



सत्यमेव जयते

न्यायालय मुख्य आयुक्त

COURT OF 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 and Empowerment

भारत सरकार/ Government of India

Case No. CCPD/15234/1024/24

Dated: 08/04/2026

In the matter of —

Shri Akhilesh Bhambri

...Complainant

Versus

The Managing Director & CEO

Canara Bank,

Bengaluru

...Respondent

1. Gist of the Complaint:

1.1 The Complainant, a person with 40% Locomotor Disabilities filed a complaint dated 06.03.2024 regarding the denial of reservation in promotion and non-payment of TA bills and inaccessible bank premises.

1.2 The Complainant submitted that he is a Technical Field Officer (Electrical, Scale-I) at Canara Bank since 2016, and has alleged discrimination and **the denial of equal opportunity, stating that the mandated 4% reservation in promotions for persons with disabilities was not applied in the 2021 and 2022 promotion processes**, despite his comparable or better performance than selected candidates. He further claims that his **internal evaluation marks in 2023 were arbitrarily reduced**, his representations to the liaison officer and higher authorities went unanswered, and **his professional inputs—such as e-tendering and accessibility measures like ramps—were ignored**. He also reports **pending TA bills, unpaid staff meeting allowances, and unfair work allocation and evaluation**. Additionally, he alleges bias during his promotion interview on 21 February 2023, where he was awarded low marks by the panel led by Shri Ranjan Kumar Rath, resulting in disqualification, and claims a continued pattern of unfair interview marking. He seeks fair evaluation, transparency in the promotion process, clearance of dues, implementation of accessibility measures, a suitable job role, and appropriate action to ensure equal opportunity and accountability.

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1.3 Relief Sought:

1) Equal opportunity as per the Bank policy. 2) Clearing of the TA Bills. 3) Response of the request by the Liaison officer. 4) E-tendering for the ambience improvement drive. 5) Ramp for persons with disabilities. 6) Increase in the Internal Evaluation marks.

2. Notice to the Respondents:

2.1 A notice dated 19.03.2024 was issued to the above-mentioned respondents for forwarding to this Court comments on affidavit within the statutory time limit.

3. Reply made by the Respondent:

3.1 The Respondents filed their reply dated 23.04.2024 and denied any violation of equal opportunity norms and stated that promotions are conducted through a merit-based selection process involving multiple parameters, not solely written test marks. The Respondent further submitted that as per DoPT OM dated 17.05.2022, reservation in promotion is not applicable within Group A posts. The DFS, vide its Circular dated 06.12.2017 (reiterated on 07.04.2025), clarified that Scale-I officers in the Banking sector are equivalent to Gp. A post. Hence, the Complainant's request for a reservation in promotion from Scale-1 to Scale-2 post is not tenable under the existing legal framework.

3.2 Regarding internal evaluation, the Bank maintains that the appraisal system is transparent and multi-tiered, and that the complainant's appeal against his marks was duly considered and rejected on merit, with no bias or discrimination involved.

3.2 With respect to other grievances, the Bank submitted that most TA bills have already been cleared, and only those not properly submitted or lacking required documents remain pending. It has been clarified that no staff meeting allowance is payable to employees as claimed. The Bank further stated that the complainant's representation to the liaison officer had been addressed, and the necessary equipment (a desktop) was provided. On the issues of e-tendering and accessibility measures such as ramps, the Bank asserted that existing policies and practices are being followed, including e-tendering above prescribed limits and compliance with accessibility norms wherever

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feasible. It emphasised that, while the complainant may offer suggestions in his role, the Bank is not obligated to implement all of them; thus, no entitlement of the complainant has been denied. The Respondent filed a copy of their Equal Opportunity Policy (EOP) and furnished the details regarding the appointment of the Liaison Officer and the Grievance Redressal Officer.

