



सत्यमेव जयते

न्यायालय मुख्य आयुक्त विकलांगजन  
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES  
विकलांगजन सशक्तिकरण विभाग / Department of Empowerment of Persons with Disabilities  
सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment  
भारत सरकार / Government of India

Case No.: 6981/1022/2016

Dated: 10.07.2017

Dispatch No.....

In the matter of :

Shri Ravi Kumar,  
Manager (Scale-2),  
Union Bank of India,  
Maner Branch,  
NRO-Patna, R2123  
R. No.15E,  
Rajiv Nagar,  
Patna – 800 024  
Email<ravikrubi@gmail.com>

.....Complainant

Versus

Union Bank of India,  
(Through the Chairman & Managing Director)  
Union Bank Bhavan,  
239, Vidhan Bhavan Marg,  
Nariman Point,  
Mumbai – 400 021 R2124

.....Respondent

Date of Hearing : 07.06.2017

Present :

Complainant : Shri Ravi Kumar, the Complainant and Smt. Meena Singh, wife of Complainant  
Respondent : Shri Rajesh Kumar, AGM (Law) and Shri Rohit Kumar, Manager (HR), On behalf  
of Respondent.

ORDER

The above named complainant, filed a complaint dated 16.09.2016 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 hereinafter referred to as the Act, regarding his transfer to Patna to look after his six year old daughter suffering from 43% mental retardation.

2. The complainant has submitted that his six year old daughter Shalini Singh is suffering from 43% mental retardation. He is working as a manager in Union Bank of India. He has been transferred to Maner Branch which is in rural area where no medical facilities, Special School and Special Teacher are available for treatment of his daughter. He has given a representation to his

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(कृपया भविष्य में पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)  
(Please quote the above file/case number in future correspondence)

Bank to reconsider his transfer and to retain him in Patna. The SCD, Govt. of Bihar also took initiative vide his letter no. 65/2016 to the Regional Head in Patna but the request was turned down.

3. The matter was taken up with the respondent under Section 59 of the Persons with Disabilities, Act 1995 vide letter dated 23.11.2016 followed by reminder dated 26.12.2016.

4. The Respondent vide letter No. NRO/PAT/321/16 dated 23.12.2016 submitted that earlier the complainant had filed a request for his retention at Patna branch on the basis of his daughter's care and treatment for which the complainant had made a complaint in this court vide complaint no. 5105/1022/2015. Since 09.11.2015 to 03.08.2016 the complainant has been working in the same branch in Patna. In the meantime the bank submitted that his wife Smt. Meena Singh had made a complaint to the bank saying that her husband, i.e. the complainant misbehaved with her and used to do unnatural sex with her. She also submitted that the complainant has extramarital affair with one of his female colleagues working in the bank. In this regard, she registered an FIR against her husband with the Rajeev Nagar Police Station. Smt. Meena Singh provided a whatsapp screen shot to the bank of her husband in a compromising posing with one female colleague working in Digha Branch of the bank. Due to the gravity of the situation, the respondent submitted that the female working in the Digha branch was transferred to the Mumbai branch and the complainant Shri Ravi Kumar to Nawada branch. On complainant's request that his case is going in the Hon'ble Court in Patna and he may be retained in Patna for the same, he was not transferred to Nawada branch. The Bank transferred the complainant to Maner branch in order to facilitate him to look after his daughter with disabilities which about 15 Kms away from his residence situated at Sagunmore, Danapur. The respondent further stated that for the time being he has patched up with his wife who is working in a Government School. They further stated that due care has been taken by the bank to facilitate the complainant to look after his daughter, a person with disability. But they are of the view that on the basis of the disability of his daughter, the complainant is taking advantage and doing illegal activities. A copy of Bank's reply dated 05.01.2017 has been sent to the complainant vide this Court's letter dated 30.01.2017 for his comments.

...3/-

5. The complainant vide his emails dated 20.02.2017 and 17.04.2017 has submitted that the respondent bank's replies pertains to his previous transfer from Patna to Maner which is still under process but his central office again transferred him to Uttar Pradesh. He had already requested his bank to reconsider his transfer but the bank is not agreeing to it. The complainant has requested to retain him at Patna so that he can take care of his six year old special child Kumari Shalini Singh.

6. Upon considering the respondent's reply dated 23.12.2016 and complainant's e-mails dated 20.02.2017 and 17.04.2017 a personal hearing in the matter has been scheduled on 07.06.2017.

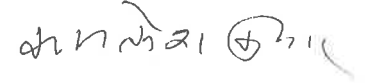
7. During the hearing the complainant reiterated his earlier submission filed in his initial complaint that for the sake of his daughter, a child with disability, he may be transferred to any branch in Patna.

8. During the hearing the Respondent submitted that the complainant has been working in the same branch in Patna that since 09.11.2015 to 03.08.2016. The complainant's wife has registered an FIR against her husband with the Rajeev Nagar Police Station. Smt. Meena Singh provided a whatsapp screen shot to the bank of her husband in a compromising posing with one female colleague working in Digha Branch of the bank. Due to the gravity of the situation, the respondent submitted that the female working in the Digha branch was transferred to the Mumbai branch and the complainant Shri Ravi Kumar to Nawada branch. The Bank transferred the complainant to Maner branch in order to facilitate him to look after his daughter with disabilities which about 15 Kms away from his residence situated at Sagunmore, Danapur. They further stated that due care has been taken by the bank to facilitate the complainant to look after his daughter, a person with disability. But they are of the view that on the basis of the disability of his daughter, the complainant is taking advantage and doing illegal activities.

...4/-

9. The Court directed that considering the disability of complainant's daughter, the Respondent is advised to accommodate the complainant in any branch in Patna so that he and his wife can take care of their daughter who is a child with disability, for her overall development.

10. The case is accordingly disposed off.



(Dr. Kamlesh Kumar Pandey)  
Chief Commissioner  
for Persons with Disabilities