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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 14440/2025 & CM APPL. 59187/2025**

PRIYANKA VERMA AND ORS.Petitioners

Through: Mr. S.K. Rungta, Sr. Advocate
with Mr. Prashant Singh,
Advocate.

versus

STATE BANK OF INDIA AND ANR.Respondents

Through: Mr. Rajiv Kapur, Mr. Akshit
Kapur, Advocates for R-1/SBI.
Mr. Vinay Yadav, CGSC with Ms.
Kamna Behrani, Mr. Ansh Kalra,
Mr. Neeraj Paulose Raj, Advocates
for R-2/UoI.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
19.09.2025

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1. Pursuant to notice issued yesterday, i.e. 18.09.2025, I have heard Mr. S.K. Rungta, learned Senior Counsel for the petitioners, and Mr. Akshit Kapur, learned counsel for respondent No. 1 – State Bank of India [“the Bank”].
2. As noted in the order dated 18.09.2025, the writ petition has been filed by persons with disability [“PwD”] [visual impairment] who aspire to the posts of Junior Associate [Customer Support & Sales] in the Bank, for which the Bank issued a recruitment advertisement on 06.08.2025. The controversy concerns the provision of scribes to PwD candidates.



3. In the recruitment advertisement, the provision relating to the use of scribes refers to guidelines dated 26.02.2013 issued by the Ministry of Social Justice and Empowerment, as clarified by the Department of Financial Services on 26.04.2013, and an Office Memorandum [“O.M.”] dated 10.08.2022 issued by the Department of Empowerment of Persons with Disabilities [“DEPwD”]. In the advertisement dated 06.08.2025, the provision with regard to the qualifications of the scribe brought by a candidate were as follows:-

*“ii. Further, in terms of Office Memorandum F. No .29-6/2019-DD-III dated 10/08/2022 of GOI Ministry of Social Justice & Empowerment. Department of Empowerment of persons with Disabilities (Divyangjan), the facility of scribe and/or compensatory time shall be granted solely to the Persons with Disabilities covered under section 2(s) of the RPwD Act 2016 but not covered under the definition of section 2(r) of the said act (i.e. persons having less than 40% disability and having difficulty in writing), to those having difficulty in writing, subject to a production of a certificate to the effect that person concerned has limitation to write and that scribe is essential to write examination on his/ her behalf from the competent medical authority of a Government healthcare institution as per prescribed Proforma at Appendix-I of the said O.M. **In case the candidate opts to bring his own scribe, the qualification of the scribe should be one step below the qualification of the candidate taking the examination.** Candidate opting for own scribe should submit details of the own scribe as per Proforma at Appendix-II of the said O.M.”*

[Emphasis supplied.]

4. The petitioners’ difficulty arises from the revised guidelines published by the Bank on 25.08.2025, pursuant to guidelines issued by DEPwD on 01.08.2025. The principal grievance of the petitioners is that the educational qualifications of the scribe have now been specified as follows:

“e. The education qualification of the scribe must be a minimum of “two academic years below” and a maximum of “three academic years below” the minimum qualification for appearing in



examination. Minimum qualification for recruitment of Junior Associates in our Bank is “Graduation”. Accordingly, the qualification of the scribe may be in the first year of graduation (for 3-year course), but not below the 12th standard running as specified in the revised guidelines. The scribe may be from any academic stream.”

[Emphasis supplied.]

5. It is contended by Mr. Rungta that the revision of the guidelines severely restricts the candidates’ choice of scribe, and that too at a late stage, when the examination is scheduled to commence on 20.09.2025. Mr. Rungta also submits that DEPwD has itself issued an O.M. dated 10.09.2025 and a clarification dated 12.09.2025, which make it clear that the guidelines dated 01.08.2025 are not to be applied to ongoing recruitments, or to recruitments notified until and on 31.12.2025. The O.M. dated 10.09.2025 has been placed on record, which states as follows:

“1. In view of the likely lack of preparedness of Examining Bodies for introduction & application of technology for conduct of exams & keeping in mind both larger & immediate interest of the Divyangjan community, this is to state that all the competitive public examinations notified/ to be notified until and including 31st December, 2025 may be conducted as per the system in vogue before issuing the said Guidelines dated 01.08.2025 i.e. as per the DEPwD Guidelines dated 29 August 2018, subsequent corrigendum and the Guidelines issued on 10th August 2022.

