



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/14325/1022/2023

In the matter of

Complainant

Shri Kamal Jeet Mehta

Vs.

Respondent(s)

Assistant General Manager (H.R), State Bank of India (agmphr.lhoand@sbi.co.in)

1. Gist of the Complaint

1.1 The Complainant, Shri Kamal Jeet Mehta, a Chief Manager at the State Bank of India (SBI) in Chandigarh and a person with a 40% locomotor disability, submitted a grievance dated 15.07.2023 alleging that his transfer following promotion was in violation of Bank and Government of India guidelines. He contended that despite being promoted within the same city, he was unnecessarily moved from the Local Head Office to the Punjab Haryana High Court Branch, even though numerous Chief Manager vacancies existed in his original office. He argued that under Bank Circular No. 538, PwBD employees should normally be exempted from routine transfers and, even on promotion, be retained in the same office or town if a vacancy exists. The complainant highlighted that his stay at the Local Head Office was less than one year and that the new posting, being farther from his residence, caused undue hardship and mental distress. He sought the immediate reconsideration of his posting to align with the core purpose of reasonable accommodation and disability-inclusive transfer policies.

2. Issue of Notice

2.1 The matter was taken up with the Respondent vide notice dated 27.07.2023

stating provisions u/s 3, 21, 23, and 75 of the Rights of Persons with Disabilities Act, 2016.

3. Respondent's Reply to the Notice

3.1 The Respondent (SBI), through its written submissions dated 09.08.2023 and 02.03.2024, maintained that there has been no violation of the Rights of Persons with Disabilities Act, 2016, or the Bank's internal circulars regarding the Complainant's posting. It was submitted that upon his promotion from Scale-III to Scale-IV in April 2023, the Complainant was retained within the same Chandigarh Centre, fulfilling the requirement to keep PwBD employees at their original place of posting whenever possible. The Bank clarified that the Complainant's shift from the Local Head Office (Sector 17) to the Punjab & Haryana High Court Branch (Sector 1) constituted a change of posting within the same city rather than an inter-city transfer. Furthermore, the Respondent argued that the resultant increase in travel distance from the Complainant's residence was a marginal 3 KM (from 5 KM to 8 KM), which the Bank deemed a reasonable administrative exigency that did not disrupt the Complainant's "right to equality" or "life with dignity".

4. Rejoinder

4.1 In his rejoinder dated 31.08.2023, the Complainant rejected the Respondent's justifications, asserting that the Bank's alleged commitment to protecting PwBD employees is not reflected in his case. He contended that the Respondent's primary defence, that he was not moved out of the Chandigarh centre, ignores the fact that multiple vacancies existed within his original office, yet he was still transferred out. The Complainant clarified that even a marginal increase of 3 KM in commuting distance poses a significant challenge for an individual with a disability, and the Bank failed to provide any specific care or reasonable accommodation despite the availability of posts. Furthermore, he alleged that the process of filing the complaint has resulted in severe mental distress and an inferiority complex, exacerbated by receiving numerous calls regarding the matter, which has made him feel ashamed for seeking redressal. He reiterated that the current administrative decision lacks fairness and requested the Court's support in resolving his grievance.

5. Notice of Legal Framework

5.1 The matter was further looked into with the Respondent vide notice dated 23.01.2024 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.

6. Status Update on Grievance Redressal:

6.1 Following the issuance of the Legal Framework advisory on 23.01.2024, the Respondent (SBI) submitted a final status report on 02.03.2024. The Deputy General Manager & CDO, SBI LHO Chandigarh, informed this Court that the Complainant's grievances had been addressed in accordance with existing guidelines.

6.2 The Complainant vide email(s) dated 18.05.2024 and 16.06.2025 submitted his satisfaction with the solution provided by the Bank and requested for withdrawal of the case.

7. Observations & Recommendations

7.1 Upon reviewing the facts of the case and the available records, it is clear that the Complainant's grievance has been addressed.

7.2 After considering the submissions from both parties, especially the Complainant's email(s) dated 18.05.2024 and 16.06.2025, the Court has determined that no further intervention is necessary.

8. Accordingly, the case is disposed of.

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

(Vikas Trivedi)

Dy. Chief Commissioner for Persons with Disabilities