



न्यायालय मुख्य आयुक्त दिव्यांगजन

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 & Empowerment
 भारत सरकार/Government of India
 5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364
 5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364
 Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

Case No. 14452/1022/2023 In the matter of —

Shri Deepak S
 Section Officer
 O/o SDG
 Central Public Works Department
 1st Floor, G Wings, Rajaji Bhawan,
 3rd Avenue, Besant Nagar
 Chennai – 600090
 Email – deepaksuresh1987@gmail.com **...Complainant**

Versus

- (1) The Secretary
 Ministry of Housing & Urban Affairs,
 Nirman Bhawan,
 New Delhi – 110011
 Tele No – 011-23062377
 Email – suchit.goyal@nic.in **..Respondent No. 1**
- (2) Central Public Works Department
 1st Floor, G Wings, Rajaji Bhawan,
 3rd Avenue, Besant Nagar
 Chennai – 600090
 Email – chneehqsdg.cpwd@nic.in **..Respondent No. 2**

1. Gist of the Complaint:

1.1 Shri Deepak S, a person with 70% visual impairment filed a complaint dated 28.08.2023 regarding his transfer to Chennai for the post of Section Officer on promotion. He requested to M/o Housing and Urban Affairs on 26.06.2023 to transfer him to Chennai as Section Officer on promotion against clear vacancy of Section Officer and also intimated that the present Section Officer Shri S Ramesh, is superannuating on 30.06.2024 and another SO is superannuating on

30.11.2024.

1.2 The Complainant further submitted that consequent upon his promotion as Section Officer on adhoc basis vide M/o H&UA vide office order dated 30.06.2023, he has submitted his joining report on 01.07.2023, with a request to post him in the O/o SDG, CPWD, Chennai otherwise this joining report may be treated as null and void because he is not able to report to Delhi within 7 days of the issue of the promotion order due to his present circumstances.

2. Submissions made by the Respondent:

2.1 The Under Secretary (Admin – IV), MoH&UA vide their letter dated 06.10.2023 filed the reply and inter-alia submitted that a Departmental Promotion Committee (DPC) was conducted on 26.06.2023 for assessing the suitability of eligible 123 Assistant Section Officers (ASOs). Thereafter, 109 ASOs including the Complainant were assessed as 'Fit' for promotion. Accordingly, vide order dated 30.06.2023, an order to these 109 officers including the Complainant was issued as 'Fit' with a request to all eligible officers to report at their existing place of posting and subsequently report to Admin-I, New Delhi within 7 working days.

2.2 It is further submitted that Ministry already posted Section Officers in the various Regional Offices, including Chennai, of CPWD located outside Delhi. Therefore, there was no vacancy in SO grade at CPWD, Chennai at the time of promotion order of the Complainant. Since, the vacancy at CPWD Chennai was not available, the request of the Complainant regarding his promotion was not acceded to and accordingly his conditional assumption of charge to post of SO was not accepted by this Ministry and the same was conveyed to O/o SDB (Chennai) CPWD vide OM dated 11.08.2023.

2.3 The Respondent No. 2 i.e. Executive Engineer (HQ), O/o the Special Director General, Chennai filed reply dated 29.09.2023 and submitted that the Complainant working in this office from 16.01.2020 belongs to Central Secretariat Service (CSS) and borne in the cadre of Ministry of Housing and Urban Affairs. Therefore, Officers/Officials belonging to Central Secretariat Services (i.e., CSCS, CSS, CSSS) are not being posted by CPWD but by Ministry of Housing and Urban Affairs.

3. Submissions made in Rejoinder:

3.1 Although, the Complainant filed its rejoinder dated 10.10.2023 thereby reiterating its complaint, but subsequently, vide email dated 25.01.2024 communicated that he got transferred to SSC, SR Chennai on 03.01.2024 and his grievance has been redressed. The Respondent No. 2 vide email dated 09.02.2024 also filed its submission that the Complainant has been transferred to SSC, SR, Chennai with a request to close the case.

4. Observations and Recommendations:

4.1 From the perusal of the records, it is evident that the grievance raised by the Complainant has been redressed. No further intervention of this Court is warranted.

4.2 Accordingly, this case is disposed of with the approval of the Chief Commissioner for Persons with Disabilities.

Signed by
Praveen Prakash Ambashta
Date: 20-02-2024 13:53:41
(P. P. Ambashta)
Dy. Chief Commissioner