



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:** 14626/1022/2023

**In the Matter of**

**Complainant**

Shri Deepak Kohli

**Versus**

**Respondent**

The Managing Director and CEO, Bank of Baroda, HRM Dept

## **1. Gist of Complaint**

1.1 The Complainant, Shri Deepak Kohli, a person with benchmark Low vision filed a complaint dated 01.11.2023 regarding transfer to his native place. He has submitted that he is working as a Senior Manager in Bank of Baroda, Amritsar Region. He has submitted that since his joining in 2013 in the bank he got chance of home posting only once. In the year 2022, he was posted at Jammu but in the year 2023 he was transferred to Amritsar, Punjab (210 KMs from Jammu). He had requested the Competent Authority for not to transfer him but they informed that it is not obligatory to give exemption. He also submitted that his old age parents, wife, children all are dependent on him and he is dependent on them. It is difficult for him to move to another State. He further submitted that he received transfer order on 18.08.2023 and submit representation on 19.08.2023. He had joined the Amritsar Regional Office on 03.10.2023, showing his unwillingness to join and requested to post him at Jammu. He has requested for intervention of this office for his transfer.

## **2. Notice Issued**

2.1 The matter was taken up with the Respondents on 20.11.2023 citing

provisions u/s 75, 77, 3, 20(5), 21 and 23 of the Rights of Persons with Disabilities Act, 2016 read with Rule 8 of the RPwD Rules, 2017.

### **3. Respondent's Reply to the Notice**

3.1 The Respondent Bank, represented by the Assistant General Manager (HRM), submitted a reply dated 16.12.2023 stating that the Complainant was recruited under the All India Direct Recruitment Channel, joining the bank on 22.04.2023, and has been posted in his home zone (Chandigarh Zone) since his appointment. The Respondent submitted that although Regulation 47 of the Bank of Baroda Officers Service Regulations 1979 and the Board-approved transfer policy mandate inter-zonal transfers upon completing the requisite tenure, the Complainant was specifically exempted from such transfers due to his disability. It was further stated that after previously working without any reported difficulty at Pathankot, Kathua, Sambha, and Jalandhar, the Complainant encountered performance challenges and mental pressure as the Branch Head at Jammu Main Branch since 14.07.2022. Despite counselling from the Regional Head, Amritsar, the Complainant repeatedly requested to be relocated and expressed willingness to work in an administrative role, specifically as a Regional Business Development Manager.

3.2. The Respondent asserted that his subsequent transfer to the Regional Head Office, Amritsar, was an accommodation made in accordance with his own choice, making the present complaint a misleading afterthought. Additionally, the Respondent affirmed that the bank strictly adheres to all government guidelines for employees with disabilities, having framed an Equal Opportunity Policy under Section 21 of the RPwD Act, 2016, and established a two-tier grievance redressal system under Section 23 of the Act with the appointment of a Chief Liaison Officer and Zonal Liaison Officers.

### **4. Rejoinder**

4.1 The Complainant filed a rejoinder via email dated 21.12.2023, reiterating his initial submissions and refuting the Respondent's claims regarding his tenure and the reliance on an unofficial WhatsApp message to justify his transfer, despite an explicit human resources email stating that WhatsApp is not an official mode of communication. The Complainant further stated that the transfer order was issued with surprising timing, just as his family was expecting the delivery of their child, and was followed by severe professional harassment and insult. Specifically, he alleged that after returning from paternity leave, he was bounced back and forth between the Jammu Branch and the Amritsar Regional Office without clear instructions, left waiting for two days, and eventually stood relieved without a formal

relieving letter.

4.2. He contended that his user ID was deactivated, he was kept idle, and he was denied the ability to mark his attendance or obtain past attendance records, causing public humiliation in front of staff and customers. Finally, he noted that while he had requested a transfer to an accessible location like the Gandhi Nagar Jammu Branch, he was instead posted to Amritsar as a Regional Wealth Manager, a role typically reserved for specialist marketing officers, despite him being a generalist officer.

### **3. Notice of Legal Framework**

3.1 The matter was further looked into with the Respondent vide notice dated 29.01.2024 stating provisions under Article 41 of the Indian Constitution, Sections 20(2), 20(5), 21, 4, 16, 24, 27, 38, Rule 8(3), DOP&T OM No 36035/3/2013-Estt. (Res) dated 31.03.2014, DOP&T OM No. 42011/3/2014-Estt. (Res) dated 06.06.2014, DOP&T OM No. 42011/3/2014-Estt (RR) dated 08.10.2018, and Ministry of Finance OM F.No. 302/33/2/87-SCT (B) dated 15.02.1988.

### **4. Status Update on Grievance Redressal:**

4.1 The Complainant vide email dated 13.11.2024 submitted that he wished to withdraw his complaint, as the Respondent Bank had approved his request and transferred him back to his native place.

### **5. Observation and Recommendation**

5.1 Upon reviewing the facts of the case and the available records, it is clear that the Complainant's grievance has been successfully addressed and resolved by the Respondent's.

5.2 After considering the submissions from both parties, especially the Complainant's explicit withdrawal request, the Court has determined that no further intervention is necessary.

6. Accordingly, the case is disposed of.

**(S. Govindaraj)**  
**Commissioner for Persons with Disabilities**