



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
5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075 दूरभाष : (011) 20892364
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Case No: 13999/1022/2023

In the matter of—

Complainant (s):

Shri Rakesh Kumar
GREF Service No. 180470L, T/Mech
HQ – Directorate General Border Roads,
Seema Sadak Bhawan,
Ring Road, Delhi Cantt,
New Delhi – 110010

Versus

Respondent (s) :

The Director General,
Directorate General Border Roads,
Seema Sadak Bhawan,
Ring Road, Delhi Cantt,
New Delhi - 110010
Email ID –bro-legal@gov.in
Phone No.- 011-25686820, 22, 23

1. Gist of the Complaint

1.1 Shri Rakesh Kumar, a Radio Operator with 60% locomotor disability, requested a posting extension in Delhi beyond his two-year tenure, citing ongoing medical treatment and related exigencies.

1.2 He noted frequent transfers throughout his career and argued that his medical condition warrants continuation near his hometown. Despite multiple representations, his request was denied, prompting this complaint.

2. Notice Issued

2.1 The case was raised with the Director General, Seema Sadak Bhawan, on 01.05.2023, with a final reminder on 24.05.2023.

3. Respondent's Submissions

3.1 The Respondent stated the Complainant has served across India and incurred his disability in 2000. As per policy, soft postings like Delhi are limited and allocated on rotation, especially for those with medical needs.

3.2 The Complainant was posted to Delhi as a low medical category case from June 2021; his tenure ends in September 2023. The Respondent noted that such requests cannot always be accommodated due to policy and administrative constraints.

4. Complainant's Rejoinder

4.1 On 05.07.2023, the Complainant expressed dissatisfaction with the Respondent's reply.

5. Hearing (1)

5.1 An online hearing on 05.01.2024 saw the Complainant present, but no Respondent representative. The Court expressed concern and directed the Respondent to explain their absence.

6. Hearing (2)

6.1 A subsequent hearing took place on 30.05.2024. The Respondent explained their prior absence was due to technical issues and clarified that, despite being posted to Guwahati (also a soft posting), the Complainant had not joined. The department follows DoPT guidelines for posting/transfer of employees with disabilities, ensuring access to facilities.

6.2 The Respondent highlighted that many employees seek soft postings on medical or compassionate grounds and provided background on the Complainant's service, disability, and suitability for the Guwahati posting.

6.3 The Complainant reiterated his request to remain in Delhi, his first hometown posting. The Court clarified that Guwahati is not considered a hard posting and emphasised fairness in posting opportunities. The Respondent was asked to provide a list of employees who have been in Delhi for over four years.

7. Resolution

7.1 On 18.06.2024, the Complainant informed the Court that his request had been accepted and he would be reposted in Delhi. He sought to withdraw the case.

8. Conclusion

8.1 Upon considering the records of the case, this Court concludes that the Complainant's grievance has been resolved and no further intervention is required.

8.2 The case is disposed of accordingly.

(Rajesh Aggarwal)
Chief Commissioner for Persons with Disabilities