



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.14507/1022/2023

In the matter of:

Mr. Suresh Kumar

...Complainant

Versus

The CMD, Punjab National Bank

...Respondent

RECORD OF PROCEEDINGS

1. Hearing:

1.1 A hearing in hybrid mode was conducted on **21.07.2025**. The following parties/representatives were present during the hearing:

Sl.No.	Name & Designation of the Attendees	On Behalf of	Mode of Attendance
1.	Mr. Suresh Kumar	Complainant	Online
2.	Mr. Vishal Dogra, Deputy Manager (HR) Punjab National Bank	Respondent	Online

2. Proceedings During the Hearing:

2.1 At the outset, the Complainant reiterated his grievance, requesting a transfer to a branch near his residence. He is currently working at the Chaudhary Devi Lal University Branch in Sirsa, which is approximately 20 km away from his home. The Complainant submitted that there are other three branches of the Respondent Bank near his residence that are accessible for persons with

disabilities, and he requested a transfer to one of these branches.

2.2 The Respondent submitted that the Complainant was transferred after completing five years at his previous posting, in line with the Bank's transfer policy and Central Vigilance Commission (CVC) guidelines. The Respondent claimed that the Complainant's disability status was considered during the rotational transfer, and he was posted to the Chaudhary Devi Lal University Branch in Sirsa, which is located on the ground floor and within the same station, ensuring accessibility. Additionally, the Respondent stated that the Complainant owns a car and is reimbursed for petrol expenses in accordance with the Bank's norms.

2.3 The Respondent further assured that they can provide a detailed report on the accessibility status of the Chaudhary Devi Lal University Branch in Sirsa, where the Complainant is currently employed. They offered to submit evidence, including photographs and videos, to demonstrate the branch's accessibility features.

2.4 The Court observed that the DoPT instructions issued vide OM dated 02.02.2024, carries the essence of the statutory provisions of the RPwD Act, 2016, namely, sections 20 (5) and 21 read with Rule 8 (3) (c) of the RPwD Rules, 2017. Accordingly, it has enabled the employers to exempt persons with disabilities from routine and rotational transfers, besides giving preference to them with regard to transfer and posting and posting them near their native place, subject to administrative exigencies. The Hon'ble Delhi High Court, in its Order dated 02.04.2025 in Mukesh Kumar Vs NPTI, has held that employers will have to specify the "administrative exigency" for not relying on these enabling provisions. As such, this Court advises the Respondent to reconsider their decision and transfer the Complainant to a closer branch, if feasible.

2.5 The Court further recommended that the Respondent submit an Accessibility Report of the Chaudhary Devi Lal University Branch, Sirsa, along with a commitment to rectify lapses on accessibility grounds, if any. Secondly, if the branch is found to be non-compliant, the Respondent will be given 15 days to remedy the facilities and provide a conducive environment to all employees, customers and visitors with disabilities, including the Complainant. An action taken report is to be submitted within 21 days, detailing the steps taken to address the issues.

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

(Praveen Prakash Ambashta)
Dy. Chief Commissioner