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

Case No. CCPD/16660/1021/26 **Dated:** 05/10/2026

Notice u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016

Case No: CCPD/16660/1021/26

To,

The Managing Director and CEO,

Punjab National Bank

Email – md@pnd.co.in | md@pnb.bank.in **... Respondent**

Sub: Notice to file comments in the complaint dated 17-08-2026 of Mr. Anil Kumar, a person with 68% Locomotor Disability, regarding denial of retrospective promotion to JMG Scale-I for retired PwBD employees under the special one-time promotion drive.

Madam /Sir,

I am directed to enclose a copy of documents related to the complaint dated **17-08-2026** of **Mr. Anil Kumar**, a person **68%Locomotor Disability** on the above-mentioned subject, which is self-explanatory.

2. And whereas, a preliminary hearing was conducted on 03.09.2026 in Diary No. DNO/26/CCPD/6737 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Mr. Anil Kumar	Complainant

2.	Shri Arun PR, DGM, Punjab National Bank	Respondent

2.1 And whereas, the Respondent submitted that, pursuant to the Board's approval dated 07.02.2026 and the applicable guidelines of the Department of Financial Services, a one-time special promotion exercise had been initiated for eligible PwBD employees falling within the specified period, and a circular was accordingly issued in March 2026, followed by a written examination on 12.04.2026. The Respondent submitted that the Complainant did not secure the prescribed qualifying marks and was therefore not eligible for promotion. It was further clarified that the special drive was not exclusively for retired employees and that eligible retired employees were also permitted to participate, with notional promotion being considered for the eligible period and corresponding benefits being reflected for pensionary purposes, subject to qualifying the examination. The Respondent stated that 231 applications were received, 153 candidates appeared in the examination, 45 qualified, and 42 were promoted.

2.2 And whereas, upon examination of the submissions, the Hon'ble Commissioner sought clarification regarding the qualifying criteria and the distinction made between PwBD candidates belonging to different categories. The Respondent submitted that the prescribed qualifying marks were 40% for PwBD candidates generally and 30% for PwBD candidates belonging to SC/ST categories, as per the applicable guidelines. The Hon'ble Commissioner observed that such sub-classification within the category of persons with disabilities, particularly for the purpose of prescribing different qualifying criteria, required specific justification and verification, and recommended the Respondent to clarify the legal/guideline basis for adopting such classification. The Respondent was further recommended to furnish the relevant examination details, including the Complainant's marks and qualifying criteria, along with its written representation. Upon considering the submissions and the issues raised, the Hon'ble Commissioner directed that the Complaint be registered for regular proceedings.

3. Whereas Section 3 of the Rights of Persons with Disabilities Act, 2016 hereinafter referred to as "the Act" provides as under:

> *"3. (1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.*

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(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.

(3) No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.

(4) No person shall be deprived of his or her personal liberty only on the ground of disability.

(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities."

4. And whereas Section 21 of the Act, mandates that every establishment shall notify Equal Opportunity Policy and shall register a copy of the same with the Chief Commissioner.

5. And whereas Section 23 of the Act makes it mandatory for every government establishment to appoint a Grievance Redressal Officer and to inform the Chief Commissioner about such appointment.

6. And whereas Section 75(1) (a) and (b) of the Act mandates the Chief Commissioner for Persons with Disabilities to identify, suo motu or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with this Act and recommend necessary corrective steps and to look into complaints inter-alia, concerning matters relating to deprivation of rights of persons with disabilities either on his own motion or on the application of any aggrieved person or otherwise.

7. And therefore, you are hereby advised to forward your comments on the Complaint on an **affidavit** signed by an officer of an appropriate seniority not below the level of Group 'A' officer and to produce all the requisite documents upon which you base your Comments or Claim and where you rely on any other document as evidence in support of your comments or claim, you shall enter such documents in a list to be annexed to the Comments on Complaint along with action taken in compliance with statutory provisions as mentioned at paras 3 & 4 above, to this Court within **30 days** from the date of issue of this communication, failing which, the Complaint may be disposed of ex-parte. **While responding to this notice due care may be taken of relevant provisions of the Act, other statutory provisions, and government instructions such as the ones mentioned above including but not limited to sections 20, 21 and**

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34 of the Act read with DoPT OM No. 36012/1/2020 - Estt. (Res-II) dated 17.05.2022 read with DoPT OM No. 36012/1/2020 – Estt. (Res-II) dated 28.12.2023.

8. A copy of your reply should also be served to the Complainant **via email and by post and the proof of service be submitted to this Court along with your Reply**. You may also provide additional inputs, relevant to the case, if desired. However, it is to be informed that in case any statutory provision, any judgment of a High Court or the Supreme Court, rules formulated under any statute, Office Memorandum, or bye-law is relied upon, you shall attach a copy of the same along with your comments on the Complaint. The Complainant may file his rejoinder, if any, to this Court within 15 days with a copy to the Respondent(s).

Yours faithfully,

(VIKAS TRIVEDI)
Dy. Chief Commissioner

Copy to:

1) **ANIL KUMAR**
B-3/24 YAMUNA VIHAR, DELHI-110053
EAST, DELHI, 110053
anilashu181264@gmail.com
9811203069

Enc. Copies:

1) Disability Certificate
2) Case Document - 1