



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/16130/1022/25

Dated: 23/04/2026

In the Tagged Matters of

1. CCPD/13498/1024/2022

Complainant

Shri Ravinder Jadhav

Vs.

Respondent(s)

The General Manager (HR Wing),

Canara Bank Head Office, Bengaluru

2. CCPD/16130/1022/25

Complainant

Shri Ravinder Jadhav

Vs.

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
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Respondent(s)

The Chief General Manager, Canara Bank

The Managing Director, and CEO, Canara Bank

1. Gist of Proceedings in Case CCPD/13498/1024/2022

1.1 The Complainant, Shri Ravinder Jadhav, a person with 71% multiple disabilities, filed this complaint as an activist representing himself and other Persons with Disabilities (PwDs) employed at Canara Bank. The Complainant raised multiple grievances regarding inadequate provision of assistive devices and JAWS software, inaccessible HRMS/Cannet portals, and irregularities in the Special Conveyance Allowance payment policy. He further advocated for the establishment of formal grievance redressal mechanisms, clear transfer policies for PwDs, and the implementation of reservation in promotions in accordance with DoPT and DFS guidelines. His primary grievance alleged that the Special Conveyance Allowance (SCA) was subject to pro-rata deductions for days absent, which he argued should be paid for the whole month regardless of attendance. Furthermore, he highlighted that internal systems like the HRMS and Cannet portals were digitally inaccessible, that JAWS screen-reading software was not provided as a matter of policy, and that there was a lack of a formal Grievance Redressal Officer and accessible complaint register. He also requested provisions for 10 days of Special Casual Leave for training and the publication of Liaison Officer contact details.

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1.2 The Respondent (Canara Bank) submitted vide email dated that their policies are in adherence to Government of India guidelines and that they do not violate the rights of PwD employees. The Bank stated that they provide JAWS screen-reading software to enable visually impaired employees to perform their duties and that any reported access difficulties are addressed by the IT Department. Regarding the Special Conveyance Allowance, the Bank clarified that it has revised its policy to permit payment without pro-rata deduction, provided the employee attends the office for at least one working day in a month. Furthermore, the Bank asserted that it has appointed a Grievance Redressal Officer and a Liaison Officer, with their respective contact details and dedicated email IDs available in the public domain via their Equal Opportunity Policy. The Bank maintained that it treats employees with disabilities with respect and provides reasonable accommodations subject to administrative and regulatory constraints. Following the Respondent's reply, the matter was put up for hearing.

1.3 During the hearing held on 18.12.2023, the Court addressed several operational grievances, specifically the irregularities in the deduction of the Special Conveyance Allowance (SCA) during leave periods and the general inaccessibility of the Bank's HRMS claim portal. The Complainant further highlighted disparities in support for hearing aids and the unavailability of JAWS software for visually impaired staff. In response to these claims, the Court noted the concerns related to accessibility and sensitivity on disability related issues. It questioned if the bank's policies differed from other public sector banks to the disadvantage of the PwDs. During the proceedings, the Court noted that the Complainant had expanded the scope of the case from 14 original grievances to 20, including third-party fraud cases. The Court emphasized that it does not entertain "public interest matters" and that the Complainant must confine himself to his original complaints or provide specific authorization to represent other aggrieved individuals. Regarding transfers, the Court observed that while PwBD employees have certain protections, they do not possess a vested right to remain at a specific post indefinitely if the new posting is accessible and well-connected. Consequently, the Court addressed the systemic improvements relevant to the Complainant. The Court advised the Bank to implement automated payment systems for allowances, ensure the accessibility of internal digital infrastructure, formalize an Equal Opportunity Policy (EOP), and perform a comprehensive independent audit of physical workspaces to ensure the safety and inclusion of employees with disabilities.

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1.4 During the hearing conducted on 13.02.2024, the Court advised the Bank to explore providing higher-quality hearing aids in lieu of frequent replacements and directed the submission of a joint affidavit from the Directors of HR and IT confirming the provision of the latest JAWS software to 100% visually impaired employees and the formal appointment of a Grievance Redressal Officer (GRO). The Court further directed the Bank to submit a compliance report within 15 days regarding the status of Special Conveyance Allowance (SCA) arrears and JAWS software availability. In response, the Bank reported that it had cleared all pending SCA claims and implemented an automated monthly payment system for the allowance, effective January 2024, for employees attending at least one day per month. Regarding digital accessibility, the Bank confirmed that procurement for the remaining 159 visually impaired employees was underway to ensure comprehensive coverage, and reiterated that the DGM (HR) had been designated as the GRO, who had engaged personally with the Complainant to address ongoing concerns and collect feedback for further systemic improvements.

