



न्यायालय मुख्य आयुक्त

COURT OF 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 and Empowerment

भारत सरकार/ Government of India

Case No. CCPD/16074/1022/25

Dated: 24/10/2025

CCPD/16074/1022/25

In the matter of :

Triloki Kumar Pandit

... Complainant

The Secretary
Railway Board

...Respondent (1)

The General Manager
South Eastern Railway

...Respondent (2)

1. Gist of Complaint:

1.1 Mr Triloki Kumar Pandit, a 45% visually impaired individual working in the Commercial Department of Ranchi Division, South Eastern Railway, has alleged discriminatory treatment following his involuntary transfer from Ranchi Railway Station to Hesalong P.H. on 30.10.2023, which is nearly 120 km from his residence. He submitted his complaint on 22.03.2025, stating that the transfer violates Railway Board Circulars No. E(NG)/2023/TR/15 dated 08.06.2023 and

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24.04.2023, which mandate that PwD's should be exempted from routine transfers and preferably posted near their native place.

1.2 He alleges that the transfer was based on false and baseless complaints made by his former in-charge, Mr R.S. Yadav, against whom he had earlier lodged a formal complaint that was never acted upon. No inquiry was conducted, nor was any show-cause notice issued before the transfer. In 2018, he was transferred from Hatia to Muri following a false fraud allegation. These repeated and unjustified transfers have damaged his professional reputation and severely affected his mental well-being.

1.3 In light of these circumstances, he requested for:

- a) Cancellation of his transfer and reposting at Hatia or Ranchi station;
- b) an inquiry into the conduct of his superiors.

2. Notice Issued:

2.1 The matter was taken up with the Secretary, Railway Board, General Manager, South Eastern Railway, other statutory provisions, and government instructions, including but not limited to sections 20 (5) & 21 of the Act read with Rule 8 (3) (c) of the RPwD Rules, 2017 and DoPT OM No. 36035/44/2023-Estt. (Res-II) dated 02.02.2024 vide notice dated 30-04-2025.

3. Submissions made by the Respondents:

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3.1 The Deputy Chief Personnel Officer submitted in a response dated 20.05.2025, stating that so far six penalties had been imposed on the Complainant.

Sno.	Alleged Matter	Date of Charge Sheet	Date of Penalty Order	Penalty/Remarks
1.	Negligence of duty – delay in processing and payment of public utility bills while posted at Sr. DCM Office, Ranchi	04.07.2017 (Memo No. C/RNC/D&A/T.K.Pandit/08)	19.09.2017	Withholding of one set of Privilege Pass for the year or as and when due.
2.	Providing official information to local print media without permission while posted at Hatia Booking Office	26.02.2018	2018 (exact date not specified)	Withholding of one set of Privilege Ticket Order (PTO) for the year 2018.
3.	Absence from duty on 09.03.2018 at Hatia Booking Counter No. 3A, causing delayed counter opening	04.04.2018 (Memo No. C/RNC/D&A/T.K.Pandit/18/18)	2018	Withholding of one future increment for one month with non-cumulative effect (NCE).
4.	Cash discrepancy of ₹430/- (excess) found during inspection at Hatia Booking Office on 16.06.2018	05.09.2018	21.12.2018	Withholding of two sets of PTOs for the year 2018.
5.	Irregular/fraudulent cancellation of 4 UTS tickets and administrative transfer to Muri	24.12.2018	07.08.2019	Reduction of pay by one stage for 6 months (without effect on future increments).

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6.	Absence from duty on 29.04.2023 and unauthorized substitution by an outsider woman at his workstation	09.05.2023	2023	Stoppage of one increment for a period of one year.
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3.2 It is noted that the Complainant has been involved in repeated instances of misconduct, casting serious doubt on his devotion to duty and integrity. During 2018, he was served with multiple charge sheets; major and minor penalties were imposed in various disciplinary cases. Despite being transferred several times to Muri as a corrective and administrative measure, he was re-posted to Ranchi Booking Office based on the recommendation of the Transfer

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Placement Committee. However, the administration has further observed that the Complainant has been absent from his assigned duty location without authorisation on several occasions, causing significant inconvenience to the Railway Administration and disrupting public services.

