



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: 14057/1022/2023

In the Matter of

Smt. Anjana Kumari

...Complainant

Versus

The Chairman, State Bank of India

...Respondent

1. Gist of the Complaint

1.1 The Complainant, Smt. Anjana Kumari, an employee of the State Bank of India, submitted a complaint seeking transfer from Chamyana Branch, Shimla, Himachal Pradesh to Patiala, Punjab, on compassionate grounds.

1.2 The Complainant submitted that she is the primary caregiver of her minor daughter who was diagnosed with Autism Spectrum Disorder (ASD) in 2023. She stated that the child requires continuous parental care, specialised intervention and therapeutic support. Her husband is employed in the Punjab Police and is posted at Patiala. According to the Complainant, the separation of the parents, coupled with the child's care requirements, has made it extremely difficult for her to discharge her professional responsibilities while ensuring adequate care and treatment of her daughter.

1.3 The Complainant further submitted that the availability of specialised medical and therapeutic facilities and the presence of her husband and extended family at Patiala would facilitate better care and support for the child. She, therefore, sought transfer to Patiala or a nearby location.

2. Notice and Reply of the Respondent

2.1 The matter was taken up with the Respondent under the relevant provisions of

the Rights of Persons with Disabilities Act, 2016 and the Rules framed thereunder. A Notice dated 26.05.2023 was issued to the Respondents for submission of requisite comments on the matter

2.2 In response, vide email dated 09.06.2023, the Respondent submitted that the Complainant was recruited as a Junior Associate under a State-wise recruitment process and joined the Bank on 01.09.2020. It was also submitted that the recruitment advertisement specifically provided that candidates would be considered against vacancies in the State for which they had applied and that inter-State/inter-Circle transfer was not permissible for such employees.

2.3 The Respondent further submitted that the Complainant had joined the service with knowledge of the applicable recruitment and transfer conditions. It was also stated that the Bank has provisions for inter-Circle transfer in respect of certain categories of employees but that the same are not applicable to the Complainant under the prevailing policy.

2.4 At the same time, the Respondent stated that the Bank is committed to protecting the interests of employees with disabilities and caregivers of persons with disabilities. During the proceedings, the Respondent also informed that an alternative posting at Parwanoo, near the Chandigarh/PGIMER area, had been offered to the Complainant, keeping in view the medical requirements of her child.

3. Rejoinder and Proceedings

3.1 In her rejoinder dated 29.06.2023, the Complainant reiterated that her daughter's condition falls within the specified disability category under the Rights of Persons with Disabilities Act, 2016 and that the child requires the support and presence of both parents.

3.2 The Complainant submitted that her circumstances were not foreseeable at the time of joining the Bank, as the diagnosis of her daughter's condition was made subsequently. She accordingly requested that her case be considered on compassionate grounds and in the light of the principle of reasonable accommodation.

6. Hearing

6.1. A hearing was conducted on 31.10.2025 in hybrid mode, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties /	On Behalf of
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	Representatives	
1.	Smt. Anjana Kumari	Complainant
2.	Shri Kurmendra Kumar, DGM IIC	Respondent
3.	Shri Kajal Bhaumik, LHO, Chandigarh	Respondent

3.2 During the hearing, the Complainant submitted that she is the primary caregiver of her minor daughter, diagnosed with Autism Spectrum Disorder, who requires regular specialised therapies and family support. She stated that her present posting at Shimla makes it difficult for her to balance her official duties with the caregiving requirements of her daughter, particularly as her husband is posted in Patiala. She further submitted that the child's diagnosis was made in 2023, subsequent to her joining the Bank in September 2020, and that the prevailing circumstances had caused her considerable difficulty in continuing her employment while ensuring adequate care of her child.

3.3 The Respondent submitted that the Complainant had been recruited under the Bank's State-wise, region-specific recruitment policy and had joined the service with knowledge of the applicable conditions. It was stated that employees recruited under the said policy are ordinarily not entitled to inter-State/inter-Circle transfer. The Respondent further explained the administrative rationale behind the policy and submitted that certain categories of employees, such as those recruited prior to 2019 or supervisory officers having all-India liability, are governed by different transfer provisions.

3.4 The Respondent also submitted that an alternative posting at Parwanoo, near the Chandigarh/PGIMER area, had been offered to the Complainant, keeping in view the medical requirements of her child.

4. Observations and Recommendation

4.1 In view of the facts and circumstances of the case, the Respondent is recommended to reconsider the Complainant's request for transfer/posting as a special case, keeping in view the disability-related caregiving responsibilities arising from the condition of her minor daughter and her need for regular therapeutic intervention, parental support and a stable family environment.

4.2 While the Respondent's applicable transfer policy and administrative

requirements are acknowledged, the case may be examined individually and holistically, keeping in view the principles of reasonable accommodation, equality and non-discrimination under the Rights of Persons with Disabilities Act, 2016, rather than applying the general transfer policy mechanically. The Respondent is advised to consider the applicable DoP&T instructions on exemption from routine/rotational transfer of Government employees who are caregivers of persons with disabilities, including O.M. No. 42011/3/2014-Estt.(Res.) dated 06.06.2014, the subsequent O.M. dated 17.11.2014 whereby Autism was specifically included within its scope, O.M. No. 42011/3/2014-Estt.(RR) dated 08.10.2018, and the updated provisions contained in O.M. No. 36035/44/2023-Estt.(Res.) dated 02.02.2024, as applicable.

4.3 The Respondent may explore feasible and permissible alternatives under the applicable rules, including mutual transfer, deputation, posting at a suitable nearby location, State-border realignment or any other appropriate arrangement. The feasibility of the alternative posting at Parwanoo, as indicated during the hearing, may also be considered.

4.4 The Respondent shall communicate a reasoned decision on the Complainant's request within 30 days from the date of receipt of this Order and submit an Action Taken Report (ATR), along with a copy of the decision, to this Court within the same period.

5. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 09-09-2026
17:21:17

(S. Govindaraj)

Commissioner for Persons with Disabilities