



\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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*Judgment Reserved on: 02.04.2026*

*Judgment Delivered on: 29.05.2026*

+ **W.P.(C) 6027/2025**

**VISUALLY IMPAIRED BANK EMPLOYEES WELFARE  
ASSOCIATION** .....Petitioner

versus

**STATE BANK OF INDIA AND ORS.** .....Respondents

**Advocates who appeared in this case**

For the Petitioner : Mr. Rahul Bajaj and Ms. Sarah,  
Advocates.

For the Respondents : Mr. Santosh Rout, S.C. with Mr.  
Divyam Nandrajog, Mr. Dhruv  
Kaushik, Advocates for R-1.  
Mr. Nishant Gautam, CGSC with Ms.  
Kavya Shukla, Mr. Vineet Negi, Mr.  
Naman Sharma and Ms. Theresa  
Shiji, Advocates for R-2 to R-4.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE TEJAS KARIA**

**JUDGMENT**

**TEJAS KARIA, J**

1. The present Writ Petition has been filed by the Visually Impaired Bank Employees Welfare Association under Article 226 of the Constitution of India, 1950 (“**Constitution**”) challenging the promotion policy



(“**Impugned Policy**”) of the State Bank of India, Respondent No. 1 for the post of Senior Management Grade Scale (“**SMGS**”) - IV and V, which mandates prior experience as a Branch Manager or in assignments related to credit / trade finance and foreign exchange, the roles that are inherently inaccessible to visually impaired officers due to the absence of assistive technology and the visual nature of the tasks involved seeking the following prayers:

*“A. A writ, order or direction declaring the Impugned Requirement in the Promotion Policy of the State Bank of India, for promotion from Scale III MMGS III to SMGS IV and SMGS IV to V in the respondent No. 1 bank as unconstitutional.*

*B. Issuance of directions to the respondent No. 1 to evolve a suitable mechanism for promoting visually impaired bank employees from MMGS III to SMGS IV and SMGS IV to V in the respondent No. 1 bank.*

*C. Directing the respondent No. 1 to comply with the recommendation of the CCPD dated 01.12.2022.*

*D. In the alternative to prayer A-C, a direction to the Respondent No. 1 bank to issue appropriate instructions exempting persons with visual disabilities from the Impugned Requirement.*

*E. Direct Respondent No. 1 bank to consider the promotion of blind officers who lost four opportunities for promotion to Scale IV (2021–2025) with retrospective effect.”*

2. The Petitioner comprises of over 600 members with visual disabilities employed in various banks across India. The Petitioner contends that the Impugned Policy amounts to direct and indirect discrimination under the Rights of Persons with Disabilities Act, 2016 (“**RPwD Act**”) and the Constitution. Despite a clear order by the Chief Commissioner for Persons with Disabilities (“**CCPD**”) on 01.12.2022 recommending reasonable



accommodations and policy modifications, Respondent No. 1 has refused to comply, which has resulted in the systemic exclusion of visually impaired officers from promotional avenues.

3. The Petitioner seeks to demonstrate in the present Petition that the functions of a Branch Manager and a Credit Officer cannot be independently discharged by visually impaired employees, as these roles entail tasks involving visual verification, physical inspection, and the assumption of legal responsibilities, which cannot be delegated to sighted colleagues, being core and essential functions of the posts concerned.

4. It is further contended that the rigid insistence upon prior discharge of these roles as a *sine qua non* for promotion, despite structural impediments such as the inaccessibility of hard-copy documentation, the absence of screen reader-compatible systems, and the lack of an appropriate risk-allocation mechanism to address personal liability, forms the gravamen of challenge in the present Petition.

5. Accordingly, the present Writ Petition challenges Clause D of the Impugned Policy insofar as it mandates service as a Branch Manager or in Credit / Trade Finance / Forex / Measurable Position assignments as a precondition for promotion, on the ground that the said requirement is unconstitutional and contrary to the provisions of the RPwD Act.

### **SUBMISSIONS ON BEHALF OF THE PETITIONER**

6. The learned Counsel for the Petitioner submitted that:

6.1. The visually disabled bank employees perform their functions in the following ways:

a. Utilisation of Screen Reader Technology: A visually impaired bank officer can effectively perform their duties using a



screen-reader software that converts on-screen text into speech. When documents and materials are provided in an accessible format, the officer can independently access and process information. The software further enables independent typing and navigation on a computer system.

