



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/6430

Dated: 21/09/2026

Case No: DNO/26/CCPD/6430

In the Matter of

Complainant

Shri Jaswinder Singh

Versus

Respondent

The Chief General Manager, Bank of India, Mumbai

1. Hearing

1.1. A hearing was conducted on 22.07.2026 in hybrid mode, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Jaswinder Singh	Complainant

1.2 No representatives on behalf of the Respondent were present during the proceedings.

2. Record of Proceedings

2.1 The Complainant submitted that he is serving as a Staff Officer with the Respondent Bank and has been transferred from Punjab to Mumbai vide transfer order dated 13.05.2026. It was contended that he is the primary caregiver of his brother, a person with benchmark Intellectual Disability, whose disability is supported by the Disability Certificate/UDID Card placed on record. The Complainant further submitted that his aged parents are unable to independently care for his brother and that his mother has been undergoing continuous medical treatment and has recently been hospitalized, as evidenced by the medical records annexed with the complaint. The Complainant also relied upon the representations dated 15.05.2026 and

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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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02.06.2026, requesting the Bank to reconsider the transfer on humanitarian and disability-related grounds. It was alleged that despite these representations and the supporting documents furnished, no reasoned decision has been communicated by the Respondent Bank.

2.2 During the proceedings, the Court sought clarification regarding the Complainant's caregiving status and whether his dependent brother and other family particulars had been duly reflected in the official service records of the Bank. The Complainant submitted that his brother is duly reflected as a dependent in the Human Resource Management System (HRMS)/service records of the Bank and referred to the HRMS screenshots already placed on record in support thereof. The Complainant further submitted that his family details, dependency particulars and supporting medical documents had been disclosed to the Respondent Bank well before the issuance of the impugned transfer order.

2.3 Despite due service of notice, none appeared on behalf of the Respondent. No written statement, comments, or records were produced before this Court explaining the reasons for the impugned transfer or indicating whether the Complainant's representations and documentary evidence had been examined by the competent authority. The Court recorded the Respondent's absence and viewed the same seriously, particularly in a matter concerning the rights of a person with benchmark disability and the caregiving obligations of an employee.

2.4 Upon consideration of the complaint and the documents placed on record, the Court observed that the Complainant has produced prima facie material, including the Disability Certificate/UDID of his dependent brother, medical records relating to his mother's hospitalization, HRMS/service records reflecting dependency, family details, and copies of the representations submitted to the Respondent Bank. These documents warrant examination by the Respondent before any adverse decision affecting the Complainant's caregiving responsibilities is implemented. The Court further observed that where an employee asserts caregiving responsibilities towards a person with benchmark disability, such claim requires due and reasoned consideration by the employer in light of the objectives of the Rights of Persons with Disabilities Act, 2016 and the constitutional obligation to reasonably accommodate persons with disabilities and their support systems.

2.5 Accordingly, the Respondent is recommended to file its detailed written response within 15 days, specifically addressing:

1. whether the Complainant's brother is recorded as a dependent in the HRMS/service records;

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2. whether the Respondent had considered the Disability Certificate/UDID, medical records of the Complainant's mother, and proof of dependency before issuing the transfer order;
3. the applicable transfer policy governing employees who are caregivers of persons with benchmark disabilities;
4. the reasons for rejecting or not acting upon the representations dated 15.05.2026 and 02.06.2026;
5. whether any reasonable accommodation or alternative posting nearer to the Complainant's native place was considered; and
6. copies of the relevant transfer policy, file notices, competent authority's approval, and all records relied upon while issuing the impugned transfer order.

2.6 The Respondent shall ensure the appearance of an officer not below the rank of the competent Human Resources Authority, duly authorized and conversant with the facts of the case, along with the complete service records, HRMS dependency records, applicable transfer guidelines, and all documents relevant to the decision-making process. The Court expects the Respondent to examine the matter afresh in a fair, humane, and disability-sensitive manner consistent with the objectives of the Rights of Persons with Disabilities Act, 2016.

2.7 The Court further observes that continued absence of the Respondent or failure to furnish the aforesaid records would impede effective adjudication of the present complaint. Accordingly, the Respondent Bank is granted a final opportunity of 15 days to file its response and supporting documents. In the event of non-compliance or continued failure to participate in the proceedings without sufficient cause, the Court shall proceed further in accordance with law and draw inference as may be warranted while deciding the maintainability and merits of the complaint.

3. This is issued with the approval of the Commissioner for Persons with Disabilities.

Yours faithfully,

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(VIKAS TRIVEDI)

Dy. Chief Commissioner

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