



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. 14051/1021/2023**

Shri Bhopal Lal Dhakad  
 H.No. 293, Street Dhaker Mohalla,  
 Post Bishniya, The Kotri,  
 District Bhilwara,  
 Rajasthan – 311001 ...Complainant

The Commissioner,  
 Kendriya Vidyalaya Sangathan,  
 18, Institutional Area,  
 Shaheed Jeet Singh Marg,  
 New Delhi-110016  
 Email - commissioner-kvs@gov.in ...Respondent

**1. Gist of the Complaint:**

1.1 Shri Bhopal Lal Dhaker, a primary teacher with 45% locomotor disability serving at Kendriya Vidyalaya, Bhilwara, since December 2006, filed a complaint on 29.04.2023 regarding the denial of reservation in promotion for Persons with Benchmark Disabilities (PwBD) in Kendriya Vidyalaya Sangathan (KVS). In November 2022, KVS issued an advertisement for 116 Vice Principal vacancies, reserving posts for SC and ST but not for PwBDs, prompting the complainant to approach the Central Administrative Tribunal, after which KVS revised the advertisement to include 3 reserved posts for PwBDs. However, for 237 Principal posts advertised simultaneously, no reservation was provided for candidates with disabilities; despite the complainant's formal representation to KVS authorities in February 2023, the results were declared before any action was taken.

**2. Submissions made by Respondent:**

2.1 The Assistant Commissioner (Estt. 2 & 3), KVS, in a letter dated 15.09.2023, explained that the post of Headmaster had not been identified as suitable for persons with disabilities, leading to the proposal and constitution of a committee on 10.01.2023 to review the identification of such posts for reservation as per DoP&T Rules. This committee, which had last conducted such a review in 2013 and 2014, recommended in its meeting on 17.01.2023 that reservation be extended to the OH category for promotion from Primary Teacher to Headmaster and in the Limited Departmental Competitive Examination, with the matter subsequently taken up with the Ministry of Education for further consideration.

### **3. Submission of Rejoinder:**

3.1 The Complainant submitted his Rejoinder via email dated 26.09.2023 and stated that Kendriya Vidyalaya Sangathan (KVS) did not include the post of Headmaster in the list of identified posts suitable for persons with disabilities. However, according to the Gazette of India, the post of Principal (Sl. No. 1302) is deemed suitable for persons with disabilities. Although KVS, in its response, mentioned the formation of a committee and the forwarding of the matter to the Ministry of Education, it did not reserve even a single post of Principal for persons with disabilities. The Complainant has therefore requested that the benefit of reservation in promotion to the post of Principal be granted in accordance with the rules.

### **4. Hearing (I):**

4.1 An Online hearing was conducted on 19.07.2024, where the Complainant appeared for himself, whereas the Respondent was represented by its Assistant Commissioner, Shri Deepak Kumar Dabral. While the Complainant reiterated his statement from the original Complaint, the Respondent sought more time to implement the DoPT instructions on reservation in promotion. The Court deferred the matter for three months and asked the Complainant to approach this Court again if his concerns remain unresolved.

### **5. Submissions made after issue of the RoP:**

5.1 In a submission dated 21-10-2024, the Complainant expressed concern over the lack of action by the Central School Organisation regarding the Headmaster recruitment process under KVS LDCE-2022, highlighting that the post was not included in the list of posts identified as suitable for PwBDs despite its inclusion in the Government Gazette. He also noted that waiting lists were issued for other posts but not for Headmaster, potentially denying a fair opportunity, as he had scored just one mark below the last selected candidate, and many selected candidates did not join. Subsequently, in response to a Notice of Hearing dated 15.05.2025, the Respondent, vide their email dated 19.05.2025, submitted that in compliance with CCPD's notice, the complainant was offered promotion to

Headmaster and joined KV AFS Jaisalmer in January 2025. Within four months, he requested a transfer under the PwBD category and was considered for his first preference, Jaipur, as per the order dated 30-04-2025.

## **6. Hearing (II):**

6.1 During the next hearing on 21.05.2025, attended by the Complainant and Shri Dabral, the Complainant confirmed that he had been promoted and the present complaint has been redressed.

## **7. Observations and Recommendations**

7.1. Upon considering that the grievance of the Complainant has been redressed, this Court finds no reason for further intervention.

7 . 2 Accordingly, the case is disposed of with the approval of the Chief Commissioner for Persons with Disabilities.

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