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/16637/1022/26 **Dated:** 21/09/2026

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

Case No. CCPD/16637/1022/26

To,

The Managing Director and CEO,

Punjab & Sind Bank,

100 feet road, Sharda Vihar, Dayal bagh, Agra
Email: cmd@psb.co.in; rm.agra@psb.bank.in

Sub: Notice to file comments on the complaint dated 19-07-2026 filed by Shri Pawan Kumar Dixit, Officer, Punjab & Sind Bank, regarding transfer to a branch approximately 350 km away from his present place of posting on grounds of disability and age.

Madam /Sir,

I am directed to enclose herewith a copy of the complaint dated **19-07-2026** along with its relevant documents submitted by **Shri Pawan Kumar Dixit**, Officer, Punjab & Sind Bank, on the above-mentioned subject, which is self-explanatory.

2. Whereas, a preliminary hearing was conducted on 14.08.2026, in Diary No. DNO/26/CCPD/6477, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1	Shri Pawan Kumar Dixit	Complainant
2	Shri Agam Kumar, Regional Manager, Agra	Respondent

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3	Shri Vijay Kumar Mathur	Respondent
4	Shri Rajiv Kumar Bansal, General Manager	Respondent

2.1 And wherein, the Complainant, Shri Pawan Kumar Dixit, a person with 45% disability and aged about 57 years, submitted that he is working as an Officer with Punjab & Sind Bank and was transferred from his present branch to another branch approximately 350 km away, vide transfer order dated 25.05.2026. He submitted that the transfer would cause him severe physical, medical and personal hardship on account of his disability and age. He further submitted that he had made representations to the Regional Office, Agra, requesting reconsideration of the transfer on humanitarian grounds and either retention at his present place of posting or posting at a branch near his residence, but no response had been communicated to him.

2.2 And wherein, the Respondent submitted that the Complainant had joined the transferred branch on 10.07.2026 and was continuing to work there. It was further submitted that the Complainant had made representations for reconsideration prior to joining, including requests stated to have been submitted on 01.06.2026 and 26.06.2026, but had not made any further request for reconsideration after joining the transferred branch. The Respondent further submitted that the Complainant had availed the benefits admissible in connection with the transfer, including joining leave and reimbursement relating to transportation/packing and other expenses. Upon hearing the submissions, the Hon'ble Commissioner observed that joining the transferred place pursuant to the transfer order could not, by itself, be construed as acceptance of the transfer or relinquishment of the protections and privileges available to a person with benchmark disability. The Court further observed that the Respondent had not furnished sufficient justification for the transfer or explained why the Complainant's earlier representations had not been duly considered or responded to.

2.3 And whereas, the Hon'ble Commissioner observed that the Complainant, having 45% disability, falls within the category of a person with benchmark disability and that the applicable provisions of the Rights of Persons with Disabilities Act, 2016 and relevant DoP&T guidelines/instructions concerning posting and transfer of employees with disabilities require due consideration. The

Complainant was accordingly advised to submit a further representation to the Respondent, specifically referring to and enclosing his earlier representations, and it was clarified that the same shall be treated as a continuation of his earlier representations and not as a fresh request/grievance. The Respondent was directed to consider the representation in the light of the applicable statutory provisions and guidelines and to take appropriate action for providing the Complainant a workplace at a location of his choice, as permissible under the applicable framework, within thirty (30) days. The Respondent was further directed to submit an Action Taken Report (ATR) before the Court within thirty (30) days from the date of the hearing.

3. **And** 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.*
> *(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."*

3. 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.

4. 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.

5. 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

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rights of persons with disabilities either on his own motion or on the application of any aggrieved person or otherwise.

6. 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 (5) & 21 of the Act read with Rule 8 (3) (c) of the RPwD Rules, 2017 and DoPT OM No. 36035/44/2023-Estt. (Res-II) dated 02.02.2024.**

7. 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,



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(VIKAS TRIVEDI)
Dy. Chief Commissioner

Copy to:

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   108/160, Gandhi Nagar Kanpur
   KANPUR NAGAR, UTTAR PRADESH, 208012
   pavan.dixit2693@gmail.com
   9415435557
2) **Vijay krishna Mathur**
   10 naya khera, sai vihar colony , 10 naya khera, sai vihar colony
   LUCKNOW, UTTAR PRADESH, 226031
   mathurvijayk@gmail.com
   9415502592

Enc. Copies:

1) Disability Certificate
2) Case Document - 1