2. Notice Issued:**

2.1 The matter was taken up with the Managing Director & CEO of Punjab National Bank and the Head of the HR Division, Bilaspur, referencing relevant statutory provisions and government instructions, including but not limited to Section 20 (5) of the Rights of Persons with Disabilities Act, 2016, and the guidelines issued by the Department of Financial Services, Ministry of Finance, vide letter No. 3/13/2014-Welfare dated 18.11.2014.

### **3. Submissions made by the Respondent:**

3.1 The Deputy General Manager, HRMD, Punjab National Bank, submitted their reply dated 31.08.2023, stating that the Complainant was posted at BO: Bilaspur BDA from 04.08.2021 to 12.07.2023, which is approximately 220 kilometres from his hometown, Ambikapur. It was also noted that the Complainant had never previously submitted a request for a posting at his hometown through the HRMS portal. During his tenure at BO: Bilaspur BDA, the Complainant served as the Loan and Recovery In-Charge. However, due to the unsatisfactory performance of the branch, a business decision was taken to transfer both the Complainant and the Branch Head from the said branch.

3.2 In his recent representation, the Complainant requested consideration for transfer to branches located in Ambikapur city or Surguja. However, it was submitted that no vacancies are currently available at those locations. It was further stated that the Complainant has been promoted to higher scales. During his most recent promotion, he was posted to his requested location—Circle Office, Bilaspur.

### **4. Submissions made in Rejoinder:**

4.1 The Complainant, in his rejoinder dated 14.09.2023, reiterated his complaint. He asserts that his transfer order dated 13.07.2023 is unjust, arbitrary, and in blatant violation of the Government of India's guidelines as well as the

internal policies of the bank pertaining to the posting and transfer of persons with disabilities. He draws attention to the Personnel Division Circular No. 14/88 dated 01.03.1988, which mandates that persons with disabilities should normally be exempted from routine and promotional transfers and should be posted at or near their hometown, unless there are disciplinary or fraudulent grounds, conditions not applicable to him. Furthermore, the Complainant cites the bank's Transfer Policy for Officers dated 19.03.2021, specifically Clause A.2, which provides for exemption from outstation transfers for differently abled officers, reinforcing his claim that his transfer is non-compliant. He further clarifies that there are no disciplinary proceedings or adverse records against him, and his service record remains satisfactory. The transfer has caused him severe physical and mental hardship, considering his permanent disability and dependence on accessible care facilities available in Bilaspur, where he is currently residing. In light of the above, the Complainant respectfully requests to intervene in the matter, stay the impugned transfer order, and direct the bank to retain him at Bilaspur, in accordance with established legal and policy safeguards meant to protect the rights and dignity of persons with disabilities.

## **5. Issue of a Letter Containing Legal Framework on Transfer/Posting of Divyang Employees:**

5.1 A legal framework concerning the posting, transfer, and retention of employees with disabilities, as well as caregivers of dependent persons with disabilities, was issued on January 23, 2024.

## **6. Submissions made by the Respondent in Response to the Letter Containing Legal Framework:**

6.1 General Manager vide his email dated 23-02-2024 submitted that this matter has been reviewed by the Bank and the Competent authority has decided to transfer the Complainant to his requested place, i.e, BO: Ambikapur vide letter 22.02.2024.

## **7. Submissions made by the Complainant:**

7.1 The Complainant submitted his rejoinder dated 28-04-2024 and informed that he has been issued a transfer order dated 28.02.2024 by Punjab National Bank, Circle Office Bilaspur, posting him to his hometown, Ambikapur. This transfer has enabled him to be closer to his family and continue his service with renewed commitment. He expresses his sincere gratitude for the Hon'ble Court's intervention, which made this relief possible.

## **8. Observation and Recommendations:**

8.1 Upon reviewing the facts of the case and the available records, it is clear that the Complainant's grievance has already been addressed.

8.2 After considering the submissions from both parties, especially the Complainant's email dated 28.02.2024 and the Respondent's email dated 23-02-2024, the Court has determined that no further intervention is necessary, as the Complainant's request for preferential posting has been

acceded to by the Respondent.

8.3 Consequently, the case is disposed of with the approval of the Chief Commissioner for Persons with Disabilities.

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**