1.5 The Court concluded that the matters raised by the Complainant predominantly related to the general concerns of the PwDs rather than his own grievance. It pointed out the provisions of Rule 38 of the RPwD Rules, 2017, which clarifies that "an aggrieved person" can file a complaint before the Chief Commissioner or the Commissioner of this Court. Accordingly, it advised the Complainant to file a fresh Complaint and restrict the reliefs sought to the issues on which he has his own grievance.

2. Gist of the Proceedings in Case No. CCPD/16130/1022/25:

2.1 The Complainant submitted a fresh grievance on 27.05.2025 challenging his transfer from the "barrier-free" Sector 9 branch to the Sanjay Colony branch of the Respondent's Bank. He contends that the new location is physically inaccessible, citing safety hazards, including a narrow bridge over an open drain, and violates DoPT/DFS guidelines, besides Bank's internal policy (ICOM/23/2024). Consequently, he seeks an accessible posting near his residence in Sector 80 and the immediate release of his salary, which was withheld effective 14.05.2025.

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2.2 In response to the notice issued by this Court on 28.05.2025, which highlighted relevant provisions under the RPwD Act, 2016 (Sections 3, 23, 75 (1) (a), 20 (5) & 21), Rule 8 (3) (c) of the RPwD Rules, 2017, and DoPT OM No. 36035/44/2023-Estt. (Res-II) dated 02.02.2024, the Respondent (Canara Bank) contested the claim. The Bank maintained that the transfer was a routine administrative rotation after the Complainant completed over three years at the previous branch, asserting that the new location is accessible, safe, and that the Complainant is already provided with lease and conveyance allowances.

2.3 The Respondent further justified the withholding of the Complainant's salary by citing his unauthorized absence from duty since 14.05.2025, despite multiple notices to report to the new posting. While the Complainant frames the transfer and subsequent salary stoppage as a failure to provide "Reasonable Accommodation" under the RPwD Act, the Bank maintains that its actions are consistent with its service regulations and tenure-based transfer policies, intended to ensure operational requirements while accommodating the employee's disability status.

3. Hearing:

3.1 A hearing was conducted on 15.09.2025 in Hybrid Mode, wherein the following parties/representatives were present:

S. No.	Name and Designation of the Attendees	Complainant/Respondent	Mode of Appearance
1	Shri Ravinder Jadhav	Complainant	Online
2	Dr. A.S Farida – General Manager (HR)	Respondent	Online
3	Shri J.S. Senthil Kumar, General Manager (HR)	Respondent	Online
4	Shri Praveen, Divisional Manager (HR)	Respondent	Online
5	Shri G.K. Rao, Assistant General Manager	Respondent	Online
6	Shri Amol, Manager (HR)	Respondent	Online

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4. Record of Proceedings

4.1 The Court reviewed the status of progress in Case No. **CCPD/13498/1024/2022**

and noted that not much was done with regard to ensuring accessibility of branches and providing assistive devices to its employees with disabilities. It observed that the Bank should prioritize augmenting efficiency of its PwBD workforce by providing necessary tools; the Court noted that spending on assistive devices, even the ones considered "expensive" makes business sense as against paying salaries for decades, without getting the par output as the employees with disabilities cannot contribute effectively due to a lack of enabling equipments.

4.2 The Court notes that regarding the JAWS software, while the Bank claims to have provided it, the Complainant insists many have not received updates. The Complainant was advised to formally raise specific requests for software upgrades, and the Bank was recommended to verify these requirements to ensure all visually impaired staff can perform their duties efficiently.

