



सत्यमेव जयते

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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5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in**Case No. 14274/1023/2023****In the matter of :**

Sh. Nishant Gupta

Complainant

The MD & CEO

IDBI Bank Ltd, Mumbai

Respondent**1. Gist of Complaint:**

1.1 Sh. Nishant Gupta, father of Master Daksh Gupta, a child with 70% multiple disabilities including Autism Spectrum Disorder, visual, neurological, and intellectual impairments, is an employee of IDBI Bank Ltd. and was transferred from the Bhubaneswar branch of the Bank, where he was posted since December 2009, to Raipur, Chhattisgarh. Aggrieved by this, he submitted his Complaint before this Court on 30.06.2023. The Complainant seeks withdrawal of his transfer order on compassionate grounds, citing the critical health condition of his son. He has undergone open-heart surgery for Tetralogy of Fallot and requires continuous specialised care, therapy and medical treatment available in Bhubaneswar. He further stated that several junior and senior employees have continued their postings in Bhubaneswar for extended durations.

2. Notice Issued

2.1 The matter was taken up with the Managing Director & CEO of IDBI Bank through a notice dated 19-07-2023, citing relevant statutory provisions and government guidelines, including but not limited to Sections 7 and 20 of the Rights of Persons with Disabilities Act. A final reminder was subsequently issued on 21-

08-2023.

3. Submissions made by the Respondents:

3.1 In its reply dated 18.08.2023, the General Manager stated that, as per IDBI Bank's internal transfer policy, officers who have completed more than five years at a particular station are generally considered for transfer to another location. In line with this policy, the Complainant was transferred from Bhubaneswar to Raipur after completing seven years at the Bhubaneswar branch.

3.2 However, upon receiving the Complainant's representation dated May 3, 2023, the Bank considered the request sympathetically and approved the cancellation of the transfer order to Raipur. Subsequently, a revised transfer order was issued, posting the Complainant to Bomikhal Branch, Bhubaneswar, on June 16, 2023, and he assumed the charge there on June 19, 2023.

4. Submission made in the Rejoinder:

4.1 The notice to file Rejoinder was sent on 04-01-2024. The Complainant filed no rejoinder in this matter.

5. Hearing:

5.1 A hearing was conducted on **16.04.2025** in hybrid mode (Offline/Online through Video Conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name & Designation of the Parties/Representatives	For Complainant/Respondent	Mode of Attendance
1.	Shri Nishant Gupta	Complainant	Online
2.	Labanyendu Parhi – CGM HR & Sushant Toppo – GM HR, IDBI Bank	Respondent	Online

6. Observations and Recommendations:

6.1 At the outset, the Complainant began by briefly outlining his case. He stated that he has been employed with IDBI Bank since 2009 and is the primary caregiver for his son, who has a disability exceeding 80% and requires constant therapy and support. Despite the Bank being fully aware of his personal circumstances, he alleged that he was subjected to multiple transfers, notably in 2021 and again in 2023. Although his 2023 transfer was eventually revoked after he submitted several representations, he was subsequently reassigned from his position as Regional Operations Manager to that of Relationship Manager. He views this change as a demotion, especially after serving the Bank for 15 years.

6.2 The Court sought clarification regarding the current status of the Complainant's posting and promotion. In response, the Complainant submitted that he has not been promoted in the past 12 years. The Respondent, in turn, stated

that the Complainant is originally a domicile of Jharkhand and was entrusted with the role of Branch Head within two years of joining the bank. He served in Jharkhand until 2014 and has been posted in Bhubaneswar for nine years. While a transfer was proposed in 2023, it was subsequently cancelled based on the Complainant's representation, and he continues to remain posted in Bhubaneswar.

6.3 The Respondents further stated that the Complainant currently serves as a Service and Operations Manager, a significant role aligned with his prior experience. The Bank contended that the current assignment does not constitute a downgrade in profile. Whereas the Complainant disagreed with this assessment, arguing that after having served as Branch Head, Zonal Operations Manager overseeing 146 branches, and subsequently as Regional Operations Manager overseeing 33 branches, his current posting as a Relationship Manager after 15 years of service constitutes a demotion. He contended that his duties have been significantly reduced.

6.4 The Court requested the Complainant clarify the core issue raised in his original complaint. The Complainant responded that his initial grievance pertained to the cancellation of his transfer, and he acknowledged that the transfer matter had been resolved. However, he stated that his current grievance relates to the denial of promotion and a reduction in his position.

6.5 The Court observes that the primary grievance raised in the original complaint; pertaining to the Complainant's transfer—has been addressed by the Respondent Bank. The Court further notes that the remaining concerns raised by the Complainant, specifically the alleged demotion and denial of promotion, are service-related matters. As these issues do not directly involve the Rights of a person with disability, they fall outside the jurisdiction of the Chief Commissioner for Persons with Disabilities (CCPD). The Complainant is advised to pursue these grievances before the appropriate tribunal or authority.

6.6 In view of the above, the case is disposed of.

(S. Govindaraj)
Commissioner for Persons with Disabilities