



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: 14520/1023/2023

In the Matter of

Complainant

Shri Karun Gupta

Versus

Respondent(s)

The Chairman, Union Bank of India- Human Resource

1. Gist of Complaint

1.1 Shri Karun Gupta, a person with benchmark locomotor disability affecting one leg, filed the complaint alleging harassment, a hostile work environment, and denial of reasonable accommodation by the management of Union Bank of India, particularly the Branch Head of GTB Enclave Branch. He submitted that despite his medical limitations and lack of prior branch credit experience, he was assigned excessive workload, compelled to work late hours and undertake field visits, and was allegedly humiliated, threatened, and subjected to frequent changes in job responsibilities, adversely affecting his performance.

1.2 The Complainant further alleged that he was posted in inaccessible branches without lift facilities, his repeated requests for an ergonomic chair despite medical recommendations were ignored, and his genuine medical leave was denied. He also alleged that the Branch Head used derogatory language referring to his disability and described him as "physically handicapped" in official communications, contrary to the Bank's own guidelines. Aggrieved by these actions, he approached this Court seeking an impartial inquiry, a barrier-free working environment, reasonable accommodation, proper guidance, and provision of an ergonomic chair.

2. Notice Issued

2.1 The matter was formally taken up with the Respondent vide notice dated 04.10.2023, directing them to submit their comments on an affidavit within the statutory time limit. This notice cited the violation of fundamental protections and statutory rights under Sections 3, 7, and 20(i) & (ii) of the Rights of Persons with Disabilities Act, 2016.

3. Respondent's Reply to the Notice

3.1 The Respondent, vide reply dated 16.10.2023, denied the allegations and submitted that the Complainant had been suitably accommodated in view of his disability by exempting him from physically demanding duties and assigning only routine operational work. It was further contended that the Complainant was reluctant to perform core credit-related responsibilities despite being appointed as an Assistant Manager (Credit).

3.2 The Respondent further submitted that the Complainant had been provided adequate training, his request for an ergonomic chair had been forwarded to the Regional Office, and his medical leave was sanctioned upon submission of the requisite documents. The Respondent also stated that the use of the term "handicapped" in an official email was inadvertent, for which the Branch Head had apologized and assured that inclusive terminology would be used in future.

4. Rejoinder

4.1 In the rejoinder dated 22.10.2023, the Complainant strongly refuted the Respondent's internal inquiry findings as biased and inaccurate, maintaining his prayers for an impartial inquiry against Smt. Prachi Chaudhary for her derogatory remarks and the strict enforcement of statutory support. He contended that the Branch Head systematically targeted him with threats of false POSH charges, denied him work for several days following his internal complaints, and deliberately subjected him to physical and mental torture by forcing him into high-pressure independent credit roles without structural mentorship or high support. Furthermore, the Complainant affirmed that despite the management's claims, no ergonomic chair had been delivered to his workstation, and his urgent sick leaves were maliciously blocked until this Court directly intervened. Explaining that mechanical adherence to internal protocols ignored his genuine constraints, he concluded that the bank intentionally failed to provide a barrier-free environment, leaving him with no choice but to seek legal recourse to ensure his right to reasonable accommodation and dignity at the workplace.

5. Hearing (I)

5.1. A hearing was conducted on 27.05.2025 in hybrid mode, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Karun Gupta	Complainant
2.	Shri Ganesh Prasad, DGM(HR) & CPIO	Respondent

6. Record of Proceedings

6.1 During the proceedings, the Complainant briefly stated the facts of the case. He explained how these continuous actions created an intensely hostile and uncomfortable work environment, while further elaborating on the total inadequacy of the accommodations provided by the bank, which failed to address the challenges posed by his disability. When questioned by the Court regarding whether he had formally escalated these grievances internally, the Complainant confirmed that he had already submitted his complaint to both the bank's Grievance Redressal Officer and the Human Resources department.

6.2 In response, the Respondent submitted that an internal investigation into the harassment claims had already been conducted, which ultimately did not establish or validate the allegations made by the Complainant against his supervisors and colleagues. After hearing the arguments from both parties, the Court recommended that the Respondent formally submit the complete inquiry and investigation report, along with a detailed account of any steps taken to address the allegations or any other disciplinary actions, within a strict timeline of 15 days.

7. Hearing (II)

7.1. A hearing was conducted on 19.05.2026 in hybrid mode, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Karun Gupta	Complainant
2.	Shri Dr. T. Sujith, Assistant General Manager (HR)	Respondent

8. Record of Proceedings

8.1 The Complainant, filed a grievance dated October 2023 against the Union Bank of India regarding workplace harassment, toxic working culture, and the absence of basic reasonable accommodations at his branch. The Complainant submitted that while the immediate situational environment has sequentially improved due to subsequent staff transfers, the profound historical harassment he faced has severely and permanently compromised his physical and psychological health. He contended that the sustained occupational stress has induced chronic hypertension, clinical depression, and a compromised respiratory system, thereby demonstrating the long-term impact of an unaccommodated and hostile working environment on an employee with benchmark disabilities.

8.2 During the proceedings, the Respondent Bank, represented by Shri Sujit, maintained that all primary operational grievances raised by the Complainant in 2023 had been thoroughly resolved. The Respondent submitted that the bank had actively intervened by executing the transfer of the concerned branch manager, restructuring the localized working culture, and providing necessary ergonomic adjustments to meet the Complainant's physical requirements. The Respondent argued that since October 2023, no fresh grievances or compliance disputes have been recorded regarding the Complainant either at the Regional Office or the corporate level, suggesting that the underlying dispute has been permanently settled and the case may be closed.

9. Observation and Recommendation

9.1 The Court observes that the Complainant, being a person with benchmark disability, has raised grievances concerning workplace harassment and inadequate reasonable accommodation. The Complainant has attributed his reported health concerns to the prolonged occupational stress and alleged hostile working environment. The Court emphasizes that persons with disabilities are entitled to a non-discriminatory, conducive and reasonably accommodated workplace in accordance with the RPwD Act, 2016.

9.2 The Court further observes that resolution of an individual grievance through transfer of personnel or provision of isolated accommodations may not, by itself, obviate the need for an establishment to ensure effective implementation of its statutory obligations relating to reasonable accommodation, barrier-free and conducive working conditions, and an Equal Opportunity Policy under Sections 20 and 21 of the RPwD Act, 2016 and the applicable Rules.

9.3 Accordingly, the Respondent is recommended to take appropriate institutional measures, including regular sensitization of staff and strengthening of internal grievance mechanisms and workplace safeguards for employees with disabilities, and to submit an Action Taken/Compliance Report within 15 days from the date of issuance of this Order. In case of failure to furnish the requisite information/report, appropriate action as permissible under the RPwD Act, 2016, including Section 93, may be considered.

9.4 The Respondent shall also ensure that the Complainant continues to be provided reasonable accommodation and a conducive working environment in accordance with the applicable provisions of the RPwD Act, 2016 and the Bank's Equal Opportunity Policy.

10. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 19-09-2026
10:36:56

(S. Govindaraj)
Commissioner for Persons with Disabilities