सत्यमेव जयते
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/13802/1024/2023

In the matter of —

Smt. Charu Singh **...Complainant**

Versus

The Assistant General Manager,
State Bank of India RASMEC,
Karkardooma, Delhi **...Respondent**

1. Gist of the Complaint:

1.1 The Complainant, Smt. Charu Singh, a person with 40% visual impairment, filed the present complaint vide email dated 13.01.2023 alleging an inordinate delay in the withdrawal of her Provident Fund. She submitted that she was recruited as a Probationary Officer in the State Bank of India in 2010 and, owing to the absence of adequate policies and a conducive working environment for employees with visual impairment, faced considerable difficulties in discharging her duties during her tenure. Consequently, having no viable alternative, she voluntarily resigned from service on 22.02.2014 due to depression. She further submitted that the Respondent Bank recovered an amount of ₹99,846/- from her on account of her voluntary resignation. Thereafter, vide email dated 15.05.2023, she stated that despite having cleared all her dues, the Respondent Bank had withheld a portion of her Provident Fund without assigning any reason. She alleged that, despite the lapse of more than ten years since leaving the Bank and repeated follow-ups, she has still been unable to withdraw the balance lying in her Provident

Fund account.

2. Notice to the Respondents

2.1 A notice dated 03.03.2023 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 have filed their reply dated dated 18.05.2023 filed the reply and submitted that the amount of Provident Fund i.e.₹1,03,962/- has been credited to Complainant's SBI saving account no. 31663904150 on 08.05.2023.

4. Rejoinder by the Complainant:

4.1 The Complainant vide email dated18.05.2023 filed the Rejoinder stating that she is not satisfied with the reply of the Respondent and inter-alia submitted that this is not the full amount that was supposed to be paid to her. She again vide email dated 27.07.2023 submitted that there was a balance of ₹ 2,15,000/- in her PF account along with accumulated PL. The Bank credited only ₹1,03,962/- in her account. She alleged that the Bank made some unreasonable deductions from her Provident Fund account.

5. Hearing (I):

5.1 A hearing in hybrid mode was conducted on 30.05.2024, wherein following parties/representatives were present:

Sl.No.	Name of the parties/ Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Ms. Charu Singh	Complainant	Online
2.	Shri Ajay Kumar, AGM	For Respondent	Online

6. Record of Proceedings:

6.1 The Court heard the complaint of a former probationary officer who joined the Bank in 2011 under the PwD category and resigned in 2014 citing harassment and non-conducive work conditions. She stated that her resignation was not accepted initially, and she later cleared all dues in 2016. She received only about

₹90,000 as PF settlement last year, which she believed was much less than expected. She alleged that she was denied the bank's PF contribution and that she faced mental harassment, rude behaviour, and an unsupportive work environment. She expressed willingness to rejoin service if her disability was taken into consideration.

6.2 The Respondent submitted that as per Bank rules, employees leaving before 5 years are not eligible for the employer's PF contribution, and the employee's contribution with interest (₹1,03,962) was already paid. The Court observed multiple concerns: non-provision of PF statements, alleged rude behaviour, forced deduction of 3 months' salary, lack of grievance redressal before accepting resignation, and possible misconduct by the then AGM, Shri Bajrangi Yadav. The Court directed the Respondent to obtain a written statement from the retired AGM and to submit within 7 days the Complainant's PF statement, TDS details, PF rules, resignation file noting, reasons for her transfer to the SME branch, and explanation for the 9-year delay in PF payment.

7. Hearing (II):

7.1 A hearing in hybrid mode was conducted on 11.12.2025, wherein following parties/representatives were present:

Sl.No	Name of the parties/ Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Ms. Charu Singh	Complainant	Online
2.	Shri Ajay Kumar, AGM	For Respondent	Online

8. Record of Proceedings:

8.1 The hearing concerned a complaint filed byMs. Charu Singh against State Bank of India (SBI) regarding the non-payment of the employer's contribution to her Provident Fund (PF). Ms. Singh argued that while she had received her own PF contributions, the employer's share had not been paid. She stated that she had resigned from the bank after about three years and one month of service due to adverse working conditions, mental stress, and difficulties arising from her posting and work environment.