- b. Accessibility of Documents and IT-Based Solutions: To be compatible with screen-readers, documents must be in an OCR-enabled, machine-readable format. Furthermore, any IT-based banking solutions, including mobile phone applications and websites, must comply with the Government of India accessibility guidelines and BIS Standard IS 17802 (Parts 1 & 2) to ensure full usability for visually impaired employees.
- c. Communication and Presentation Skills: Bank officers with visual disabilities, like their non-disabled counterparts, can develop strong communication and presentation skills, enabling them to perform roles requiring client interaction, report generation, and other essential workplace functions.

6.2. The Petitioner has 37 members employed with Respondent No. 1 in Scale-III. These officers, including persons with low vision and visual impairment, discharge a range of functions in areas such as marketing, loan recovery, digital banking, cross-selling, financial inclusion, and training.

6.3. Under the Impugned Policy, the following preconditions are required to be satisfied for the promotion of a bank officer from Scale-III to Scale-IV and from Scale-IV to Scale-V (“**Impugned Requirements**”):



	<b>Promotion to MMGS III to SMGS IV</b>	<b>Promotion to SMGS IV to SMGS V</b>
Mandatory assignment	Two years' service as Branch Manager in Scale-II / III incumbency branch(es). OR 2 years' service in an assignment related to Credit or Trade Finance or Forex (Budgetary / Measurable positions) across all Verticals viz. CAG / CCG / IBG / SARG / R&DB in MMGSII / III grades.	Minimum of 4 years of Branch Experience [excluding probation period in any vertical (CAG/ CCG/IBG@/SARG/ R&DB)] out of which minimum 2 years as Branch Manager in Scale- III/ IV incumbency branch(es) in R&DB Vertical.
Weightage for Branch experience	4 years or more in any vertical: 5 >=3 years <4 years in any vertical: 3	7 years or more in any vertical: 5 >=6 years <7 years in any vertical: 3

- 6.4. The Impugned Policy further provides for the award of 5 marks in the final promotion merit list for two years of branch experience. This is not a mere procedural stipulation, but a material component of the promotional framework from which many visually impaired officers stand systematically excluded. Notwithstanding that the Impugned Policy has remained in force for over three years, certain blind officers employed with Respondent No. 1 have yet to be posted to branches, thereby rendering them ineligible to secure the said 5 marks.
- 6.5. The failure to assign blind officers to branch postings, despite their requests and eligibility, demonstrates an arbitrary and unreasonable application of the Impugned Policy, thereby



rendering it inaccessible to persons with visual disabilities and resulting in a denial of equal opportunity, reflective of systemic discrimination.

6.6. In contradistinction, other Public Sector Banks have extended reasonable exemptions and accommodations to facilitate the career progression of blind officers. By way of illustration, Mr. Ahul Gambhir, Ms. Nikita Raut and Mr. Ashwini Agarwal, who are members of the Petitioner, are presently serving as Bank Managers in other Public Sector Banks, including Punjab National Bank, which have adopted inclusive practices in conformity with the rights of persons with disabilities (“**PwDs**”).

6.7. The responsibilities, nature of task and availability of assistive technology for the roles of Bank Manager and Credit Officer are as follows:

a. Branch Manager responsibilities:

<b>S. No.</b>	<b>Responsibility</b>	<b>Nature of task</b>	<b>Assistive Technology</b>
1	Takeover of branch document	All documents in hard copy including verifying signatures	No assistive technology
2	Inspection of borrower units	Inspection of location of unit, activity carried on, type and quantity of stocks available etc.	No assistive technology available
3	Perfection of security (Creation of mortgage, hypothecation, lien etc.)	Involves authenticating originality of title deeds of properties offered as security, creation of hypothecation charges etc.	No assistive technology available to authenticate originality of title deeds.



4	Monitoring of staff entering and exiting strong room (containing cash and jewelry)	Constant monitoring of CCTV cameras and visiting strong room	No assistive technology available
5	Tallying of gold loan bags	Involves ensuring that tally with number of loans given against the number of gold loan bags	No assistive technology available
6	Sanction of loans & advances	Involves perusing information in KYC, tax returns, appraisal form, legal opinions and valuations of properties, pre-sanction report etc.	No assistive technology to peruse hard copies involving financials, title deeds including manuscripts, signatures etc.
7	Physical safety of branch office	Ensuring presence of fire extinguishers, renewal of gun licenses etc.	No assistive technology
8	Financial transactions & customer information amendments	Involves passing of cheques and customer's personal information amendments like change of mobile number. To be done only after verifying customer request including tallying signature.	No assistive technology

