



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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CaseNo.14236/1022/2023

In the matter of :

Complainant(s):

Shri Vijay Pal

Respondent(s) :

The Director (HR)

Bharat Sanchar Bhawan

BSNL Corporate Office, New Delhi- 110001

The Chief General Manager,

Haryana Telecom Circle,

CGMT Office, Ambala Cantt (Haryana)

1. Gist of the Complaint

1.1 The Complainant, with 75% locomotor disability (left lower limbs), filed a complaint dated 18.06.2023 seeking retention in the Haryana Telecom Circle and exemption from transfer.

1.2 He is currently a Junior Engineer (JE) at SDE (Commercial), Bahadurgarh, Rohtak BA, Haryana Telecom Circle. Despite being

promoted to JTO (Kerala Circle) through Limited Internal Competitive Examination (LICE) 2021, he cited that relocation 2,500 km away is unfeasible due to his disability and caregiving responsibilities. He argued that denial of retention violates the RPwD Act, 2016 and DoPT guidelines, which require preference for posting near the native place of persons with disabilities.

2. Notice to Respondents:

2.1 Notices were issued on 30.06.2023 and 07.08.2023, directing Respondents to respond on affidavit with supporting documents within the statutory period.

3. Respondent's Submissions:

3.1 The Respondent, in its reply dated 11.08.2023, stated that postings were made per merit, preferences, and vacancy availability. Haryana Circle had no vacancies. The Complainant had listed all 18 circles in his preferences and undertook to serve wherever posted. Promotion, not transfer, policies apply; no transfer requests are entertained for five years post-promotion.

4. Rejoinder by Complainant:

4.1 The Complainant, in his rejoinder dated 15.08.2023, argued that the reply ignored RPwD Act protections and DoPT guidelines, treating him as a general candidate. He emphasised the hardship of distant posting and requested posting near his native place.

5. CCPD Advisory:

5.1 CCPD issued a letter on 19.01.2024, directing Respondents to reconsider the case under statutory provisions and guidelines for employees with disabilities and submit an action taken report (ATR) within 30 days.

6. Action Taken Report on the CCPD Advisory:

6.1 The Office of CGMT Haryana Circle, BSNL, Ambala filed an ATR on 05.02.2024, referencing the earlier reply.

7. Hearing:

7.1 An online hearing was held on 26.05.2025, attended by the following parties on behalf of the Complainant and BSNL representatives:

Sl. No	Name & Designation of the parties/ representatives	For Complainant/Respondent	Mode of Attendan
1.	Sh. Vijay Pal	Complainant	Online
2.	Mr. Sanjeev Kumar, AGM,PGM establishment BSNL, Delhi	For Respondent	Online

7.2 The Complainant reiterated his position and stated that PwD reservation was not implemented in LICE 2021. The Respondent explained posting practices and the impact of recent restructuring. The Respondent informed the Court that the Complainant's promotion was reviewed; he was subsequently promoted and posted in Haryana as per his preference.

8. Observations and Recommendations:

8.1 The Court noted that the grievance was resolved as the Complainant had been posted in Haryana. No further grievance remains. Accordingly, the matter is disposed of.

(S. Govindaraj)
Commissioner for Persons with Disabilities