8.2 The SBI representative submitted that the Employer's PF contribution was not payable because, under the State Bank of India Employees' Provident Fund Rules, an Employee must complete a minimum of five years of service to become eligible for the Employer's contribution.

8.3 After hearing both parties, the Court observed that the bank's rules clearly require five years of service for entitlement to the employer's PF contribution and that Ms. Singh had not completed the required service period. The Court noted that, while her allegations regarding mental harassment and an adverse work environment might have formed the basis of a separate complaint, they did not provide a legal basis for claiming the employer's PF contribution under the existing rules. The Court therefore indicated that it could only verify whether the bank had correctly calculated and paid the amounts due under the applicable rules and found no grounds to direct payment of the employer's contribution in the present case.

9. Observations and Recommendations

9.1 The Court has carefully examined the pleadings, documents placed on record, the submissions made by both parties, and the applicable provisions of the State Bank of India Employees' Provident Fund Rules. It is an undisputed fact that the Complainant, a person with benchmark disability, joined the services of the Respondent Bank as a Probationary Officer and voluntarily resigned after rendering approximately three years and one month of service. It is also undisputed that the Respondent credited the Complainant's own Provident Fund contribution along with the applicable interest.

9.2 The principal grievance of the Complainant relates to the non-payment of the employer's contribution to the Provident Fund. The Respondent has relied upon the relevant provisions of the SBI Employees' Provident Fund Rules, which prescribe a minimum qualifying service of five years for entitlement to the employer's contribution, except in circumstances specifically provided under the Rules. Since the Complainant admittedly did not complete the prescribed qualifying service and no statutory provision, rule, or binding instruction has been placed on record entitling her to receive the employer's contribution despite non-fulfilment of the eligibility condition, this Court finds no legal basis to direct the Respondent to release the employer's contribution contrary to the applicable Rules. Accordingly, the prayer of the Complainant seeking payment of the employer's contribution is not sustainable and is, therefore, declined.

9.3 The Court, however, notes with concern the allegations made by the Complainant regarding the absence of a conducive working environment, lack of reasonable accommodation, inadequate institutional support, and the mental distress allegedly suffered by her during service, which ultimately resulted in her resignation. While these issues fall beyond the limited scope of the present complaint concerning Provident Fund entitlement, they nevertheless raise concerns regarding the statutory obligations of employers towards employees with disabilities. The Hon'ble Supreme Court in Vikash Kumar v. Union Public Service Commission held that reasonable accommodation is an integral facet of the right to equality and that denial of such accommodation constitutes discrimination against persons with disabilities.

9.4 The Hon'ble Supreme Court has further emphasized inRajive Raturi v. Union of India that accessibility, inclusion and equal participation are essential components of the rights guaranteed under the Rights of Persons with Disabilities Act, 2016. Sections 3, 20 and 21 of the RPwD Act cast a statutory obligation upon every establishment to ensure non-discrimination in employment, provide reasonable accommodation, and establish an effective grievance redressal mechanism for employees with disabilities. The Respondent Bank is, therefore, advised to periodically review and strengthen its policies and internal mechanisms to ensure compliance with these statutory obligations and to conduct regular sensitization programmes for its officers and staff.

9.5 The Court further observes that there was considerable delay in the settlement of the Provident Fund dues admittedly payable to the Complainant. Although the Respondent has eventually released the amount admissible under the Rules, the Respondent hasn't submitted any proofs of the disbursement of the amount despite the Court's recommendation in the first hearing. Therefore, the Respondent is recommended to submit the above-mentioned and the proposal of a regular-sensitization program to this Court to express alignment with the provisions of the RPwD Act, 2016. The Respondent shall submit an Action Taken Report within 90 days to this Court accommodating all the above-mentioned recommendations. Consequently, the Court has determined no further intervention necessary.

10. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 07-08-2026
16:14:58

(S. Govindaraj)

Commissioner for the Persons with Disabilities