4. Rejoinder filed by the Complainant:

4.1 The Complainant filed his rejoinder dated 14.07.2024 and has denied the submissions made by the Respondent Bank and reiterated that he has been subjected to discrimination and denial of equal opportunity. He contended that while written examination marks were disclosed, interview marks were not transparently communicated from 2022 to 2024, and he received no assistance or feedback to improve his performance. He further submitted that, despite multiple representations seeking reservation in promotion and redressal of grievances under the relevant government circular, no substantive response was received. The Complainant emphasised that repeated requests for the appointment and effective functioning of a liaison officer remained largely unaddressed, and even where such an officer was designated, no meaningful action or communication followed, thereby undermining the grievance redressal mechanism mandated under law.

4.2 Additionally, the Complainant has challenged the Respondent's claims regarding fair evaluation, provision of amenities, and administrative compliance. He asserted that his work allocation was unequal compared to generalist officers, adversely impacting his internal evaluation marks, and that his technical contributions were undervalued. He disputed the Bank's claim that a desktop was provided pursuant to his representation, stating it was replaced only due to malfunction. He also alleged inconsistencies in tendering practices and a lack of his involvement in e-tendering processes. On accessibility, he maintained that ramps could feasibly be installed at several locations but were not implemented, reflecting a lack of intent toward inclusivity. Further, he reiterated that his TA bill and fire incident report remain pending without justification, and highlighted the absence of staff meetings as per policy, which deprived him of a participative work culture and communication, thereby affecting his professional growth. He maintained that his claims are factual, substantiated, and not misleading.

5. Hearing:

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5.1 A Hearing in hybrid mode was conducted on **25.04.2025** wherein the following parties/representatives were present:

S. No.	Name and designation of the Attendees	On behalf of	Mode of Attendance
1.	Mr. Akhilesh Bhambri	Complainant	Offline
2.	Dr. A.S. Farida, Deputy General Manager, HR Wing, Canara Bank	Respondent	Online
3.	Mr. Lawrence, Deputy General Manager, Personal Department,, HR Wing, Canara Bank	Respondent	Online
4.	Mr. Vijay, Divisional Manager, HR Wing, Canara Bank	Respondent	Online

6. Record of Proceedings:

6.1 The Complainant stated that he had repeatedly attempted to secure promotion but was rejected based on an internal evaluation, which he believed was incorrect. He alleged discriminatory treatment in his daily work, including irregular processing of travel allowance (TA) bills and insufficient consideration of his submissions. He also claimed that no Grievance Redressal Officer had been appointed under Section 23.

6.2 The Complainant emphasised that he had not been promoted while some juniors had. He claimed that two general-category employees with lower marks were promoted to Scale II.

6.3 The Respondent argued that the allegations were vague and unfounded. It stated that the Complainant joined in 2016 in Scale I and that promotions depended on multiple factors, including tests, performance appraisal, and interviews. Although he passed some written tests earlier in 2021, 2022, and 2023, he did not clear the interview stage, and in 2024, he also failed the online test. The Respondent relied on guidelines issued by the Department of Personnel and Training and produced a document indicating that entry-level Scale I officers are equivalent to Group A posts.

6.4 The Court observed that even if reservation provisions were limited, the possibility of discrimination based on disability under section 20 (4) of the RPwD Act, 2016, could not be dismissed

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outright. It is observed that if the Complainant's assertion that juniors with lower marks had been promoted is correct, the Respondent should provide objective justification supported by relevant data.

6.5 The Respondent clarified that promotions were determined by three components — online test scores, annual performance appraisal, and interview performance — rather than seniority alone.

6.6 On other issues, the Respondent stated that TA bills were delayed due to missing documents, but had later been processed; however, the Complainant maintained that payments had not reached him. The Court directed the Respondent to provide proof of payment and to ensure immediate clearance if any payment is pending. A document showing the appointment of a Grievance Redressal Officer was placed on record, and the Respondent was instructed to verify TA payments.

7. Observations and Recommendations:

7.1 This Court noted that the Complainant has raised the following issues:

- (a) The denial of 4% reservation in promotion;
- (b) Unfair internal assessment for promotion;
- (c) Lack of an Equal Opportunity Policy (EOP);
- (d) Non - appointment of a GRO in compliance with Section 23;
- (e) Ignoring his inputs on e-tendering and accessibility measures like ramps; and
- (f) Pending TA bills, unpaid staff meeting allowance.

