



## 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. 13994/1023/2023**

**In the matter of:**

**Complainant:**

Sh. Ajay Singh Parihar

**Versus**

**Respondent:**

The Regional Manager,  
Bank of India, Bhopal

### **1. Gist of the Complaint :**

1.1 Shri Ajay Singh Parihar, a person having 40% visual impairment, filed a complaint regarding harassment on 05.04.2023. The Complainant states that he was appointed on 21.03.2013 in the visually impaired category at the Rajgarh (Madhya Pradesh) branch of the Bank of India. Due to difficulties in working on the computer, he repeatedly requested alternative arrangements, but the Branch Manager insisted that he perform computer-based tasks, allegedly using threats.

1.2 On 20.03.2019, the bank suspended him based on allegations that 212 of his daily transaction entries were suspicious and linked to unauthorized business activities. He maintains that all entries were made as part of his official duties and were done under the instructions of the branch manager. He asserts that neither the bank nor any customer suffered any financial loss, and no complaints were received from customers regarding these transactions.

1.3 He further contends that similar transaction entries were being made at the branch even before his posting and that other staff members, including the Branch Manager Shri Ashok Kumar, officer Ms. Neha Chaurasia, and Special Assistant Shri Deepak Jain, were also involved in such practices. However, only he, being a person with disability, has faced disciplinary action.

1.4 Additionally, he alleged that he was unfairly denied promotion from the clerical cadre to the officer cadre due to his disability, even though promotional exams were held twice. He has requested that the Disciplinary Authority's decision be revoked, that he be reinstated into service, and that orders be issued for his promotion to Officer Cadre III.

## **2. Submission made by the Respondents:**

2.1 Ms. Jagrati Verma, Manager, HRMS, filed a reply dated 16.06.2023 and submitted that the instant proceedings are not maintainable or entertainable. The Complainant has no locus standi to invoke the jurisdiction of this Court as he was a terminated employee of the Bank, whose appeal against

termination was already dismissed. As per Clause 45 (i) of the 11th Bipartite Settlement, the appropriate remedy was to file a review of the order of the Appellate Authority before the Higher Authority for reconsideration. Further, the order of the Reviewing Authority is challengeable before the concerned High Court and not before this Court.

2.2 She further submitted that this Court is not vested with any inherent jurisdiction. Furthermore, this Court is not vested with any appellate or supervisory jurisdiction in disciplinary matters. The Complainant chose not to challenge the order of the Appellate Authority in review and further chose not to approach the Hon'ble High Court of Madhya Pradesh under Article 226 of the Constitution of India. Hence, the instant proceedings are not maintainable.

2.5 The Respondent further submitted that the relief sought by the Complainant is outside the scope of the RPwD Act, 2016, and the instant case is nothing but an attempt to abuse the provisions of the RPwD Act, 2016, and as such, exemplary cost deserves to be imposed upon the Complainant.

### **3. Submissions made under the Rejoinder:**

3.1 The Complainant states in his response that the bank has not addressed any of the specific allegations he made against it. He points out that the Branch Manager did not provide any comments on the affidavit nor submit any supporting documents.

#### 4. Hearing (I):

A hearing in hybrid mode (online/offline) was conducted on 11.02.2025. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant/Respondent	Mode of Attendance
1.	Mr. Ajay Singh Parihar	Complainant	Online
2.	Mr. Guru Prasad, Bank of India, Zonal Manager, Bhopal	For Respondent	Online

#### 5. Record of Proceedings:

At the outset of the proceedings, the Complainant stated that he was first suspended and later dismissed from service. He explained that he suffers from colour blindness, which makes working on a computer particularly difficult, especially under poor lighting conditions. Despite this, he was consistently pressured to complete his tasks, and his condition was not properly acknowledged by the staff members.

5.2 He further claimed that he was falsely implicated in a case without any formal complaint being filed against him. He also reported ongoing harassment, including repeated delays in salary payments and being unfairly denied the chance to appear for promotional exams on two separate occasions.

5.3 The Respondents stated that the Complainant was suspended and later terminated following a formal inquiry and was given the opportunity to present his case before higher authorities, including the General Manager, but failed to do so. They also pointed out that the Complainant had already approached the Jabalpur High Court.

5.4 The Respondents stated that the Complainant had already pursued appeal, revision, and review avenues, and emphasized that the matter should continue through appropriate legal channels.

## **6. Observations and Recommendations:**

6.1 This Court is inclined to agree with the Respondent to the extent that it can not interfere in a departmental proceeding conducted as per the rules of the establishment. Moreover, the Complainant has already filed a case before the Hon'ble Jabalpur High Court, for the same cause of action vide writ petition no. 22637 of 2023, and the matter is sub-judice. Given the current circumstances, the Court has no basis to proceed further.

6.2 Accordingly, the case is disposed of.

**(S. Govindaraj)**

Commissioner for  
Persons with Disabilities