



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.(s)- 14116/1021/2023 & 16 others

In the matter of —

(1) Case No. 14115/1021/2023

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(2) Case No. 14116/1021/2023

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(17) Case No. 14170/1021/2023

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Versus

The Director, India Meteorological Department
Email: dgmmet@gmail.com

1. Hearing:

1.1 An online hearing through Video Conferencing was conducted on

22.10.2025. The following parties/representatives were present during the hearing:

Sl. No.	Name of the Parties	On Behalf of	Mode of Attendance
1.	Mr. Mukesh Kumar Singh	Complainant(s)	Online
2.	Mr. Ramana Chandaka		
3.	Mr. Ritesh Sachan		
4.	Mr. Rupesh Singh		
5.	Mr. Amol Motinath Veer		
6.	Mr. Chandan Kumar (14124)		
7.	Mr. Amit Kumar		
8.	Mr. Virender		
9.	Mr. Prashant Kumar Dubey		
10.	Mr. Shambhu Sharan		
11.	Mr. Chandan Kumar (14169)		
12.	Shri MI Ansari, Scientist F	Respondent	
13.	Shri Santosh Kumar, Dy. Director General		

2. Record of Proceedings

2.1 At the outset, the Court was briefed about the versions of the complainants and the Respondent in these matters. The salient points on behalf of the Complainants are as under:-

- (a) Non-Implementation of sections 33 & 34 of the Rights of Persons with Disabilities Act, 2016 and instructions issued by the DoPT on 17th May 2022 and 28th December 2023 with regard to reservation in promotion for persons with benchmark disabilities.
- (b) Treating own merit candidates against reserved vacancies.
- (c) Enabling Instructions on relaxation in qualifying service are not used to determine eligible candidates, even as vacancies reserved for PwBD remain unfilled for a long time, and candidates fall short of eligibility by only a few months being available.
- (d) Delaying tactics by the Respondent in referring the candidates to Medical Boards for reassessment of their disability, despite having a valid UDID Card/ Disability Certificate, an exercise seldom practised by establishments in the matter of promotions

2.2 The Respondent made the following points:-

- (a) The Complainants joined in 2019; hence, they are eligible for

promotion only in 2023 and not in 2022.

(b) No relaxation in qualifying service has been given to any other category in any other recruitment.

(c) A total of 2171 vacancies have been filled by way of promotion in Group-B Posts between 30th June 2016 and 31st December 2024. Out of which 35 vacancies have been filled from Persons with Locomotor Disability.

(d) The post of Meteorologist is suitable only for Persons with Locomotor Disability.

(e) The decision to get the candidates assessed by a medical board was taken by the Competent Authority in accordance with DoPT O.M Dated 17th May 2022.

(f) The implementation of DoPT instructions dated 17th May 2022 and 28th December 2023 is under active consideration and is likely to be completed shortly.

3. Observation/Recommendation:-

3.1 Upon hearing both parties, the Court expressed deep concerns about the progress in the case during the last two years. It observed that the Respondent could not cite any evidence -

(a) to explain the inordinate delay in implementation of section 34 of the Act, the DoPT instructions, and the details of action taken so far, including fixing accountability of responsible officers and initiating any departmental proceedings against them.

(b) to allay the apprehensions that own merit candidates are being counted for reserved vacancies for PwBDs,

(c) to support its claims about the suitability of only LD as the suitable category for the post of Meteorologist,

(d) to illustrate the bona fide of their decision for seeking a reassessment of disability instead of verification/re-verification of the authenticity of the disability certificate as permitted under the DEPwD Notification dated 04.01.2021 (Note 8 of the Gist of Recommendations of the Expert Committee) and the DoPT OM dated 17.05.2022 (Para 2.3), and

(e) to show cause as to why a relaxation in qualifying service cannot be allowed to PwBDs who are short of a few months of qualifying service as part of reasonable accommodation, particularly when reserved vacancies and such candidates are both available.

3.2 The Court decided to give an opportunity to all the complainants in the aforementioned cases to submit a brief representation in not more than 02 pages by 24.10.2025. The Court will then frame an exhaustive questionnaire for the Respondent, who will be given 15 days' time to submit their version on affidavit along with evidence to this Court. The case will be disposed of based on the oral and written submissions available on record. No further

hearing will take place in these matters.

4. This is issued with the approval of the Commissioner for Persons with Disabilities.

(Praveen Prakash Ambashta)

Dy. Chief Commissioner