7.2 From the records, it is clear that the Complainant is seeking reservation in promotion within executive grades of the Bank, which is not permissible in accordance with para 2.1 of the DoPT OM No. No. 36012/1/2020-Estt.(Res.-II) dated 17.05.2022 read with para 2 (a) of the DFS OM 19/04/2017-Welfare dated 06.12.2017, reiterated by the DFS vide their OM of even No. dated 07.04.2025. Accordingly, the claim of the Complainant for reservation in promotion cannot be sustained in law.

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7.3 On the issue of discrimination and fairness in promotion, the Court observes that the Respondent has relied on a composite evaluation system including an online test, appraisal, and interview. However, the Complainant has specifically alleged a lack of transparency in the communication of interview marks, the absence of feedback, and the promotion of juniors with lower written scores. In terms of settled law by the Supreme Court of India, fairness, transparency, and non-arbitrariness are integral to service jurisprudence under Articles 14 and 16 of the Constitution. Therefore, the Respondent is duty-bound to provide the Complainant with a detailed breakdown of his marks, including interview scores, to dispel any apprehension of bias.

7.4 The Respondent has vide its Reply dated 23.04.2024, submitted a copy of the EoP, which includes pre-promotion training. However, they have not indicated whether any such training was given to the Complainant. It is also observed that the said EOP has not been registered with the CCPD as required under Section 21 (2) of the Act.

7.5 On the issue of Grievance Redressal Officer and liaison mechanism, although the Respondent has placed on record that an officer each has been designated as the GRO and the LO, the material on record, including repeated representations by the Complainant, indicates a lack of timely and effective response. It is also evident from the Complainant's version during the hearing that he is not aware of the appointment of the GRO by the Respondent. It is important that such information is available in the public domain. The ignorance of the employees with disabilities of the availability of the statutory grievance redressal mechanism defeats the very purpose of having a GRO.

7.6 On the issue of e-tendering and professional involvement, while policy decisions fall within administrative discretion, the inputs of the Complainant, drawing from his lived experience and from his domain knowledge as the Technical Field Officer, can be very important and need to be considered with an open mind. On accessibility (ramps and infrastructure), the Respondent has submitted that provisions are implemented wherever feasible. However, the RPWD Act, read with the "Barrier Free Environment" guidelines, imposes a positive obligation to ensure accessibility.

7.7 Regarding TA bills and staff meeting allowance, it is clarified that such matters ordinarily should be taken up at a forum appropriate for raising service disputes. The mandate of this Court is limited to the area for which the RPWD Act makes specific provisions. Having said that this Court has noted

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the submission of the Respondent that all bills have been cleared except those pending due to procedural deficiencies. .

7.8 The Respondent is recommended to take the following actions and submit an Action Taken Report within three months as per Section 76 of the Act:

- (a) To provide the Complainant with a detailed breakdown of his marks, including interview scores
- (b) To furnish a report on post-recruitment and pre-promotional training of the employees with disabilities and whether the Complainant attended those training programmes, if any
- (c) To review the EoP, update the details of the incumbent GROs and submit the same for vetting and registration by the CCPD.
- (d) To publish the EOP and the details of GRO on the public interface of the website of the Bank and circulated the details of the GRO within the establishment.
- (e) To ensure accessible premises both for employees and general public by conducting an accessibility audit of the premises and carrying out necessary modifications, including provision of ramps, in a time-bound manner, with due regard to feasibility supported by technical justification.. Employees with disabilities of all categories, be involved in the process.

7.7 The Respondent is informed that non-furnishing of the **Action Taken Report (ATR)** to this Court within a period of 90 days may constitute an offence within the meaning of Section 76 read with Section 93 of the Act and this Court may be constrained to initiate appropriate action as per the law.

8. Accordingly, the case is disposed of.

Yours faithfully,

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(S. Govindaraj)
Commissioner

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