



## 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/CCPD/13899/1021/2023**

**In the matter of:**

**Complainant:**

Shri Bandla Nageswara Rao

**Respondent:**

The Chief Commissioner,  
Central Excise and Customs

### 1. Gist of the Complaint:

1.1 Shri **Bandla Nageswara Rao**, a person with benchmark locomotor disability affecting his left upper and lower limbs, filed a complaint dated **31.01.2023** alleging denial of promotion to Inspector-level posts in the Central Excise and Customs Department and seeking intervention of this Court. The Complainant joined service on **24.03.1998** as Lab Assistant Grade-III under the PwD quota and was serving as Lab Assistant Grade-II in the Chemical Examiner's Office, Customs House, Visakhapatnam, having completed more than 24 years of service.

1.2 He relied upon the judgment dated **04.09.2012** of the Hon'ble CAT, Hyderabad Bench, in O.A. No. 1048/2012, directing that his representation for promotion be considered within six weeks. He stated that despite his achievements in State-level sports for persons with disabilities and the DPC proceedings of 31.12.2009, he was not promoted and therefore sought intervention.

## 2. Notice to File Comments:

2.1 A notice dated **22.03.2023** was issued to the Respondents seeking comments on affidavit, with due regard to the RPwD Act, 2016.

## 3. Gist of Reply Filed by Respondents:

3.1 The Respondents, vide their reply dated 18.04.2023 submitted that under the **Recruitment Rules (GSR dated 26.12.2016)**, only specific feeder cadres are eligible for promotion to Inspector-level posts, and **Lab Assistant Grade-II** is not among them. They clarified that the Cadre Controlling Authority (CCA) for Laboratory Assistants is the **Director (RL), CRCL, New Delhi**. Hence, the Complainant was ineligible for the promotion sought, and his claim had been rejected earlier.

3.2 The Respondent further submitted that in compliance with the CAT's directions, his representation was forwarded, and he was subsequently promoted to Lab Assistant Grade-II on **29.01.2013**.

## 4. Rejoinder:

4.1 The Complainant did not file a rejoinder despite being given another opportunity vide this Court's letter dated **21.04.2023**,

## 5. Hearing (I):

5.1 During the hearing on **11.02.2025**, the Complainant's wife informed the Court of his **passing on 29.04.2024**. The Respondents reiterated that the Complainant did not belong to the feeder cadre eligible for Inspector-level promotion.

5.2 Not satisfied with the response, this Court directed submission of a detailed written response, copies of applicable Recruitment Rules, and details of terminal benefits paid.

## 6. Written Response filed by Respondent:

6.1 The Respondent, through their letter, dated April 8, 2025, submitted that as per the Recruitment Rules issued by the Ministry of Finance in 2016, only specific feeder cadres (e.g., Executive Assistant, Stenographer Grade-I, Tax Assistant) under the same Cadre Controlling Authority (CCA) are eligible for promotion to these Inspector roles. Since Complainant's position as a Laboratory Assistant does not qualify, and his CCA is the Director, Central

Revenues Control Laboratory, New Delhi—not the Visakhapatnam office—his promotion requests were consistently rejected.

6.2 The letter details the history of Complainant's case, noting his repeated representations since 2007 and a prior legal challenge via OA No. 1048/2012 before the Central Administrative Tribunal (CAT), Hyderabad. The CAT, in its September 4, 2012, order, directed him to seek promotion to an eligible post, leading to his eventual promotion to Laboratory Assistant Grade-II on January 29, 2013, following coordination with the CCA. Despite this, Complainant continued to pursue promotion to Inspector roles, which the department deemed ineligible under existing rules. The letter emphasizes that no changes in regulations have occurred to alter this stance, and Complainant was advised to liaise directly with the CCA in New Delhi for further promotion matters.

6.3 Finally, the letter provides para-wise responses to the February 11, 2025, hearing proceedings, reaffirming the ineligibility under the 2016 Recruitment Rules and enclosing relevant annexures. It also details terminal benefits paid to Complainant's widow after his death on April 29, 2024, including gratuity (Rs. 17,45,600), GPF (Rs. 6,66,841), CGEGIS (Rs. 50,619), leave encashment (Rs. 6,81,600), and a monthly family pension of Rs. 34,731. The department reiterates that the CCA for Complainant's role lies with the Central Revenues Control Laboratory, both at its New Delhi headquarters and Visakhapatnam branch, underscoring the jurisdictional limits of the Visakhapatnam office in addressing his promotion claims.

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

7.1 Following this, there was no further correspondence on behalf of the Complainant. As such, it was decided to hold another hearing, and accordingly, a Notice of Hearing was issued on 10.06.2025. In response, the widow of the Complainant, Smt. Bandla Satyavati submitted a letter dated 09.06.2025, informing that her husband had passed away on 29.04.2024 and that she is not familiar with the details of the case and therefore wishes to withdraw it. Accordingly, she requested that the case be closed and expressed her desire not to pursue the matter any further.

## **8. Observations and Recommendations:**

8.1 Upon examination of the case facts and the records on file, this Court observes that the Complainant's grievance related to the denial of promotion to the grade of Inspector lacks merit, as he did not hold a feeder post for eligibility for promotion to the grade of Inspector. This Court is also satisfied that the terminal benefits were paid to the NOK of the Complainant on his

demise. Moreover, the grievance has been withdrawn by the widow of the Complainant, who has requested closure of the case.

8.2 After taking into account the submissions from both parties, particularly the email dated 09.06.2025 from the complainant's wife (his legal heir), the Court concludes that no further action is warranted.

8.3 Accordingly, the case stands disposed of.

**(S. Govindaraj)**  
**Commissioner for Persons with Disabilities**