**b. Credit Officer responsibilities:**

<b>S. No.</b>	<b>Responsibility</b>	<b>Nature of task</b>	<b>Assistive Technology</b>
1	Pre-sanction survey	Inspecting business unit, establishing its location, unit being	No assistive technology



		carried on, stock present in the unit, machinery available, borrower's residence etc.	
2	Inspection of collateral security	Perusing title deeds of property (including manuscripts), verifying originality of such title deeds, inspecting location of property offered as collateral etc.	No assistive technology
3	Appraisal	Perusing tax returns and other business documents in hard copies, establishing their originality including verifying signatures	No assistive technology
4	Documentation and creation of charge	Includes ensuring filling up of documents and obtaining borrower signatures, creation of charge which includes establishing originality of documents etc.	No assistive technology
5	Post sanction survey and loan maintenance	Includes verifying originality of asset purchased out of bank finance like machine, vehicle, stock, factory etc. periodical inspection of business units to verify continuity of business activity, stock purchased, presence of machinery etc.	No assistive technology



6	Financial transactions	Includes customer handwritten cheques, transfer forms etc. including tallying customer signatures	No assistive technology
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6.8. The bank officers with visual disabilities are unable to perform the role of Branch Manager or assignments related to credit / trade finance due to the following reasons:

- a. Visual nature of tasks: The roles contain too many things that have to be carried out by perusing the physical environment, such as identifying people, identifying locations of properties, business activity, stocks, monitoring CCTV footage, etc. Currently, the bank provides no assistive technology that enables a blind person to do it.
- b. Financial sanctions and transactions: All loan sanctions and passing of financial transactions are done in SBI are mandatorily in hard copies. Since the accuracy of information and tallying customer signatures are indispensable, OCR technology also does not suffice.
- c. Human assistance: Since all the tasks involve financial risk and are fraud-prone, human assistance cannot be simply relied upon. The bank does not have a policy on staff accountability, and neither the person who reads out information nor the visually challenged manager who acts upon such information is held accountable when things go wrong.



- 6.9. A blind officer cannot reasonably be expected to sign the “Branch Manager Monthly Certificate”, which every Branch Manager is required to submit certifying compliance with diverse banking regulations, for which the officer bears both direct and vicarious liability, solely on the basis of oral inputs furnished by an assistant, particularly when legal accountability for any false certification cannot be clearly attributed either to the blind officer or to the assisting personnel.
- 6.10. Officers in Scale-III and Scale-IV are capable of discharging a broad spectrum of functions across multiple verticals, including customer service, grievance redressal, digital banking, information technology systems, marketing, and operations. Such roles encompass responsibilities in backend operations, digital transformation, product management, and service delivery, and may involve, *inter alia*, the advancement of digital initiatives, management of UPI and e-commerce platforms, support for card operations, and the facilitation of cross-selling and marketing strategies.
- 6.11. It is pertinent to note that Public Sector Banks across the country have neither identified the posts of Branch Manager and Credit Officer as suitable for visually impaired persons nor deployed visually impaired officers in such roles. As per SBI e-circular dated 10.02.2012, 33 posts have been identified as suitable for officers with low vision and 17 posts for officers with visual impairment; however, neither the post of Credit Officer nor that of Branch Manager forms part of the identified cadre.



- 6.12. By Office Memorandum, the Ministry of Finance, Department of Financial Services, directed Ministries, Departments, and Central Public Sector Enterprises to identify posts that can be readily performed by PwDs, particularly in Groups B, C, and D, and to ensure, as far as possible, that such officers are permitted to continue in those roles. The said guidelines further emphasise that where a person with disability can perform the same duties as others efficiently, such person ought not to be restricted or confined to specified roles. The Impugned Policy, however, disregards this directive and erects systemic and artificial barriers to the promotion of visually impaired officers who are otherwise fully capable of discharging their duties.
- 6.13. The Petitioner had preferred a complaint before the Chief Commissioner for Persons with Disabilities (“CCPD”), impugning the discriminatory effect of the Impugned Policy upon visually impaired employees. In its observations, the CCPD noted that the RPwD Act guarantees equality in employment and that no policy may be framed in a manner that discriminates against PwDs. The CCPD further found that the requirements of branch experience, mandatory Branch Manager assignments, and credit assignments in the promotion process effectively exclude visually impaired employees, since such roles entail visual verification and cannot be independently discharged by them. Consequently, such employees are placed either in a position of dependence upon assistance from others or are altogether excluded from consideration for promotion to SMGS-IV and SMGS-V. The CCPD accordingly recommended



that the Impugned Policy be modified to provide reasonable accommodation and ensure equal opportunity for visually impaired employees. It further suggested that equivalent weightage be accorded for functions capable of being performed independently and without undue risk, that alternative roles suited to visually impaired employees be considered for promotion evaluation in lieu of branch experience and credit assignments, and that the overall promotion policy be reviewed so as to eliminate exclusionary provisions and secure compliance with the principles of equal opportunity.