2. However, the Divyangjan applicants who are appearing in the competitive examinations during the intervening period and are willing to adopt the use of technology/ Assistive Devices for writing the exam independently, may be accommodated and encouraged by the Examining Bodies to the reasonable extent possible.

3. Meanwhile, DEPwD shall undertake wider and more extensive stakeholder consultations on the subject of examination guidelines, including various Examining Bodies, divyang community and other stakeholders.

4. All Ministries, Departments, Examining Bodies and relevant authorities are requested to adhere strictly to the above clarification and ensure compliance with the notified timelines and provisions of the



applicable Guidelines.”

[Emphasis supplied.]

6. Mr. Kapur refers to the specific use of the words “*may be conducted as per the system in vogue before issuing the said Guidelines dated 01.08.2025*”, in paragraph 1 of the aforesaid O.M., to submit that this question was left to the discretion of the examining body.

7. Upon a reading of the O.M. dated 10.09.2025, however, I am of the view that the Bank is required to conduct the ongoing recruitment in terms of the position existing prior to 01.08.2025. Although the words “*may be conducted*” have been used in paragraph 1 of the O.M. dated 10.09.2025, leaving the discretion solely to the recruitment body would be inconsistent with the objective of the O.M., as articulated in the same paragraph, which refers to the likely lack of preparedness of examining bodies for the introduction and application of technology, and to the “*larger & immediate interest of the Divyangjan community*”. The said O.M. also acknowledges that further stakeholder consultations are required, which also indicates that it was not intended that the O.M. dated 01.08.2025 would be implemented in the meantime.

8. It is also significant that, although the guidelines dated 01.08.2025 provided several alternative modalities for PwDs to take recruitment examinations, including with the use of assistive technology, those were intended to be implemented over a longer time frame. However, the revisions restricting the choice of scribes have been implemented immediately, without affording candidates the alternatives also provided by the same guidelines.

9. The matter has, in my view, been placed beyond doubt by a



subsequent communication dated 12.09.2025, addressed *inter alia* to the Bank, by DEPwD. DEPwD has taken the position that ongoing examinations must be conducted in terms of the erstwhile prevailing position, and has directed recruiting bodies to revise notices that were issued pursuant to the O.M. dated 01.08.2025. Union of India has taken this position in the present proceedings also, as recorded in order dated 18.09.2025.

10. Having regard to the above, I am of the view that the petitioners are entitled to the use of scribes in terms of the guidelines existing prior to 01.08.2025, i.e. in terms of the original recruitment advertisement dated 06.08.2025.

11. Mr. Kapur has taken instructions with regard to the practical implications of such an order, as directed on 18.09.2025. He submits that even if a candidate, relying upon the revised guidelines, has arranged for a scribe who meets the qualifications provided therein, there would be no difficulty, as such a scribe would also fall within the qualifications provided under the earlier regime. The only detriment would be that the candidate would have chosen from a more restrictive pool, rather than from the broader range of choices available prior to the revision.

12. In view of the above, the Bank is directed to permit candidates to use scribes who qualify under the guidelines stated in the advertisement dated 06.08.2025, and not to insist upon the revised guidelines provided in the corrigendum dated 25.08.2025.

13. As the examination is scheduled for tomorrow, Mr. Kapur is requested to ensure that the aforesaid direction is communicated to all examination centres.



14. As no other directions are required to be passed in this writ petition, the writ petition, alongwith pending application, is disposed of, in terms of this order.

15. It is made clear that, in the event of any future recruitment, the rights and contentions of the parties with regard to the applicability of the OMs/Circulars in question remain reserved.

16. A copy of this order be given *dasti* under the signature of the Court Master.

PRATEEK JALAN, J

SEPTEMBER 19, 2025

'Bhupi/KA'/'