



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

Dispatch No .....

Case No. 6326/1041/2016

In the matter of :

Ms. Rashmi Taneja,  
Email<rashmitaneja19@gmail.com>

785

..... Complainant

Versus

Department of Financial Services,  
(Through Secretary),  
Ministry of Finance,  
3<sup>rd</sup> Floor, Jeevandeep Building,  
Sansad Marg,  
New Delhi – 110 001

786

..... Respondent 1

Indian Institute of Banking & Finance,  
(Through Chief Executive Officer),  
Kohinoor City,  
Commercial – II, Tower-1,  
2<sup>nd</sup> & 3<sup>rd</sup> Floor,  
Kiroli Road, Off. L.B.S. Marg,  
Kurla West,  
Mumbai – 400 070

787

..... Respondent 2

Date of Hearing : 19.01.2017

Present :

1. Ms. Rashmi Taneja, Complainant and Shri Amit Kumar Singh, Shri Brijpal Singh, Shri Rakesh Kumar and Shri Pankaj, on behalf of Complainants.
2. Non appeared on behalf of Respondent No.1.
3. Shri J.K. Rajput, Zonal Head, Indian Institute of Banking & Finance - On behalf of Respondent No. 2.

**ORDER**

The above named complainant, filed a complaint dated 08.05.2016 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the 'Act' regarding not following the guidelines for conducting written examination for persons with disabilities issued vide Office Memorandum No. 16-110/2003-DD.III dated 26.02.2013 by the Ministry of Social Justice & Empowerment, Department of Disability Affairs, by the Indian Institute of Banking & Finance.

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2. The complainant submitted that many blind candidates have appeared in JAIB and CAIB exams conducted by the Indian Institute of Banking & Finance (IIBF), Mumbai. The JAIB Exam was conducted on 15.05.2016 and CAIB Exam on 05.06.2016. The complainant alleged that IIBF is not following the guidelines issued by the Office of the Chief Commissioner for Persons with Disabilities.

3. The matter was taken up with the Secretary, Department of Financial Services vide this court's letter dated 06.06.2016.

4. The respondent vide letter No. IIBF/CO/EXAM/4321/16 dated 15.06.2016 submitted that pattern of examination is in the nature of objective type multiple choice questions (MCQs) without any negative markings and there are no descriptive questions. The candidate intending to avail services of scribe should send a request at least a month before the date of examination. The respondent vide letter No. IIBF/CO/EXAM/4986/17 dated 07.01.2017 further submitted that the pattern of all examinations of the Institute is in the nature of Objective Type Multiple Choice Questions and examinations are conducted in online mode only. The Institute has liberal policy for granting permission of using scribe and the Institute has limited guidelines for eligibility of scribe, as its examinations pertain to the professionals from Banking and Finance. The guideline only stipulates that the 'Scribe should be a non-banker'. The Institute has already granted permission for using Scribe to the complainant for CAIB examination.

5. The complainant vide her e-mail dated 21.11.2016 submitted that the response received from Indian Institute of Banking & Finance is a blunt one, where it continues to defy the guidelines of the Chief Commissioner for Persons with Disabilities..

6. After considering the versions of both the parties, the case was listed for hearing on 19.01.2017.

7. During the hearing the Learned Counsel on behalf of the complainant submitted that IIBF guidelines stands in contravention to the general guidelines dated 23.02.2013 of Ministry of Social Justice and Empowerment (MSJ&E). These guidelines are umbrella guidelines

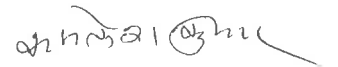
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applicable to all the institutions of the government as defined in Section 2(a) of Persons with Disabilities Act, 1995. Since due to guidelines of Indian Institute of Banking & Finance, the candidate faced hardships, last minute mental tension and had to run from pillar to post to get clearance from the officials which was discretionary, in other words at the mercy of officials of IIBF. Since MSJ&E guidelines are umbrella cover and crystal clear with respect of disability, any other guidelines existing in contravention to the guidelines of MSJ&E is non est and hence this guideline of IIBF should be abrogated ab initio and should be replaced with MSJ&E with immediate effect to facilitate persons with disabilities.

8. During the hearing the Respondent submitted that they are permitting the change in the scribe as per the request of the candidate. Applying for a scribe before the examination is a general guideline. They are also relaxing these guidelines on case to case basis and the permission is given to candidates as and when requested in emergent cases. The IIBF has guidelines that the scribe should not be a person who is working/retired banker/retiring from financial institutions. These guidelines are basically for the examinations conducted by IIBF for professional courses for bankers.

9. The Court apprised both parties that the Examination Guidelines is under revision by the Ministry of Social Justice & Empowerment. However, IIBF to follow the existing examination guidelines of the Ministry of Social Justice and Empowerment related to the persons with disabilities

10. Accordingly the case is disposed off.



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

New Delhi  
February 16, 2017.