- 6.14. Respondent No. 1, in reply to the order issued by the CCPD, stated that the Impugned Policy is consistent with the RPwD Act and does not contravene any legal provision. Respondent No. 1 contended that it had already implemented exemptions for PwDs in terms of Government directives, including exemption from mandatory rural and semi-urban assignments. It was, however, maintained that other mandatory assignments, including branch postings, are essential for operational and managerial exposure and are not discriminatory in nature. Respondent No. 1 further asserted that dispensing with such requirements would serve neither the interests of the institution nor those of the employees. Consequently, Respondent No. 1 expressed its inability to implement the recommendations of the CCPD and requested that its compliance report be taken on record.
- 6.15. Pursuant to the aforesaid reply of Respondent No. 1, the Petitioner submitted a representation dated 15.05.2023 to the Ministry of



Finance reiterating the grievance raised before the CCPD and asserting that Respondent No. 1 was declining to comply with the aforesaid recommendations on specious grounds.

- 6.16. The mandatory insistence upon the Impugned Requirements amounts to direct discrimination against the visually impaired employees of Respondent No. 1, inasmuch as the roles contemplated thereunder involve functions such as cash handling, physical verification of documents, and surveillance oversight, which cannot be effectively performed by persons with visual disabilities. By imposing such requirements upon visually impaired employees, Respondent No. 1 has created an inherently unequal standard by placing them on par with employees who do not suffer from visual disabilities. As a consequence, visually impaired employees are rendered unable to qualify for promotion, thereby resulting in career stagnation and exclusion from higher posts.
- 6.17. There exists no objective justification for such differential treatment, which is violative of the right to equality guaranteed under Article 14 of the Constitution. The principle of reasonable accommodation mandates the creation of alternative pathways for visually impaired employees so as to ensure that their career progression is not unjustly impeded.
- 6.18. The refusal of Respondent No. 1 to comply with the order of the CCPD, absent any cogent justification, demonstrates a disregard for recommendations intended to secure equal opportunity. Visually impaired employees are thereby confronted with a



“Hobson’s Choice”, namely, either to accept roles for which they are ill-equipped or insufficiently supported, or to face stagnation at Scale-III and the attendant humiliation of being superseded. This results in an untenable situation in which the career advancement of visually impaired employees is made conditional upon assuming responsibilities that aggravate the challenges arising from their disability.

- 6.19. The Supreme Court has, in *State of Kerala v. Leesamma Joseph* 2021 SCC OnLine SC 435, held that functional requirements can become ruse for denial of promotion to the PwDs, which results in frustration and stagnation. It was further held that to ensure that the disability does not become a reason for denial of promotion, it is necessary to evolve a method to address the issue of stagnation of the PwDs.
- 6.20. Under the first proviso to Section 34(1) of the RPwD Act, read with the Office Memorandum dated 17.05.2022 issued by the DoPT, Ministry of Social Justice and Empowerment, Government of India, PwDs are entitled to reservation in promotion. It is contended that the impediments created by the Impugned Requirements render the said entitlement illusory insofar as the members of the Petitioner are concerned.
- 6.21. The members of the Petitioner are presently discharging a wide range of roles and responsibilities within Respondent No. 1 and that there exists no justifiable reason to conclude that they are incapable of performing analogous functions at the higher levels of Scale-IV and Scale-V.



6.22. Respondent No. 1 has neither demonstrated the manner in which a visually impaired person may effectively discharge the full range of functions of a Branch Manager or Credit Officer, nor furnished any cogent justification for its refusal to implement the recommendations of the CCPD.