3.3 Based on a consistent pattern of gross negligence, lack of devotion to duty, doubtful integrity and a large number of passenger complaints lodged against him, the Placement Committee recommended the transfer of the Complainant from Ranchi to Hesalong (PH) Railway Station on administrative grounds. Hesalong is categorised as a Passenger Halt (PH) station, with a lower operational category and significantly lower passenger footfall than other major stations. This transfer was considered a suitable administrative measure to minimise public inconvenience and safeguard the functioning of the Railway services.

3.4 It was further submitted that the Zonal Railway strictly adheres to all rules and regulations framed by the Railway Board and is fully committed to protecting the rights and interests of Persons with Disabilities (Divyangjan) in accordance with applicable laws and government guidelines. However, the conduct and attitude exhibited by the Complainant, despite his status as a public servant and a beneficiary under the PwD quota, have not been consistent with the standards expected of a railway employee. Therefore, his transfer to Hesalong is justified and warranted in the larger public interest to safeguard the Railway Administration's image and prevent further public complaints.

4. Submission made in the Rejoinder :

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4.1 The Complainant submitted his rejoinder on 25-05-2025 and reiterates that he has been subjected to discrimination and denial of rights as a person with benchmark disability under the Rights of Persons with Disabilities Act, 2016 (RPwD Act).

4.2 The Respondent has not addressed the core grievance that, despite having a 55% locomotor disability, he was posted in a remote location (Kuhuri Sub Post Office) approximately 80 km from the divisional headquarters without any reasonable accommodation or consideration for his disability. The posting is in clear violation of the DoPT guidelines.

5. Hearing (I):

A hearing in hybrid mode (online/offline) was conducted on 09.07.2025 at the Office of the Chief Commissioner for Persons with Disabilities, Dwarka. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Mr. Triloki Kumar Pandit	Complainant	Online
2.	Ms. Suchi Singh, Sr DCM, Ranchi	Respondent	Online

6. Observations and Recommendations:

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6.1 At the outset, the Complainant outlined that he was transferred from Ranchi to Hesalong Railway Station on 06.10.2024, around 120 km from his home. According to Railway Board and DoPT guidelines, PwDs are typically exempted from routine transfers and can stay at their current posting. He highlighted that the transfer is causing hardship as it separates him from his family and children, since he has served at his current location for the past 9 months.

6.2 The Respondent stated that the Complainant appointed under the PwD quota on 12.06.2014 was initially posted at Namkom, later transferred to Ranchi and then to Hatia, serving in the Ranchi-Hatia region until the end of 2023. During this period, he received six charge sheets and was found to be underperforming in both cash and non-cash dealings. Consequently, the transfer to Hesalong was made on administrative grounds as the location has limited public interaction, allowing the Complainant to perform his duties more effectively. Furthermore, the Respondent mentioned that Hesalong is near Muri, where good medical facilities are available, with an SAG-level officer and ACMS posted at the local medical headquarters. Also, the Complainant's PwD status was considered during the transfer decision.

6.3 The Complainant further emphasised that he had already been transferred to Muri based on the same charge sheets and was transferred to Hesalong on similar grounds. In response, the Respondent clarified that the transfer was not punitive but was made on administrative grounds. It was also stated that the Complainant was found with excess cash, showed negligence in his duties, failed to submit bills on time and demonstrated a lack of dedication, resulting in multiple charge sheets being issued.

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6.4 The Respondent further stated that one of the charge sheets involved an incident where an unidentified woman was found operating the ticket counter in place of the Complainant, which was considered a serious offence. The Court asked the Complainant if this was true, to which the Complainant confirmed.

6.5 The Court observed that the Complainant's transfer was part of an internal departmental procedure. If the Complainant had any issues with the transfer, the proper course of action would have been to file an appeal through the relevant departmental channels or take the matter to the court.

6.6 After considering the submissions and the material on the records of this case, the Court decided against any interference with the Respondent's administrative decision as it involved serious issues of discipline and vigilance. The Complainant is advised to approach the GRO and other relevant authorities within the department for redressal of his grievance regarding the transfer. In so far as his grievance related to the conduct of inquiry is concerned, he needs to follow the channel of appeal, revision and review as laid down in the conduct and discipline rules in the Railway Establishment Manual.

6.7 Consequently, the case is disposed of.

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(S. Govindaraj)
Commissioner for
Persons with Disabilities

Yours faithfully,

(S. Govindaraj)
Commissioner

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