



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/6575

Dated: 21/09/2026

Diary No: DNO/26/CCPD/6575

In the Matter of

Complainant

Shri Tarun Gupta

Versus

Respondent(s)

The Managing Director and CEO, Punjab & Sind Bank

1. Hearing

1.1. A preliminary hearing was conducted on 14.08.2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Tarun Gupta	Complainant
2.	Shri Rajesh C. Pandey, Chief General Manager	Respondent

2. Record of Proceedings

2.1 During the proceedings, the Respondent, Punjab & Sind Bank, submitted that the promotion from MMGS-III (Senior Manager) to SMGS-IV (Chief Manager) was based on five components, namely Performance Appraisal carrying 25 marks, Written Test carrying 25 marks, Branch Experience carrying 10

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marks, Interview carrying 35 marks, and Qualification carrying 5 marks. It was submitted that the Complainant secured 19.50 marks in Performance Appraisal, 16.75 marks in the Written Test, 7.75 marks for Branch Experience, 30 marks in the Interview and 3 marks for Qualification, aggregating to 77 marks. The Respondent stated that there were 34 vacancies and that the Complainant missed the promotion by approximately two marks.

2.2 The Respondent denied the allegation that the Complainant had been deliberately awarded lower marks in the interview on account of his disability. It was submitted that the marks obtained by candidates in the written examination were not disclosed to the Interview Panel. The Respondent further submitted that the Complainant had secured 85.7% in the interview and that the difference in marks could not be attributed to any discriminatory treatment. It was also submitted that the Complainant had obtained three marks out of five for qualification, although he could have secured higher marks under that component, and that his marks for branch experience were based on his period of service in the branch.

2.3 The Court sought clarification regarding the nature and level of the post for which the promotion was being considered and whether reservation for persons with benchmark disabilities was applicable to such promotion. The Respondent submitted that the post was an officer-level position in the senior management grade and stated that reservation was applicable from the clerical level up to the lowest scale of Group-A officers, but was not applicable to promotion from Scale-III to Scale-IV. The Respondent accordingly submitted that there was no reservation applicable to the promotional exercise in question. The Court noted that the applicability of reservation to the particular promotional level would require examination.

2.4 The Court also sought clarification regarding the Complainant's position in the merit ranking vis-à-vis the available vacancies. The Respondent submitted that the Complainant's rank was approximately 50th, whereas only 34 vacancies were available. The Respondent maintained that, on the basis of the marks and ranking in the promotional exercise, the Complainant could not be promoted and denied any bias or discrimination in the process.

2.5 The Court accordingly recommended the Respondent to submit its written response, within seven (7) days, along with all relevant records and supporting documents, including the material necessary to substantiate its contention that there had been no violation or discrimination in the promotional process. The Court further recommended that the Respondent's response and relevant documents be furnished to the Complainant.

2.6 The Court recommended the Complainant to file a rejoinder within three (03) days of receipt of the

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Respondent's written response and documents. The Court observed that, upon examination of the Respondent's submissions and the relevant promotion records, it would determine, inter alia, whether reservation for persons with benchmark disabilities was applicable to the promotion from Scale-III to Scale-IV and whether the promotional process disclosed any violation of the rights or safeguards available to the Complainant under the applicable disability law. Thereafter, the Court would examine the material on record and pass an appropriate final order in the matter.

Yours faithfully,

(VIKAS TRIVEDI)
Dy. Chief Commissioner

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