6.23. In view of the above, the Petitioner has prayed for granting the prayers as sought in the present Petition.

### **SUBMISSIONS ON BEHALF OF THE RESPONDENTS**

7. The learned Counsel for Respondent No. 1 submitted that:

7.1. The present Petition is not maintainable, as it does not conform to the Delhi High Court (Public Interest Litigation) Rules, 2010 (“**PIL Rules**”), inasmuch as the Petitioner lacks the requisite locus and has failed to place on record adequate authority for the institution of the present proceedings. Rule 7(ii) of the PIL Rules expressly excludes service matters from the purview of public interest litigation. Since the present Petition directly concerns the promotional criteria applicable to the employees of Respondent No. 1, it squarely falls within the ambit of a service matter and is, therefore, not maintainable as a PIL.

7.2. The Petitioner claims to represent the interests of visually impaired employees of Respondent No. 1, who are stated to be its members. In the event of success, the Petitioner and its members would directly derive the benefit of the reliefs sought and, consequently, the present proceedings cannot be maintained in the form of a public interest litigation.



- 7.3. It is further contended that the Petitioner has failed to disclose the names and addresses of its office bearers in accordance with Rule 9(i)(f) of the PIL Rules and that the Petition is liable to be dismissed on that ground alone. It is also submitted that the Petitioner has not disclosed the names and places of posting of the employees of Respondent No. 1 who are stated to be its members and to be aggrieved by the Impugned Policy.
- 7.4. No grievance whatsoever has been received from any visually impaired employee of Respondent No. 1 regarding any alleged inability to discharge the assignments constituting the “mandatory assignment” under the Impugned Policy for promotion to the Senior Management Grades.
- 7.5. No representation was made by the Petitioner to Respondent No. 1 in accordance with Rule 9(i)(h) of the PIL Rules read with the proviso thereto. Respondent No. 1, being responsible for appointment and general superintendence over its officers, is stated to be the proper statutory authority under Sections 17(1) and 43 of the State Bank of India Act, 1955 (“**SBI Act**”). The representation referred to in paragraph 6 of the Petition, according to Respondent No. 1, was addressed to the Finance Minister, Government of India, and not to Respondent No. 1. On that basis, it is contended that the Petition is liable to be dismissed on this ground as well.
- 7.6. Although the Petitioner claims to have 37 officers in Scale-III employed with Respondent No. 1, it has failed to demonstrate any actual prejudice suffered by them as a consequence of the Impugned Policy. It is submitted that, if such prejudice had in fact



arisen, the Petitioner was in a position to furnish specific instances thereof. The failure to provide any such particulars is stated to indicate that none of the Petitioner's members has specifically authorised the institution of the present Petition. Accordingly, it is contended that the Petitioner lacks locus in the absence of any identified harm suffered by any of its members employed with Respondent No. 1.

- 7.7. The present Petition discloses no cause of action against Respondent No. 1. According to Respondent No. 1, it has in place a fully functional and inclusive mechanism for the promotion of visually impaired employees from MMGS-III to SMGS-IV and beyond. On that basis, the Impugned Policy is stated to be constitutionally valid and not violative of either the RPwD Act or the Constitution.
- 7.8. Clause 5(d) of the Impugned Policy prescribes, for promotion to SMGS-IV, two years' service as a Branch Manager in Scale-II/III incumbency branch(es) or two years' service in an assignment relating to credit, trade finance, or forex across all verticals in MMGS-II/III grades. It is further submitted that, for promotion to SMGS-V, the prescribed criteria are those set out in the Impugned Policy governing service in the relevant branch and managerial assignments.
- 7.9. Although the Petitioner contends that visually impaired officers are capable of performing a wide range of roles and, therefore, ought not to be required to undergo the mandatory assignments, neither the RPwD Act nor the DoPT Guidelines confer a right upon such



officers to seek promotion to senior positions without discharging responsible assignments which are also required of non-visually impaired officers. Respondent No. 1 contends that many visually impaired officers seeking promotion to senior posts are already discharging the mandatory assignments and are being considered for promotion to the Senior Management Grades.

7.10. In the Delhi Circle alone, 15 officers with visual impairment are serving in MMGS-III, of whom 8 are presently discharging the mandatory assignments. According to Respondent No. 1, the remaining visually impaired officers are to be assigned mandatory roles in due course, prior to their respective promotion years, in accordance with the extant Impugned Policy. It is further submitted that visually impaired officers who have completed the minimum assignment period have already been included within the zone of consideration for promotion to SMGS-IV in the promotion year 2025–26. On that basis, Respondent No. 1 contends that the assertion that visually impaired officers are unable to perform the functions of Branch Manager or credit-related assignments is misconceived and that the present Petition is devoid of merit. Accordingly, no barrier or discrimination within the meaning of the RPwD Act is made out against Respondent No. 1.

