



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. CCPD/14366/1021/2023

In the matter of —

Shri Kailash Menaria

...Complainant

versus

The Managing Director,
IDBI Bank WTO Complex,
Mumbai

...Respondent

1. Gist of the Complaint:

1 . 1 Shri Kailash Menaria, a Manager at IDBI with 85% locomotor disability filed a complaint dated 02.07.2023 due to amputation of his left hand, has alleged discrimination and violation of his rights under the Rights of Persons with Disabilities (RPWD) Act, 2016. Despite being recruited under the disability quota, the Bank failed to provide reasonable accommodation and continued assigning him public-facing duties that were physically challenging. He also highlighted that IDBI Bank branches and offices in Udaipur lack proper accessibility features such as ramps and lifts, and that he was transferred from Rajsamand, Rajasthan to Bhavnagar, Gujarat without any valid reason, causing undue hardship.

1.2 The Complainant further alleged that during the promotion interview held on 21 February 2023, the panel led by Shri Ranjan Kumar Rath, CGM, Zonal Head, New Delhi, treated him unfairly—Rath was absent for several minutes, and he was awarded only 9 out of 20 marks,

resulting in his disqualification despite good performance in other areas. Shri Menaria claimed that this pattern of bias in interview marking had continued for the past two years and that his representations to the Managing Director went unanswered. He has sought a fair and transparent interview process, disciplinary action against Shri Rath, accessible infrastructure for persons with disabilities, a suitable job profile aligned with his condition, and disclosure of relevant records and promotion data to ensure transparency and equal opportunity.

2. Notice to the Respondents :

2 . 1 A notice dated 08.08.2023 was issued to the above mentioned respondents for forwarding to this Court comments on affidavit for violation of section 20 and 21 of the RPWD Act on the complaint within the statutory time limit.

3. Reply made by the Respondent:

3.1 The Respondents filed their reply dated 06.09.2023 and stated that that IDBI Bank, though categorized as a private sector bank since January 2019, voluntarily provides 4% reservation for persons with benchmark disabilities in direct recruitment and has framed an Equal Opportunity Policy in compliance with the RPWD Act. The Bank maintained that promotions are conducted through a transparent, merit-based process involving parameters such as performance appraisal, written tests, interviews, and service records, and that several PwD officers, including eight in 2023-24, have been promoted, proving there is no bias.

3.2 The Bank denied allegations of unfair treatment or humiliation during the promotion interview held on 21 February 2023, clarifying that Shri Ranjan Kumar Rath was only a member—not the head—of the panel, which consisted of two CGMs and two GMs. It also refuted the claim of unjustified transfer, explaining that the complainant was posted to Bhavnagar, Gujarat, in 2016 based on his own preference and later transferred to Udaipur on his request. The affidavit stated that all previous complaints by Shri Menaria were duly investigated by internal committees—including the Zonal Level Committee and the Grievance Redressal Committee (GRC)—both of which found no evidence of discrimination. The Appellate Authority also upheld that the promotion

process was fair and in accordance with Bank policy. The Bank submitted that all grievances were addressed, and the matter was formally closed, praying that the complaint be dismissed as baseless and not maintainable.

4. Rejoinder filed by the Complainant:

4.1 The Complainant, in his rejoinder dated 09.09.2023, reiterated that his appeal was based on fairness, equality, and inclusivity. He alleged bias in the promotion interview due to the conduct of CGM Shri Ranjan Kumar Rath, including irrelevant questioning and his brief absence, which allegedly affected the scoring. He also highlighted inadequate accessibility facilities for differently-abled employees and alleged systemic shortcomings in addressing their grievances.

4.2 The Complainant further criticized the Bank's lack of transparency in withholding promotion-related records. He requested impartial re-evaluation of his promotion, action against the concerned official, improved accessibility facilities, and disclosure of interview marks, cut-off scores, and promotion data of employees with disabilities.

5. Hearing:

5.1 A hearing was scheduled on 14.11.2025 in hybrid mode and the following parties/representatives were present:

Sl. No.	Name & Designation of the Attendees	On behalf of	Mode of Attendance
1.	Mr. Kailash Menaria	Complainant	Online
2.	Mr. Labnendu Parek (CGHMS)	Respondent	Online
3.	Mr. Manish Bhonslekar (DGMHR)	Respondent	Online

6. Record of Proceedings:

6.1 During the hearing, the Complainant, Mr. Kailash Menaria, stated that he is a person with disability and a national-level para-swimmer. He alleged discrimination by IDBI Bank in relation to promotion, transfer, and accessibility, particularly because his transfer after promotion affected his swimming practice and access to facilities. He also raised

concerns regarding the accessibility of the bank branch and the absence of adequate reasonable accommodation. He contended that the bank had not properly considered his disability, sports achievements, and the applicable provisions of the RPwD Act and its Equal Opportunity Policy.

6.2 The Respondent, IDBI Bank, submitted that the Complainant was transferred along with his promotion from Manager to Assistant General Manager, and that the transfer was made in accordance with the bank's administrative requirements and promotion process. The bank stated that the Complainant had been posted in/around Udaipur for a considerable period and that the present transfer was connected with his promotion. Regarding accessibility, the bank stated that most branches were accessible and that accessibility-related work was being undertaken at the remaining branches. The Bank also clarified that, after its privatisation, reservation-related government instructions were not directly applicable, and that it did not have a specific relaxation mechanism for persons with disabilities in its promotion process.

7. Observations/ Recommendations:

7.1 The Court observed that while the Complainant had accepted the promotion and consequential transfer, the Bank should nevertheless have considered his disability, location preference, accessibility requirements, and status as a national-level sportsperson. The Court recommended the Respondent to submit documents explaining why the Complainant was not promoted on earlier occasions and whether the applicable standards and reasonable-accommodation principles were properly considered. The Court also suggested the bank to complete all pending accessibility measures within three months and submit a Audit Report. Regarding transfer, the Court observed that, considering the Complainant's circumstances and requirements, the bank should consider transferring him back at the earliest.

7.2 The Court further observes that the issue of the Complainant's non-selection for promotion on earlier occasions requires consideration of the relevant promotion records, including his marks, qualifying criteria and the basis of assessment, particularly in the context of reasonable accommodation and equal opportunity for persons with disabilities. However, in the absence of sufficient material presently available on record, no conclusive finding of discrimination in the promotion process

is warranted at this stage.

7.3 The Respondent Bank is recommended to reconsider the case of the Complainant for promotion, strictly in accordance with the relevant service records, promotion policy, eligibility criteria, assessment/interview records and applicable provisions relating to persons with disabilities. The Bank shall specifically examine whether the Complainant was duly considered on earlier occasions and whether all applicable principles of equal opportunity and reasonable accommodation were followed. The Bank shall thereafter submit an Action Taken Report (ATR) including Accessibility Audit Report to the Court, along with the relevant supporting records and the reasons for the decision taken, within three months from the date of this order.

8. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 05-10-2026
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(S. Govindaraj)
Commissioner for Persons with Disabilities