



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-OF-0035/1022/2026

In the Matter of

Complainant

Shri Sudhanshu Shekhar

Versus

Respondent(s)

The Managing Director and CEO, UCO Bank

1. Background of the Case

1.1 The Complainant, Mr. Sudhanshu Shekhar, Senior Manager (EMP-53328) at UCO Bank, submitted a grievance dated 31.07.2026 contesting his Transfer Order dated 21.05.2026 from the Arrah Branch (1072) to the Jamui Branch (1218) under the Patna Zone. He joined Jamui on 27.05.2026 under protest. The Complainant is the primary caregiver of his minor daughter, Ms. Ridhima Shekhar (born 2015), who holds a permanent Unique Disability ID (UDID) issued on 27.07.2021 by the Sadar Hospital Campus, Bhojpur. She is certified with an 82% Multiple Disability (comprising 75% Intellectual Disability and 40% Low Vision) resulting from two rare genetic conditions: Cohen Syndrome and Rod Cone Dystrophy (a progressive retinal condition leading toward complete blindness).

1.2 The Complainant initially filed a complaint dated 02.06.2026 registered as Case No. CCPD/OF/0008/1022/2026. In response, the Department of Empowerment of Persons with Disabilities (DEPWD) issued an Office Memorandum on 23.06.2026, observing that the RPwD Act, 2016 obligates the government to ensure children with disabilities are not deprived of family care. DEPWD referred the matter to the Department of Financial Services (DFS), which subsequently instructed the MD & CEO of UCO Bank on 07.07.2026 to take

appropriate action under extant rules. Concurrently, this Court disposed of the initial case on 03.07.2026 by remitting the matter to the bank's Grievance Redressal Officer (GRO) and Competent Authority with directions to issue a reasoned speaking order within 30 days under the applicable legal framework (including Article 41, Sections 20 and 21 of the RPwD Act, and DoPT OMs) and submit an Action Taken Report (ATR).

1.3 The Complainant sought for re-initiation of the case in this Court as no satisfactory remedy was provided by the GRO of the Bank.

2. Notice Issued

2.1 The matter was taken up with the Respondent vide notice dated 04.08.2026 stating the provision u/s 3, 21, 23, 75, and section 20 (3), Rule 8(3), DOP&T OM No. 36035/44, 2023 Estt. (Res.-II) dated 02.02.2024.

3. Respondent's Submission

3.1 The Respondent submitted their response vide letter dated 19.08.2026 and signed by Ghanshyam Parmar, General Manager (HRM, PSD & OL), the bank maintained that it had complied with this Court's 03.07.2026 advisory by remitting the case to the GRO and Competent Authority. The bank asserted that it had balanced statutory reasonable accommodation against legitimate business needs and stood committed to granting all admissible welfare concessions, while reiterating that the transfer stood valid. The bank transmitted this stance via email on 01.08.2026, speed post on 03.08.2026, and hand delivery on 17.08.2026 in response to the Court's Notice dated 04.08.2026.

4. Rejoinder

4.1 The Complainant filed a comprehensive rejoinder dated 31.08.2026 contesting the bank's core factual claim that no Scale-III vacancy or branch exists in Bhojpur District. By placing on record UCO Bank's internal Head Office Circular No. CHO/SP/08/2025-26 dated 25.09.2025 regarding "*Re-Categorization of Branches as of 31.03.2025 with Revised Criteria*," the complainant showed that branch categorizations are dynamically re-classified based on average business and advances. Relying on the official branch annexures and cadre guidelines, he demonstrated that administrative constraints were cited as a boilerplate defense without conducting an earnest vacancy audit across Bhojpur or nearby Patna Zone clusters. He further relied on the Division Bench ruling of the Hon'ble Delhi High Court in *NPTI v. Mukesh Kumar* (02.04.2025), which affirmed that recommendations under Section 75/76 carry statutory weight, binding the employer

to provide valid, substantiated reasons when departing from disability protection norms.

