



न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE 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

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Case No.14037/1023/2023

Complainant(s) :

Sh. Atul Kumar Yadav
Asistant General Manager

Respondent (s) :

The Chairman
Bharat Immunological and
Biologicals Corporation Ltd.
Govt. of India Undertaking
OPV Plant, Vill. Chola,
Bulandshahr, Uttar Pradesh-203203

Hearing (I):

A hearing was conducted on 28.02.2025 at the Office of the Chief Commissioner for Persons with Disabilities in hybrid mode. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/representatives	For Complainant/ Respondent	Mode
1.	Sh. Atul Kumar Yadav	Complainant's Representative	Online
2.	Sh. JC Pandey (Executive Manager)	Respondent	Online

RECORD OF PROCEEDINGS

At the outset of the proceedings, the Complainant stated that he faced harassment and severe criticism from Sh. Chaitanya Murti, Joint Secretary of the Department of Biotechnology (DBT), Sh. SN Narain, Under Secretary/CVO of DBT, and Sh. S.A. Ansari, CVO of the Respondent establishment, namely, the BIBCOL. Despite raising his concerns with the Secretary, DBT, the BIBCOL, and including the CVO of the Respondent establishment, no action was taken. Furthermore, his request for deputation was also not approved, unlike those of his counterparts, which were approved. The Complainant further mentioned that he even received death threats and that the secretary had sent 3-4 men to his house to threaten his children, for which he has audio-video recording of the incident.

2. The Respondent stated that a written reply has been submitted by their Chairman. The Respondent repeatedly emphasized that he is not fully aware of the facts of the case and that no complaint has been filed internally by the Complainant on this matter.

3. The Court remarked that the Complainant should have lodged a police complaint regarding his grievance under Section 92 of the RPwD Act. Additionally, the Court sought from the Respondent whether they have issued an Equal Opportunity Policy (EOP) and appointed any Grievance Redressal Officer as mandated under sections 21 and 23 of the RPwD Act, 2016 respectively. The respondent answered in negative.

4. The Court observed that none of the parties has clearly substantiated their stand. The Complainant should have initially approached the GRO. However, the Complainant asserts that he has repeatedly appealed to the Chairman. The Complainant also claims to have substantial evidence of harassment by the department, which the respondents deny, stating that no such incidents have occurred.

5. The Court directed the Complainant to submit the evidence to the higher authorities for their careful consideration. Similarly, the respondents were instructed to escalate the matter to the appropriate

higher authorities to identify the GRO, as required by law under Section 23 of the RPwD Act. The respondents have stated that their company is encountering significant difficulties and is on the brink of liquidation, hence it may be difficult to appoint a GRO at this stage. The Respondent was clarified that the appointment of GRO does not entail a new recruitment. It only requires nomination of an appropriate officer to function as the GRO. However, the Court also advised that any difficulty in this regard should be formally submitted in writing to the Court by their department.

6. The Court also observed that this issue should be addressed by the appropriate individual or committee tasked with evaluating the Complainant's grievance and after a thorough assessment. An action taken report should be submitted within a month to facilitate the Court to make a conclusion.

**Digitally signed by
PRAVEEN PRAKASH AMBASHTA
Date: 07-03-2025 11:38:26**

(Praveen Prakah Ambashta)
Dy. Chief Commissioner for
Persons with Disabilities