



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

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Case No: CCPD-AD-0162/2026**In the Matter of****Complainant**

Shri Dinesh Bamrara

Versus**Respondent(s)**

The Managing Director and Chief Executive Officer, Punjab National Bank

1. Background of the Case

1.1 The Complainant, Shri Dinesh Bamrara, a 100% orthopedically disabled employee of Punjab National Bank, with nearly 29 years of unblemished service, submitted a grievance dated 11.08.2026 requesting reconsideration of his transfer and repatriation to BO Chandrapuri, Roorkee. He submitted that his earlier request was related to the accessibility difficulty caused by six steps at the branch entrance. The Bank subsequently constructed a 16-foot ramp, resolving the issue, after which he withdrew his earlier request. However, he alleged that his subsequent transfer to BO Roorkee Ramnagar was processed without considering the withdrawal. He has requested cancellation/reconsideration of his transfer and repatriation to BO Chandrapuri, Roorkee, considering his disability, reasonable accommodation, safety requirements and long service record.

2. Hearing

2.1. A preliminary hearing was conducted on 13.08.2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of

1.	Shri Dinesh Bamrara	Complainant
2.	Shri Arun PR, Deputy General Manager	Respondent
3.	Shri Ranjan Prakash, Circle Head DGM (Haridwar)	Respondent

3. Record of Proceedings

3.1 During the proceedings, the Complainant, Shri Dinesh, reiterated his complaint. He further submitted that the present place of posting continues to suffer from inadequate accessibility, including difficulties relating to toilet and other basic facilities required for safe and independent movement.

3.2 The Court observed that the grievance raised by the Complainant was not against the transfer per se but primarily concerned the accessibility of the workplace to which he had been transferred. The Court observed that accessibility of the workplace is a mandatory requirement and that the Respondent Bank is required to ensure that the workplace assigned to an employee with disability is accessible and suitable to accommodate his disability-related needs. The Court further observed that the fact that the Complainant had served at a particular location for a long period was not, by itself, determinative of the issue; rather, the Bank was required to consider his disability and ensure that his posting did not result in avoidable hardship or compromise his ability to perform his duties safely and effectively.

3.3 The Court further observed that employees with disabilities are ordinarily not to be subjected to routine or rotational transfers in a manner that adversely affects their disability-related needs. However, where an administrative requirement necessitates a transfer, the same may be given effect to provided that reasonable accommodation and accessibility requirements are duly considered. The Court accordingly recommended the Respondent to ensure that the transferred place of posting is made fully accessible to the Complainant, including provision of an accessible entrance/ramp, suitable railing and accessible toilet and other basic facilities necessary for his safe and independent movement.

3.4 In view of the above, the Court recommended the Respondent Bank to undertake the necessary accessibility modifications at the transferred place of posting and to make the workplace suitable for the Complainant within a period of three months. Till such accessibility modifications are completed, the transfer of the Complainant shall remain kept in abeyance for a period of three months, during

which he may continue to work at the existing accessible place of posting. Upon completion of the required accessibility measures, the Complainant may be required to join the transferred place of posting.

3.5 The Court further took note of the DoPT Office Memorandum dated 31.03.2014, particularly Para H relating to preference in transfer/posting, which provides that, as far as possible, employees with disabilities may be exempted from rotational transfer and allowed to continue in the same job where they have achieved the desired performance; that preference may be given in the place of posting at the time of transfer/promotion, subject to administrative constraints; and that the practice of considering the employee's choice of place of posting may be continued. The Court also took note of the subsequent DoPT OM No. 36035/44/2023-Estt.(Res-II) dated 02.02.2024, which reiterates that, as far as possible, persons with disabilities may be exempted from rotational transfer/transfer and that preference in place of posting may be given to them, subject to administrative constraints.

3.6 Accordingly, till the requisite accessibility modifications are completed, the transfer of the Complainant shall remain kept in abeyance for a period of three months, during which he may continue to work at the existing accessible place of posting. The Respondent shall ensure, inter alia, that the transferred workplace has an accessible entrance/ramp, appropriate railing, accessible toilet and such other basic facilities as may reasonably be required by the Complainant for safe, independent and effective discharge of his duties. Upon completion of the accessibility measures, the Complainant may be required to join the transferred place of posting, subject to compliance with the statutory requirements relating to reasonable accommodation and accessibility.

3.5 The Respondent was further recommended to submit an **Action Taken Report (ATR) within three months**, along with documentary evidence, including photographs and/or other relevant records, demonstrating completion of the requisite accessibility modifications and compliance with the directions of the Court. The Court recommended that the Bank shall ensure that the Complainant is not subjected to avoidable disability-related hardship merely on account of his transfer and that his posting is implemented consistently with the principles of equality and non-discrimination under Section 3, reasonable accommodation and non-discrimination in employment under Section 20, read with the applicable Rules and accessibility standards. The Court further observed that the transfer/posting of an employee with disability should be considered in the light of the DoPT OM dated 31.03.2014 and OM dated 02.02.2024, particularly the provisions concerning preference in transfer/posting and exemption from routine/rotational transfer,

subject to administrative constraints.

3.6 The Court further recommended that, upon satisfactory compliance with the accessibility requirements and submission of the ATR, the transfer order may be acted upon in accordance with law. The Respondent shall also ensure that its Equal Opportunity Policy/transfer policy incorporates the applicable safeguards and reasonable-accommodation requirements for employees with disabilities, including preference in transfer/posting, wherever applicable. Such approach is consistent with the statutory scheme of Section 21 of the RPwD Act read with Rule 8 of the RPwD Rules, 2017, concerning Equal Opportunity Policy, and the guidance issued by this Court regarding incorporation of reasonable accommodation and preference in transfer/posting in the policies of establishments. Consequently, the Court has determined no further intervention necessary.

4. Accordingly, the case is disposed of.

(S. Govindaraj)

Commissioner for Persons with Disabilities