7.11. Without prejudice to the aforesaid submissions, Respondent No. 1 operates in a heavily regulated sector and that officers at the Senior Management level are expected to be well versed in critical functions and to provide necessary oversight over the discharge of duties by the middle management cadre. The performance of the



roles contemplated by the Impugned Requirements strengthens the quality of such oversight and safeguards the institution as a whole. Visually impaired officers are already meeting the criteria under the Impugned Policy and that the Petitioner has furnished no credible basis to contend otherwise. The concerns of PwD candidates have already been accommodated by exempting them from service in rural and semi-urban centres as a qualifying requirement for promotion to MMGS-III. Accordingly, the Petitioner cannot seek selective exemption from other mandatory roles when a common assessment baseline has already been satisfied by visually impaired candidates.

7.12. Respondent No. 1 is in compliance with the applicable law, the DoPT Guidelines, and other instructions governing PwD candidates, including visually impaired candidates, in matters of recruitment and promotion. Respondent No. 1 provides employees with various assistive devices to enable them to discharge their duties effectively.

7.13. Visually impaired candidates are already discharging the roles of Branch Manager and Credit Officer as part of the mandatory assignments and, therefore, the allegation of discrimination urged by the Petitioner is untenable. Accordingly, the present Petition deserves to be dismissed.

8. The learned Counsel for Respondent Nos. 2 and 4 submitted that:

8.1. Respondent No. 4 issued Guidelines dated 31.03.2014 prescribing facilities to be extended to PwDs employed under the Government for the efficient discharge of their duties. Respondent No. 2



circulated the said Guidelines to all Public Sector Banks by communication dated 18.11.2014. The Guidelines set out the measures to be adopted for extending such facilities to ensure the efficient performance of duties by PwDs.

- 8.2. The aforesaid Guidelines dated 31.03.2014 were subsequently updated and consolidated *vide* Office Memorandum dated 02.02.2024 issued by Respondent No. 4. The updated Guidelines were thereafter circulated by Respondent No. 2 to all Public Sector Banks *vide* letter dated 30.09.2024.
- 8.3. The Public Sector Banks, including Respondent No. 1, are commercial entities governed by their respective Boards of Directors and have been accorded managerial autonomy *vide* communication dated 22.02.2005 issued by Respondent No. 4, which, *inter alia*, authorises such banks to take decisions on human resource matters including staffing pattern, recruitment, placement, transfer, training, and promotion.
- 8.4. Since Respondent No. 1 is governed by the State Bank of India Act, 1955 (“**SBI Act**”), Section 43(1) thereof empowers Respondent No. 1 to appoint such officers and employees as it considers necessary or desirable for the efficient discharge of its functions and to determine the terms and conditions of their service. In exercise of the said power, Respondent No. 1 has framed the Officers’ Service Rules, 1992, which govern the service conditions of its employees.



8.5. On the aforesaid basis, it was prayed that Respondent Nos. 2 and 4 be deleted from the array of parties as no substantive relief has been sought against them in the present Petition.

### **ANALYSIS AND FINDINGS**

9. We have heard the learned Counsel for the Parties.

10. The Petitioner asserts that the present Petition has been instituted to bring into focus the alleged failure of Respondent No. 1 to comply with the recommendation of the CCPD in relation to the criteria governing promotion from Scale-III to Scale-IV and Scale-V, which, according to the Petitioner, operate in a discriminatory manner against persons with blindness and low vision.

11. The reliefs sought by the Petitioner include a declaration that the Impugned Requirements contained in the Impugned Policy of Respondent No. 1 are unconstitutional, together with a direction to evolve a suitable mechanism for the promotion of visually impaired employees from MMGS-III to SMGS-IV and SMGS-V in Respondent No. 1. The Petitioner further seeks a direction requiring Respondent No. 1 to comply with the recommendation of the CCPD dated 01.12.2022. In the alternative, the Petitioner prays for issuance of appropriate instructions exempting persons with visual disabilities from the Impugned Requirements.

