सत्यमेव जयते
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. 14206/1024/2023

Complainant(s):
Shri Narendra Singh Rawat

Respondent(s):
The Secretary,
Union Public Service Commission

1. Gist of Complaint:

1.1 Shri Narendra Singh Rawat, a person with 100% locomotor disability affecting both his lower limbs, serves as a Multi-Tasking Staff (MTS) at the Union Public Service Commission (UPSC). He lodged his complaint alleging mental harassment by the Directorate of Estates. On 28.03.2018, he was allotted Quarter No. A-166, Minto Road. Due to his condition, he requires assistance with daily tasks, which is typically provided by his wife, sister, or other close relatives. Furthermore, his 70-year-old father, residing in Ghaziabad, also needs care from his wife and sister.

1.2 He submitted that on 30.09.2019, the Directorate of Estates (DoE) carried out a surprise inspection at the Complainant's residence while he was at work. His cousin,

Babita, was present at the time, and when asked to present her Aadhar card, she was unable to do so. The officials took photographs of the house and mistakenly assumed she was a subtenant. They directed the Complainant to pay the rent at the market rate and vacate the premises immediately. The Complainant had complied and moved out by 03.10.2022. His office, UPSC, was notified, and an investigation was initiated. During the investigation, he submitted evidence, including Babita's Aadhar card, to disprove the allegations.

1.3 Despite Complainant's repeated explanations that Babita is his cousin and not a tenant, the DoE has disregarded his statements. They have persistently pressured him to pay ₹ 22,28,720/-, which has caused him considerable mental distress. The Complainant is very concerned about the substantial amount and requests a thorough investigation into the false allegations as well as the withdrawal of the recovery order.

2. **Notice Issued**: A Notice to file comments was sent to the Secretary, UPSC via a notice dated 12.06.2023. Furthermore, on receipt of the response from the UPSC, a notice to file a rejoinder was sent to the Complainant on 24.07.2023.

3. Submissions made by the Respondents:

3 . 1 The Deputy Secretary (Admin.) of the Union Public Service Commission (UPSC) submitted their reply on 10.07.2023. He highlighted that the UPSC has drafted an Equal Opportunity Policy in accordance with the RPwD Rules

2017, which has been submitted to the Office of the Chief Commissioner for PwD for approval. He further stated that the Joint Secretary (Admin.) has been designated as the Grievance Redressal Officer, and a committee is also in place. Thus, UPSC complies with the provisions of the RPwD Act 2016.

3.2 The Respondent controverted the statements of the Complainant, as below:

a) Sh. Narendra Singh Rawat (MTS) was allocated government accommodation by the Directorate of Estates on 01.05.2018.

b) The Directorate of Estates conducted an inspection on 30.09.2019, during which they found that the Complainant had allegedly sublet his government accommodation to unauthorised individuals. He was asked to submit an explanation by 20.11.2019. After an enquiry, the Directorate of Estates, in its order dated 25.08.2020, determined that the information provided by the Complainant was unsatisfactory. As a result, an order was issued on 27.08.2020 stating that the Complainant had not been residing in the accommodation and had sublet it to unauthorised persons, violating the Government Residences (General Pool in Delhi) Rules 1963.

c) The Directorate of Estates cancelled his allotment and declared him ineligible for government

accommodation for the remainder of his service. Additionally, damages were ordered to be charged from the date of the inspection until the date the accommodation was vacated. He was allowed to appeal the decision within 30 days, but according to the available records, no appeal was filed through the UPSC office.

d) The Directorate of Estates, through the endorsement of its order dated 27.08.2020, asked the UPSC to initiate disciplinary proceedings against the government servant in accordance with DoP&T's OM dated 06.03.1986 and 31.12.1997. These proceedings were already underway through the Vigilance Section as a quasi-judicial process. Furthermore, in a communication dated 16.01.2023, the Directorate of Estates stated that the government accommodation was allotted to the Complainant on 01.05.2018 and vacated on 03.10.2022. An amount of ₹ 22,28,720/- was pending as license fees, and a Clearance Certificate would only be issued after the payment of this amount. Following the Directorate's memorandum dated 06.02.2023, the Complainant was asked to pay the license fee. However, UPSC has not made any salary deductions from the Complainant’s salary as instructed by the Directorate of Estates.

4. Hearing:

4.1 A hearing in hybrid mode (online/offline) was conducted on 09.04.2025. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Mr. Narendra Singh Rawat	Complainant	Online
2.	Mr. K.N. Bhutia, Under Secretary, UPSC	For Respondent	Online

5. Observations and Recommendations:

5 . 1 The Complainant briefly presented his grievance concerning the NOC related to the house allotted to him, which was the subject of a departmental enquiry. The Court advised him to pursue appropriate legal remedies such as filing an appeal, seeking a review or revision, or approaching the Central Administrative Tribunal (CAT). It was also noted that no discrimination on the grounds of disability has occurred in this matter.

5 . 2 The Court observes that this Court does not have jurisdiction over the subject matter of the complaint and the facts that emerged during the further proceedings. Also, there is no evidence that the grievance is related to any violation of the RPwD Act, the rules and instructions made thereunder or of any discrimination on the ground of disability or of denial of right vested in the Complainant as a person with disabilities. Therefore, the Court finds it inappropriate to proceed with the case closes the matter and advises the Complainant to seek redress through other appropriate forums.

5.3 Upon considering the submissions of the parties, particularly upon hearing on 09.04.2025, this Court has concluded that no further intervention is warranted in the matter. The case is disposed of accordingly.

Digitally signed by
S Govindaraj
Date: 31-07-2025
13:41:19

(S. Govindaraj)

Commissioner for

Persons with Disabilities