4. Hearing

4.1. A hearing was conducted on 10.09.2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Sudhanshu Shekhar	Complainant
2.	Shri Ghanshyam Parmar, General Manager-HRM, Head Office Kolkata	Respondent
3.	Shri Mothilal Banoth, Deputy General Manager	Respondent

5. Record of Proceedings

5.1 During the proceedings, the Complainant reiterated his grievance and the Respondent submitted that the transfer had been made in accordance with the Bank's transfer policy and on the basis of organisational requirements. It was submitted that the Complainant had completed three years at the previous posting and that the Jamui posting was made considering the requirements of the Bank and the sensitive nature of the post. The Respondent further submitted that the posting was made to a nearby location and that the Bank had extended support to the Complainant, including granting leave whenever sought.

5 . 2 The Court sought clarification regarding the distance between the Complainant's residence and the transferred place of posting. The Respondent stated that the distance was approximately 180 kilometres, whereas the previous posting was at the Complainant's hometown. The Court also sought clarification regarding the Bank's awareness of the Complainant's dependent child with disability and the applicable provisions concerning caregivers.

5 . 3 The Respondent further submitted that there were limited branches in the relevant district and that the Complainant was an experienced officer handling a critical portfolio. It was submitted that, considering the non-availability of suitable Scale III branches in the vicinity and the skill set of the Complainant, the transfer had been made in the interest of the Bank. The Respondent, however, stated that the matter would be reconsidered in light of the Court's observations.

6. Observation and Recommendations

6.1 The Court observed that the transfer of the Complainant to a place approximately 180 kilometres from his residence, in a different district, requires reconsideration in view of his status as the primary caregiver of a minor child with 82% multiple disability. The Court noted that the Respondent had relied upon administrative exigency; however, no adequate material demonstrating such exigency was placed before the Court. The Court was therefore not satisfied with the justification furnished for placing the Complainant at such a considerable distance from his residence.

6.2 The Court observed that the legitimate administrative requirements of the Bank and the disability-related needs of the Complainant's dependent child are required to be balanced. The fact that the Complainant occupies a sensitive post or possesses specialised experience may be relevant to the Bank's deployment of his services, but such considerations cannot, by themselves, justify a posting that substantially impairs his ability to provide necessary care and support to his dependent child with disability.

6.3 The Court further observed that, having regard to the applicable provisions governing caregivers and the stated circumstances, the Complainant ought to be considered for a suitable posting at a substantially shorter distance from his residence, preferably within approximately 20–30 kilometres, so that he is able to reach his residence within a reasonable period and continue providing the necessary care and services to his dependent child. The Court clarified that it was not directing that the Complainant be retained at his previous place of posting or in the same post, but that a workable and reasonable arrangement be identified in consultation with the Complainant.

6.4 The Court also noted that the Respondent's submission regarding the difficulty of finding a suitable branch within 20–30 kilometres cannot, by itself, conclude the matter. The Bank is required to examine available options and arrive at an appropriate arrangement which balances its administrative requirements with the Complainant's responsibilities as caregiver of a child with disability. The Court further observed that, where the Bank requires the Complainant's expertise for operational purposes, such services may be utilised through an appropriate short-term arrangement in consultation with him, rather than by imposing a transfer that is inconsistent with the applicable restrictions on transfer beyond the relevant city limits.

6 . 5 The Respondent is accordingly advised to reconsider the Complainant's transfer and identify a suitable posting at a substantially shorter distance from his residence, in consultation with the Complainant, while duly considering the needs of his dependent child with disability and the legitimate administrative requirements of the Bank. The Respondent shall submit an **Action Taken/Compliance Report within 45 days** from the date of this order, indicating the decision taken pursuant to the above observations and the arrangement made for the Complainant. Failure to do so may compel this Court to initiate penal action as per sections 89 and 93 of the RPwD Act, 2016.

7. Consequently, the Court has determined no further intervention necessary. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 05-10-2026
11:02:45

(S. Govindaraj)

Commissioner for Persons with Disabilities