



न्यायालय मुख्य आयुर्क 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: 13955/1014/2023**

**In the matter of—**

Dr Atul Kumar Sinha

**...Complainant**

**Versus**

The Director, Bhabha Atomic Research Centre  
 webmaster@barc.gov.in; aposrw@barc.gov.in

**...Respondent**

### **RECORD OF PROCEEDINGS**

#### **1. Hearing:**

1.1 A hearing in hybrid mode (online/offline) was conducted on 24.06.2025. The following parties/representatives were present during the hearing:

<b>Sl.No.</b>	<b>Name of the Attendees</b>	<b>On Behalf Of</b>	<b>Mode of Attendance</b>
1.	Mr Awinash Kumar Sinha, F/o Late Dr. Atul Kumar Sinha	Complainant	Online
2.	Mr Avinash Tirpude, Deputy Establishment Officer & GRO, BARC	For Respondent	Online

#### **2. Proceedings During the Hearing**

2.1 At the outset, the Court invited Mr Awinash Kumar Sinha to present the case. Mr Sinha submitted that on 25.02.2022, the Bhabha Atomic Research Centre (BARC) declared his son, Late Dr Atul Kumar Sinha, as **UNFIT** for the position by the Ophthalmology Department of BARC Hospital. Subsequently, on 09.11.2022, BARC communicated that,

in light of the medical unfitness declared by its hospital, no review or re-examination would be permitted, and no further correspondence on the matter would be entertained.

2.2 Mr Sinha emphasised that his son was denied an opportunity for a second eye examination, despite having promptly sought re-evaluation shortly after the initial declaration of unfitness. No action was taken on this request.

2.3 The Court inquired with the Respondent about the nature of the post, including its permanency and suitability for persons with visual impairment. The Respondent clarified that the position of Research Associate was temporary—initially for one year and extendable up to three years—and was associated with the project titled “Development of Materials Devices, Analytical Instrument & NDT Techniques for Physics Research” under the Technical Physics Division. However, the Respondent failed to address whether the post was suitable for visually impaired candidates.

2.4 Upon hearing both parties, the Court noted with concern the Respondent's lack of awareness regarding the provisions of the Rights of Persons with Disabilities Act, 2016, and the corresponding Rules of 2017. The Court also observed that, as per the List of Identified Posts for Persons with Disabilities issued by the Department of Empowerment of Persons with Disabilities (DEPWD), the position of Research Associate is indeed suitable for visually impaired persons.

2.5 The Court wishes to examine the entire process followed, from the issuance of the advertisement to the final decision. , Accordingly, the Respondent is advised to submit all relevant guidelines and supporting documents within 15 days. The Complainant may file a rejoinder within 07 days.

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

**(P. P Ambashta)**  
Dy. Chief Commissioner