12. The Impugned Requirements stipulate that, for consideration for promotion to SMGS-IV, an officer must have completed two years' service as a Branch Manager in Scale-II/III incumbency branch(es) or two years' service in an assignment relating to credit, trade finance, or forex in MMGS-II/III grades. Likewise, for promotion from SMGS-IV to SMGS-V, the officer must possess a minimum of four years' branch experience in any



vertical, of which at least two years must have been served as a Branch Manager in Scale-III/IV incumbency branch(es) in the R&DB vertical. The Petitioner contends that its members serving with Respondent No. 1 are unable to satisfy these mandatory requirements owing to three practical difficulties said to be faced by blind and low-vision officers. *Firstly*, the roles in question involve the identification of persons, locations, business activities, stocks, and the monitoring of CCTV footage, for which no assistive technology is stated to have been provided. *Secondly*, loan sanctions and the processing of financial transactions are undertaken in hard-copy form and, given the necessity of accuracy and the verification of customers' signatures, OCR technology is stated to be inadequate. *And thirdly*, since these tasks entail financial risk and are susceptible to fraud, reliance upon human assistance alone is stated to be untenable.

13. On that basis, the Petitioner contended that the Impugned Requirements are incapable of being effectively fulfilled by officers with visual disabilities. The Petitioner submitted that a Branch Manager is required to peruse hard-copy documents such as title deeds, customer KYC records and tax returns, and to undertake physical inspection of borrower units, authenticate the originality of title deeds, monitor the strong room, and tally gold loan bags against the loans disbursed. Similarly, a Credit Officer is required to conduct pre-sanction surveys involving physical inspection of securities and units, as well as appraisal of collateral securities and title deeds, all of which are stated to be in hard-copy form. It is further submitted by the Petitioner that every Branch Manager is required to furnish a Monthly Certificate certifying compliance with diverse banking regulations, for which the officer bears both direct and vicarious liability. According to the



Petitioner, a blind officer cannot reasonably be expected to sign such a certificate solely based on oral inputs from an assistant, particularly when legal accountability for any false certification cannot be clearly fixed either upon the officer concerned or upon the assisting personnel.

14. The Petitioner further contends that other Public Sector Banks do not impose requirements of the nature mandated by Respondent No. 1 as a precondition for promotion and that such banks have adopted inclusive practices in conformity with the RPwD Act.

15. The Petitioner also submits that the Impugned Requirements place employees of Respondent No. 1 with visual impairments on the same footing as employees without such disabilities, thereby operating to their disadvantage and rendering them unable to qualify for promotion, with the consequence of career stagnation and exclusion from higher posts. It is on this basis that the Petitioner seeks reasonable accommodation or alternative pathways to ensure that the career progression of visually impaired employees of Respondent No. 1 is not unjustly impeded.

16. *Per contra*, Respondent No. 1 contends that there is no discrimination and that the Impugned Requirements contained in the Impugned Policy are in conformity with the RPwD Act and the Constitution. Respondent No. 1 has also questioned the locus of the Petitioner to maintain the present proceedings in the form of a PIL, particularly in the absence of any identified instance of discrimination suffered by any specific member employed with Respondent No. 1. It is further contended by Respondent No. 1 that several visually impaired employees are successfully discharging the mandatory assignments prescribed by the Impugned Policy and have, in fact, been promoted to the Senior Management Grades. On that basis,



Respondent No. 1 submitted that the averments in the present Petition are speculative and do not disclose any concrete instance of discrimination arising from the Impugned Policy.

17. Having considered the submissions advanced on behalf of the parties, there can be no cavil that persons with disabilities are entitled to live and work with equal dignity, and that discrimination against them, including in matters of promotion, is impermissible.

18. Section 20(3) of the RPwD Act states as under:

*“20. (3) No promotion shall be denied to a person merely on the ground of disability.”*

19. It is, therefore, necessary to ensure that officers of Respondent No. 1 with visual disabilities are treated equally and are provided with such support and facilities as may be necessary to offset the impact of their disability. In *Leesamma Joseph (supra)*, the Hon’ble Supreme Court held that where disability operates as an impediment to satisfying the criteria for promotion, it becomes necessary to evolve appropriate measures to address the consequent stagnation of persons with disabilities.

20. In *Re: Recruitment of Visually Impaired in Judicial Services, 2025 INSC 300*, the Hon’ble Supreme Court recognised that criteria which are facially neutral may nevertheless operate in an indirectly discriminatory manner against persons with disabilities.

21. In the present case, the Petitioner contends that although the Impugned Requirements do not expressly prohibit blind and low-vision officers from seeking promotion, they have the effect of disproportionately disadvantaging such officers. Accordingly, any provision that creates an impediment to the promotion of visually impaired officers would run



contrary to the provisions of the RPwD Act and the law laid down by the Hon'ble Supreme Court in relation to the rights and treatment of persons with visual disabilities.

