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-AD-0136/2026

In the Matter of

Complainant

Shri Jaipal S. Tyagi

Versus

Respondent(s)

The Chairman, State Bank of India

1. Background of the Case

1.1 The Complainant, Shri J.P.S. Tyagi (a retired SBI Deputy Manager), filed a complaint dated 06.07.2026 seeking directions to the State Bank of India to include the name of his dependent son, Shri Sonu Tyagi, as a beneficiary for family pension in his Pension Payment Order (PPO) under the SBI Employees' Pension Fund Regulations. The Complainant submitted that his son has been suffering since birth from Dyskinetic Cerebral Palsy with seizure disorder and moderate intellectual impairment, having more than 80% permanent disability as certified by the Standing Medical Board of IHBAS and other government medical authorities, which renders him completely dependent and incapable of earning a livelihood. He stated that although the Bank had routinely reimbursed his son's medical treatment during his active service, he omitted his son’s name at the time of retirement on 30.11.2006 due to lack of awareness of the internal guidelines, which were not in the public domain and were only formally streamlined by the Bank through circulars issued years later. Aggrieved by the Bank’s prolonged inaction and refusal to forward his representation to the Trustees on the technical ground of non-declaration at retirement, the Complainant approached the Court to intervene and direct SBI to register his son with disability for family pension to ensure his lifelong survival and social security.

2. Hearing

2.1. A preliminary hearing was conducted on 24.07.2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Jaipal S. Tyagi	Complainant
2.	Shri Vijay Kumar Mittal	Complainant
3.	Shri Roopesh Kumar, Deputy Manager	Respondent

3. Record of Proceedings

3.1 During the proceedings, the Complainant reiterated his grievance whereas The Respondent submitted that, as per the applicable pension rules, certain requirements have to be fulfilled for claiming family pension in respect of a child with disability. These include, inter alia, that the name of the dependent should be mentioned in the relevant pension records/Pension Payment Order (PPO), the disability/medical incapacitation should be established through the prescribed Medical Board, and the requisite disability certificate should have been submitted to the employer. The Respondent submitted that the name of the Complainant's son was not mentioned in the relevant pension records at the time of retirement and that the requisite documents had not been submitted to the Bank at that stage.

3.2 Upon considering the submissions of both parties, the Court examined the documents and submissions of the Respondent and sought clarification regarding the date on which the disability certificate was obtained and why the disability certificate had not been submitted to the Bank during the Complainant's service or at the time of retirement. It was noted that the disability certificate available on record was issued subsequently, whereas the Complainant had retired on 30.11.2006. The Court observed that the delay in obtaining and submitting the requisite documents could not, by itself, be treated as sufficient justification for ignoring the applicable requirements and sought a clear explanation from the Respondent regarding the relevant records and procedure followed by the Bank.

3.3 The Court further observed that, as per the applicable framework, three important documents/requirements were relevant for consideration of the claim for family pension, namely: (i) submission of the disability certificate to the employer; (ii) mention of the dependent with disability in the relevant pension records/PPO;

and (iii) submission of the requisite medical incapacitation certificate issued by the competent Medical Board. It was observed that these requirements were required to be fulfilled during service or at the time of retirement. The Respondent was accordingly directed to place the relevant records and documents before the Court for examination.

4. Respondent's Further Submission

4.1 The Respondent, State Bank of India, submits that the grant of family pension to a child with disability is governed strictly by Rule 3(c)/Rule 23 of the Pension Fund Regulations and relevant circular guidelines issued in 1995, 2002, and 2012–2013. Under this regulatory framework, the entitlement requires that the disability manifested prior to retirement/death in service, that the handicap prevents the child from earning a living (as certified by a competent Medical Authority not below the rank of Civil Surgeon), and that proper declarations and records were submitted to the Bank during service or at the time of retirement. The Bank maintains that the Complainant declared only his wife in the pension proposal submitted on 30.11.2006 without enclosing any disability certificates for his son. While internal circulars allow Circles to consider belated requests from retirees who omitted children with disabilities due to ignorance, the Bank emphasizes that inclusion in the PPO cannot be done automatically; it mandates full verification of requisite medical incapacitation records, legal vetting, and formal recommendation for sanction by the Corporate Centre / Board of Trustees.

5. Complainant's Submission

5.1 The Complainant, Shri J.P.S. Tyagi (a retired SBI officer), submits that his son, Shri Sonu Tyagi, suffers from congenital dyskinetic cerebral palsy, seizure disorder, and moderate intellectual impairment (with over 80% permanent disability), rendering him wholly dependent and incapable of earning a livelihood independently. He contends that he omitted his son's name from the pension records upon his superannuation on 30.11.2006 due to ignorance of the internal guidelines, though SBI had routinely reimbursed medical bills for the child during his active service. Furthermore, he argues that the Bank only formalized circular instructions for nominating dependents with disability in service years after his retirement (in 2012–2013). Relying on the High Court of Jammu & Kashmir and Ladakh judgment in *SBI v. Balbir Kaur*, the Complainant asserts that non-declaration at retirement is a bona fide, rectifiable oversight and that hyper-technical grounds should not deny family pension to a lifelong child with disabilities whose condition manifested since birth.

6. Observation and Recommendations

6.1 The Court has carefully considered the submissions of the Complainant and the Respondent, along with the documents placed on record. It is not disputed that the Complainant's son, Shri Sonu Tyagi, has a congenital disability and has been living with dyskinetic cerebral palsy, seizure disorder and intellectual impairment, with more than 80% permanent disability. The nature of the disability indicates that the same is not a condition acquired after the Complainant's retirement. The primary issue before the Court is, therefore, not the existence of the disability, but whether the omission of the son's name from the pension records at the time of retirement in 2006 can be considered for rectification in accordance with the applicable rules and instructions.

6.2 The Court observes that the applicable pension framework requires fulfilment of prescribed conditions for consideration of family pension in respect of a child with disability, including appropriate medical certification regarding incapacity to earn a livelihood and the requisite declaration/recording of the dependent. At the same time, the Court takes note of the Respondent's submission that SBI's applicable instructions provide a mechanism for consideration of belated requests where a disabled dependent was not included at the time of retirement.

6.3 The Court is of the view that the Complainant's request deserves consideration on its merits, particularly in view of the undisputed nature of the son's congenital disability and the Complainant's submission that the omission occurred due to lack of awareness of the applicable procedure. The fact that the son's name was not recorded in the pension records at the time of retirement may be considered in accordance with the applicable rules and circulars, but should not be treated as dispensing with the requirement of verification of his substantive eligibility.

6.4 The Respondent is, therefore, recommended to obtain and verify the relevant disability/incapacitation certificate, records establishing dependency, the Complainant's pension proposal and PPO, and other relevant records, including medical reimbursement records, wherever available. SBI shall also examine the applicability of the judgment relied upon by the Complainant in *SBI v. Balbir Kaur*, along with the relevant Pension Fund Regulations and circulars governing belated inclusion of dependents with disability.

6.5 Upon verification of the aforesaid records, SBI is recommended to place the matter before the competent authority/Corporate Centre for consideration of the Complainant's request for belated inclusion of his son with disability as an eligible family pension beneficiary and to take a reasoned decision in accordance with the applicable rules. The decision shall be communicated to the Complainant within **six weeks from receipt of the complete requisite documents**, with a copy furnished to this Court for information and record. Consequently, the Court has determined no further intervention necessary. The Complainant remains at liberty to approach the Court afresh in case his grievance remains unaddressed.

7. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 28-08-2026
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(S. Govindaraj)
Commissioner for Persons with Disabilities