



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/6410

Dated: 26/09/2026

In the matter of:

Shri Devesh Kumar Singh

(Complainant)

Versus

The MD & CEO Bank of Baroda

(Respondent)

1. Background of the Case

1.1 The Complainant, Shri Devesh Kumar Singh, is a person with 40% low vision and is an employee of Bank of Baroda.

1.2 The Complainant submitted that he had raised a whistleblower complaint against certain irregularities at Paharpur Branch, and upon investigation, his complaint was found to be correct by the investigating officer. Pursuant to the findings, the Bank transferred the official against whom the complaint was made from Paharpur Branch.

1.3 The Complainant alleged that, on account of pressure from the clerical union, the management thereafter transferred him, i.e., the Complainant, from Paharpur Branch to Mushahari Branch as a retaliatory action for having raised the whistleblower complaint. He submitted that instead of being appreciated for his action, he was punished through the said transfer.

1.4 The Complainant requested that he be transferred to a branch near his home, submitting that several branches of Bank of Baroda are available in the vicinity of his residence, which would be more convenient for him, keeping in view his disability.

2. Notice of Admissibility

2.1 A notice dated 24.08.2026 under Sections 75 and 77 of the RPwD Act, 2016, was issued to the Respondent for a hearing on 03.09.2026 to determine the admissibility of the case and find out if this can be resolved without further quasi-judicial intervention of this Court.

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
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(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)

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3. Hearing

3.1 A preliminary hearing was conducted on 03.09.2026. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Shri Divesh Kumar Singh	Complainant	Online
2.	Shri Subodh Kumar, Deputy Regional Head, Muzaffarpur Branch, Bank of Baroda	For Respondent	Online

4. Respondent's Submission

4.1 During the hearing, the Respondent informed the Court that the Complainant had been re-transferred near to his hometown with effect from 16.07.2026.

4.2 The Respondent denied the allegation that the Complainant's transfer from Paharpur Branch to Mushahari Branch was made on account of the whistleblower complaint raised by him. The Respondent submitted that the transfer was effected on account of administrative exigency and not as a retaliatory measure against the Complainant.

5. Record of Proceedings

5.1 The Court observed that if a person with disability is transferred citing administrative exigency, the Respondent must be in a position to demonstrate a genuine and real administrative requirement for the same. A transfer of a person with disability cannot be undertaken as a matter of routine or rotational posting; there must be a real and demonstrable exigency justifying it.

5.2 The Court further observed that if, as alleged by the Complainant, the transfer was in fact a retaliatory measure for having raised a whistleblower complaint, such an action would be unfair and discriminatory, and would amount to a violation of the Rights of Persons with Disabilities Act, 2016.

5.3 The Court noted that where the Complainant alleges retaliation, he is required to place on record concrete evidence in support of such an allegation. In the absence of such evidence, the Court cannot

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proceed further to order an inquiry or any other legal action on the basis of a mere allegation.

5.4 The Court noted that the Respondent has already re-transferred the Complainant near to his hometown with effect from 16.07.2026, thereby redressing the primary grievance of the Complainant, namely, his request for transfer to a branch near his home.

6. Observation & Recommendation

6.1 The Respondent is recommended to ensure that transfers of persons with disabilities are not effected merely citing administrative exigency, without due consideration of the rights, reasonable accommodation requirements and the principles of non-discrimination enshrined in the Rights of Persons with Disabilities Act, 2016.

6.2 The Complainant is at liberty to place on record evidence in support of his allegation of retaliation, if he wish to pursue the matter further through appropriate proceedings.

6.3 In view of the fact that the primary grievance of the Complainant, i.e., transfer to a branch near his home, stands redressed, the case is disposed of.

Yours faithfully,

**(S. Govindaraj)
Commissioner**

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