



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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Case No/CCPD/13996/1024/25

In the matter of:

Complainant

Mr. Himanshu Sahu

Versus

Respondent

The Secretary,
Department of Financial Services,
Ministry of Finance

RECORD OF PROCEEDINGS

1. Hearing:

1.1. The Hearing in online mode was conducted in the above matter before the court on **02.04.2025** and following parties were present:

Sl.No.	Name and Designation of the Attendees	Complainant/ Respondent	Mode of Attendance
1.	Shri Himanshu Sahu	Complainant	Online
2.	Shri Amar Jain- Advocate for Complainant	Complainant	Online

2. Proceedings During the Hearing:

2.1. The Court observed that although matters are ordinarily not taken up in

the absence of both parties, the present case was considered limited to the question of admissibility. The complaint had been filed by the Complainant in his representative capacity on behalf of an association, raising broad issues concerning reservation in promotion across banks, Regional Rural Banks (RRBs), NABARD, insurance companies, and matters relating to APAR/performance appraisal. The Court noted that no specific individual grievance had been cited and therefore sought clarification on the admissibility of the complaint under Rule 38 of the RPwD Rules, 2017.

2.2. Counsel for Complainant submitted that Rule 38 permits the filing of a complaint not only by an aggrieved individual but also by a person or entity representing aggrieved persons. He contended that the association, being registered under the Societies Registration Act, 1860, has a distinct legal personality and represents visually impaired employees across banking institutions. The Complaint, according to the counsel, was filed in public interest without any personal gain to the association. He further argued that the term "person" includes both natural and juridical persons.

2.3. The Court acknowledged the submissions but observed that for effective adjudication and for granting relief, the presence of specific grievances of identifiable aggrieved person(s) is generally necessary. In the absence of such particulars, the matter appeared more like a public interest, making it challenging to assess discrimination, denial of rights, and further appropriate remedies.

2.4. The Counsel and his Complainant submitted that many visually impaired employees hesitate to come forward individually due to fear of retaliation by the employers. It was submitted that under Section 75 of the RPwD Act, the Court has wider powers to examine systemic violations and policy-level non-implementation. Reference was also made to previous proceedings before the Court and to RTI replies indicating non-implementation of the reservation in promotion, particularly in RRBs.

2.5 The Court emphasised the importance of the issue raised in the complaint and intended to broaden & streamline the scope of the case. The Court suggested that the complainant furnish the supporting material, such as RTI responses, notifications, and representative instances of aggrieved persons, to facilitate proper assessment and issuance of corrective directions. To make the proceedings more manageable, the Court suggested narrowing the scope of the complaint.

3. This is issued with the approval of the Commissioner for Persons with Disabilities.

(P.P Ambashta)
Dy. Chief Commissioner