4.3 With regards to the Case No: **CCPD/16130/1022/25**, the issue of posting to an inaccessible branch away from his native place, the Complainant submitted that vide his transfer order dated 05.05.2025, he was posted to the Faridabad Sanjay Colony Branch, Sector-22, asserting that the location is unsafe and inaccessible due to a long canal filled with garbage and a narrow, hazardous bridge. He requested retention at the Faridabad Sector-9 Branch, which he maintained is fully accessible and barrier-free, to ensure his reasonable accommodation needs are met. The Complainant further submitted that this lack of accessibility directly impeded his ability to report for duty, resulting in the withholding of his salary and allowances for a period of over two months. The Respondent (Canara Bank) maintained that the transfer was part of a standard rotational policy following a 3-year tenure. The Bank argued that the branch is within the same city, well-connected, and that accessibility issues, such as the canal crossing, have been addressed. The Complainant countered that the area remains highly inaccessible and hazardous for a visually impaired employee. He also submitted photos of the actual site as evidence. The photos revealed that the entrance of the branch is not only inaccessible for persons with disabilities, it poses grave security threat for a person with low vision.

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5. Observations and Recommendations:

5.1 This Court observes the Bank's broader disregard for barrier-free environments and the absence of disability-sensitive administrative procedures, the Complainant has been directly impacted by the Bank's failure to apply these principles to his case.

5.2 This Court is particularly concerned with the fact that despite a prolonged proceeding and reiteration of the legal framework related to the service conditions of the persons with disabilities, he was posted to a branch, which is clearly not accessible. This revealed a lack of sensitivity of the authorities.

5.3 This Court notes that right to equal opportunity in the matters of employment and appointment within the state is a fundamental right of all citizen under Article 16 (1) of the Constitution. Needless to say that this right has to be secured for persons with disabilities as well.

5.4 In deliberating upon the grievances raised, this Court is guided by the statutory framework provided under the Rights of Persons with Disabilities (RPwD) Act, 2016, and the constitutional principles articulated through landmark judicial pronouncements, which collectively establish the standard for the treatment of employees with benchmark disabilities.

5.5 In ***State of Himachal Pradesh vs. Umed Ram Sharma (1986)***, the Hon'ble Supreme Court held that the right to life guaranteed under Article 21 is of sufficient breadth to incorporate the right to accessibility and connectivity. This landmark interpretation, pronounced prior to the enactment of specific disability legislation such as the PwD Act, 1995, or the ratification of the UNCRPD, establishes that accessibility is not merely a derivative right created by statute, but a fundamental constitutional imperative essential to the preservation of life, dignity, and the ability to participate in society.

5.6 In ***Rajive Raturi v. Union of India & 13 Others (2024)***, the Hon'ble Supreme Court held that accessibility is a fundamental right integral to the rights to life, dignity, and freedom of movement under Article 21 of the Constitution. It further criticized the non-mandatory nature of Rule 15 of the RPwD Rules, 2017, deeming it ultra vires the parent Act. It ultimately, directed the Union Government to establish enforceable accessibility standards across public infrastructure, digital platforms, and services, reinforcing

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the state's obligation to ensure inclusivity. The relevant paragraphs are extracted below:

'12. Accessibility refers to the design of products, services, environments, and systems to ensure that all individuals, including those with disabilities, can access, use, and benefit from them fully and independently. This encompasses physical access, such as entry to buildings and transport, as well as access to information, communication, and digital platforms. It is essential for promoting inclusion and enabling participation in all aspects of public life.'

Accessibility as a Human Right

'19. The right to accessibility is not a new or separate human right, but rather an integral part of existing human rights frameworks. Accessibility is embedded within several international human rights treaties, reinforcing its foundational role in ensuring equality and dignity for all individuals, including those with disabilities. For example, access to the physical environment and public transportation is essential for the realisation of freedom of movement, which is guaranteed under Article 13 of the Universal Declaration of Human Rights and Article 12 of the International Covenant on Civil and Political Rights...'

'38. At this stage, it is also crucial to understand the relationship between reasonable accommodation and accessibility, as both are essential for achieving equality for PWDs. While accessibility generally refers to the removal of barriers in the environment or infrastructure to ensure equal access for all, reasonable accommodation is more individualised. It involves making specific adjustments to meet the unique needs of a person with a disability. In other words, accessibility ensures that environments are designed to be inclusive from the outset, while reasonable accommodation ensures that individuals who face specific challenges can enjoy their rights on an equal basis in particular contexts.'