22. The present Petition has been instituted in the nature of a PIL, even though the Petitioner asserts that its members are directly affected by the Impugned Policy. While the maintainability of the Petition as a PIL may therefore be open to doubt, having regard to the larger issues raised herein regarding PwDs, we are inclined to entertain the present Petition as PIL.

23. The Petitioner asserts that several of its members are adversely affected by the Impugned Policy, inasmuch as they are allegedly unable to discharge the roles contemplated by the Impugned Requirements. However, the Petitioner has not identified the specific employees stated to have been impacted by the said Policy and provided details of exact hardship being faced by them.

24. The Impugned Policy prescribes uniform criteria for promotion within Respondent No. 1. Respondent No. 1 is governed by the SBI Act and the Officers' Service Rules, 1992, in matters pertaining to recruitment, transfer, training, and promotion. The limited grievance urged by the Petitioner is that the Impugned Requirements render it difficult for visually impaired officers of Respondent No. 1 to discharge the functions of a Branch Manager or Credit Officer, having regard to the nature of the duties associated with those posts. While the Petitioner has identified the difficulties allegedly faced by its members, it has not placed on record any practical solutions to address the same.

25. The Petitioner has contended that the inherent nature of the roles of Branch Manager and Credit Officer makes it difficult for visually impaired



officers to discharge such functions. Although the Petitioner has furnished illustrations of tasks that, according to it, visually impaired officers are unable to perform, Respondent No. 1 has, on the other hand, cited instances where such duties are being discharged by visually impaired officers. In rejoinder, the Petitioner submitted that the examples relied upon by Respondent No. 1 pertain to persons with low vision and not total blindness, and that such officers may possess sufficient residual vision to perform the tasks in question. The Petitioner has further contended that no assistive devices or support mechanisms have been provided to enable visually impaired officers to overcome the substantial obstacles highlighted in the present Petition.

26. The Petitioner, being an organisation representing blind and low-vision bank officers serving in public and private sector banks across the country, is well placed to suggest solutions to the issues identified in the present Petition. The Petitioner has also submitted that Public Sector Banks other than Respondent No. 1 have adopted inclusive policies to accommodate blind and low-vision officers.

27. Respondent No. 1 has contended that the policies adopted by it are inclusive and do not discriminate against visually impaired officers in matters of promotion. Respondent No. 1 has also raised an objection that no representation was submitted to it prior to the institution of the present Petition.

28. In view of the foregoing, we deem it appropriate to direct the Petitioner to submit a detailed Representation to Respondent No. 1, identifying the officers of Respondent No. 1 who are stated to be adversely affected by the Impugned Policy and setting out concrete suggestions and



measures that may enable such officers to comply with the Impugned Requirements. Such Representation shall also set out the practices adopted by other Public Sector Banks in relation to similarly situated officers and the methodology followed by those banks for considering such officers for promotion. The Representation shall further indicate any alternative pathway or mechanism by which the mandatory requirements under the Impugned Policy may be met, so as to obviate stagnation and secure for visually impaired officers an equal opportunity to compete with other officers of Respondent No. 1 on a level playing field.

29. Such Representation shall also be accompanied by all documents upon which the Petitioner seeks to place reliance in support thereof, including the recommendation of the CCPD that the Impugned Policy be suitably modified so as to provide reasonable accommodation and ensure equal opportunity for visually impaired employees by according equivalent weightage to functions capable of being independently discharged without undue risk, considering alternative roles suited to visually impaired employees in lieu of branch experience and credit assignments for the purposes of promotion evaluation, and undertaking a comprehensive review of the promotion policy so as to eliminate exclusionary provisions and secure conformity with the principles of equal opportunity. The said Representation shall be submitted by the Petitioner to Respondent No. 1 within a period of four weeks from today. Upon receipt thereof, the Board of Directors of Respondent No. 1 shall examine the Representation and, after affording an opportunity of hearing to the authorised representative or Counsel for the Petitioner, consider the suggestions contained therein and implement the same, to the extent feasible, in furtherance of the objectives



of the RPwD Act within a period of twelve weeks thereafter, and shall communicate the steps taken in that behalf to the Petitioner.

30. The present Petition is disposed of with the aforesaid directions.

**TEJAS KARIA, J**

**DEVENDRA KUMAR UPADHYAYA, CJ**

**MAY 29, 2026/sms**