



न्यायालय मुख्य आयुक्त

COURT OF 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 and Empowerment

भारत सरकार/ Government of India

Diary No. DNO/26/CCPD/6216

Dated: 02/09/2026

Case No: DNO/26/CCPD/6216

In the Matter of

Complainant

Shri Aditya Prakash

Versus

Respondent(s)

1. The Chief Executive Officer, EPFO
2. The Chairman, Bihar Gramin Bank

1. Gist of the Complaint

1.1 The present complaint has been filed by Shri Aditya Prakash on behalf of his brother, a person with benchmark Intellectual Disability, alleging wrongful denial of family pension following the demise of their father, who was an EPS-1995 pensioner and an employee of Bihar Gramin Bank. The Complainant submitted that despite obtaining the requisite disability certificate, legal guardianship certificate, and complying with repeated document requests made by the Bank over several years, the family pension claim continued to be rejected. It was further alleged that Bihar Gramin Bank and the Employees' Provident Fund Organization (EPFO) had shifted responsibility upon one another without providing a clear justification, thereby depriving the eligible beneficiary of the family pension. Accordingly, the Complainant sought intervention of this Court for appropriate directions.

2. Hearing

2.1. A preliminary hearing was conducted on 23.07.2026 in hybrid mode, wherein the following parties/representatives were present:

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364,
20892275

E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in

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Sl. No.	Name of the Parties / Representatives	On Behalf of
1	Shri Divya Prakash Pathak	Complainant
2	Representative of Regional Office, Patna	Respondent

3. Record of Proceedings

3.1 During the proceedings, the Complainant submitted that his brother, a person with 40% Intellectual Disability, was entitled to family pension after the demise of their father, an EPS-1995 pensioner employed with Bihar Gramin Bank. It was submitted that, over the course of several years, the Bank had repeatedly required the Complainant to obtain and furnish various documents, including disability certificates, digitized disability records, and a legal guardianship certificate, all of which were duly obtained from the competent authorities and submitted. Despite compliance with these requirements, the claim for family pension was ultimately rejected by the Bank on grounds unrelated to the disability documentation.

3.2 The Respondent No. 1 (EPFO) submitted that the complaint had only recently come to its notice and that the Regional Office had been directed by the Head Office to attend the proceedings. It was submitted that the matter required examination of the pension records, including whether the deceased employee had furnished the requisite family particulars, nominee details, and disability-related information at the time of pension processing. It was further submitted that the validity of the disability certificate and compliance with the applicable pension rules would also require verification before any decision could be taken.

3.3 Upon hearing the parties, the Court sought clarification regarding the precise role of EPFO in the dispute, observing that the primary grievance appeared to arise against Bihar Gramin Bank, which had processed and rejected the family pension claim. The Court questioned the necessity of impleading EPFO when the alleged denial had primarily emanated from the Bank's actions.

3.4 The Court further examined the sequence of events concerning the issuance of the disability certificate, legal guardianship certificate, and the filing of the family pension claim. Upon such examination, it emerged that although medical records relating to the beneficiary's disability had existed prior to the demise of the deceased employee, the formal disability certificate and legal guardianship certificate had

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been obtained after the employee's death pursuant to the Bank's directions.

3.5 Upon consideration of the submissions made, the Court observed that entitlement to family pension in favour of a dependent person with disability would ordinarily require satisfaction of certain foundational requirements, namely: (i) disclosure by the employee of the dependent's disability in the relevant pension or service records; (ii) production of a valid disability certificate issued by the competent medical authority; and (iii) certification establishing that the dependent was incapable of earning his livelihood on account of the disability. The Court observed that verification of these requirements was necessary before any allegation of discrimination or violation of the rights of persons with disabilities could be examined.

3.6 The Complainant submitted that while the disability certificate and legal guardianship certificate had subsequently been obtained and furnished, the deceased employee had not specifically recorded the disability of the dependent in the pension records or PPO during his lifetime, though medical records had allegedly been submitted to the employer on earlier occasions.

3.7 Upon hearing the submissions, the Court observed that unless the requisite statutory documents and service records collectively established the eligibility of the dependent for family pension under the applicable pension rules, the Commission would not be in a position to examine whether any violation of the rights of the beneficiary had occurred. The Court further observed that, at the present stage, no material had been placed before it to establish any act of discrimination or denial of rights attributable to the Respondents under the Rights of Persons with Disabilities Act, 2016.

3.8 Accordingly, the Court observed that the Complainant shall first ensure and verify that all requisite documents, including proof of dependency, disability certification, and other mandatory records required under the applicable pension rules, had been duly submitted before Bihar Gramin Bank. The Court further observed that only upon such verification and establishment of prima facie eligibility would the Court consider examining any allegation of discrimination or denial of statutory rights under the RPwD Act. Consequently, the Court has determined no further intervention necessary.

4. Accordingly, the case is disposed of.

Yours faithfully,

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**(S. Govindaraj)
Commissioner**

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