5.7 In **S. Rajasekaran v. Union of India & Ors. (2025)**, the Hon'ble Supreme Court of India declared the right to unobstructed and accessible pathways as a fundamental right under Article 21 of the Constitution, emphasizing that safe pedestrian infrastructure is an indispensable facet of the Right to Life for persons with disabilities and vulnerable populations. The Court mandated that all States and Union Territories must strictly implement and enforce guidelines aligning with the Indian Roads Congress (IRC)

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standards and the Harmonised Guidelines and Space Standards for Barrier-Free Built Environment (2021), which prescribe essential accessibility features such as tactile pavers, kerb ramps, and regulated bollard spacing. Furthermore, the Court issued categorical directions for the immediate removal of all unauthorized encroachments that obstruct pedestrian movement, asserting that such obstructions force vulnerable users into hazardous traffic conditions, and consequently directed all authorities to submit compliance reports to ensure the creation and maintenance of a barrier-free built environment.

5.8 Accessibility and reasonable accommodation u/s 20 (2) and 21 of the Rights of Persons with Disabilities (RPwD) Act, 2016, are not mere privileges or ancillary benefits; they are structural prerequisites for the exercise of the right to equality. When an employer fails to eliminate these barriers, the "opportunity" afforded to an employee with a disability is effectively transformed into a restricted right. To ensure that the spirit of Article 16 (1) is upheld, the workplace must be viewed not merely as a physical location, but as an integrated landscape that must be barrier-free to ensure that the opportunity to work is truly equal for all.

5.9 Based on the photographic evidence highlighting significant safety hazards, specifically an open drainage canal covered by a precarious and uneven drainage grate, the Court finds that the current branch fails to provide a barrier-free environment for a visually impaired employee. The existence of such a structure, which presents a treacherous and inconsistent surface, poses a navigational hazard even to individuals without disabilities; for an employee with visual impairment, this constitutes a structural barrier that is fundamentally impassable and unsafe. Applying the aforementioned constitutional and statutory principles, the Respondent's failure to provide safe, unimpeded access constitutes a denial of the fundamental rights.

5.10 Furthermore, the Court observes that the withholding of the Complainant's salary and allowances during his period of forced absence, which was a direct consequence of these inaccessible conditions, was punitive and constituted a denial of his right to livelihood. Accordingly, the Respondent is advised to – (a) post the Complainant to an accessible branch at a place as nearest from his native place as possible, subject to administrative constraints; and (b) process full reimbursement of all salary and allowances withheld during the period the Complainant was unable to access the branch. Attention of the Respondent is brought to the Order of the Hon'ble Delhi High Court in **Mukesh Kumar Vs NPTI** where the Court held that the exigency, if relied upon by the Respondent for not accommodating the request of the PwD employee, is required to be explained with proper justification.

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सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार/ Government of India

Case No. CCPD/16130/1022/25

Dated: 23/04/2026

'(Para 36) There cannot be an exhaustive list of valid reasons for non-acceptance of recommendation by the authority made to it by the Chief Commissioner, however, for illustration we may observe that in a situation where an employee with disabilities is transferred in administrative exigencies taking into account the need and operational necessity of the organization and the skills and capability of the employee concerned, such a situation may give rise to a valid reason for the origination for not accepting the recommendation made to it by the Chief Commissioner, though, in such a situation reasons are to be conveyed to the Chief Commissioner as also to the person aggrieved.'

5.11 To address the fundamental issue of inaccessible workplace, it is recommended that the Bank conducts a formal accessibility audit performed exclusively by accessibility auditors empanelled by the Department of Empowerment of Persons with Disabilities (DepwD). This audit shall evaluate both the safety of the commute path and the internal branch infrastructure against established accessibility standards. The findings, along with proposed corrective actions should be compiled into a comprehensive Action Taken Report submitted to this Court to ensure a safe and practical workplace within accordance of Section 76 of the RPwD Act, 2016, within 90 days. Failure to comply may constrain this Court to initiate action under Sections 77, 89, and 93 of the Act. The Court has determined that no further intervention is necessary.

6. Accordingly, the abovementioned cases are disposed of.

Yours faithfully,

(S. Govindaraj)

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(Please quote the above file/case number in future correspondence)



सत्यमेव जयते

न्यायालय मुख्य आयुक्त

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Commissioner

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