



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/15312/1021/24

Dated: 10/03/2026

Case No. CCPD/15312/1021/2024

In the matter of –

Complainant

Shri Ritesh Kumar Gupta

Versus

Respondent (s)

1. The Director HR, Bharat Sanchar Nigam Limited
2. The Secretary, Ministry of Communication
3. The Chairman & Managing Director, Bharat Sanchar Nigam Limited

1. Gist of the Case:

1.1 The Complainant, a person with 40% LD, filed a complaint dated 09.04.2024 stating that he was recruited under the PwD quota as a Junior Telecom Officer (JTO), a Group B post, in Bharat Sanchar Nigam Limited (BSNL) in 2003. He was promoted to the post of Sub Divisional Engineer (Telecom), Group B (Gazetted), in 2013 through the Limited Internal Competitive Examination (LICE). As per BSNL MSRR 2009, he became eligible for promotion to Assistant General Manager (Telecom) (**Group A**) after completing 7 years of regular service as SDE.

1.2 Despite the binding provisions and multiple directives — including a Supreme Court judgment, PCAT Order in OA 1657/2022, and instructions from the Court of Chief Commissioner for Persons with Disabilities (CCPD) — BSNL has not issued promotion orders for eligible PwBD candidates. While a DPC was held in November 2022 and 71 PwBD SDEs, including the complainant, were found eligible, the promotion recommendations remain sealed and unimplemented. As per applicable rules, the complainant is eligible for notional promotion to AGM (T) with effect from 01.01.2021.

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364,
20892275

E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in

(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)

(Please quote the above file/case number in future correspondence)



सत्यमेव जयते

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/15312/1021/24

Dated: 10/03/2026

2. Notice issued to the Respondents:

2.1 A notice dated 15.05.2024 was issued to the above-mentioned Respondents for forwarding to this Court comments on affidavit on the complaint for violations of sections 20 and 34 of the Act, read with DOPT OM dated 17.05.2022 and 28.12.2023, within the statutory time limit. This notice was followed by a reminder to the Respondents dated 02.07.2024.

3. Reply filed by the Respondents:

3.1 The Respondents vide letter dated 15.07.2024 clarified that BSNL has received and examined the complaint of Mr Ritesh regarding the denial of reservation in promotion from SDE to AGM. It is acknowledged that Mr. Ritesh Kr. Gupta meets the eligibility criteria for promotion as per BSNL MSRR 2009 and was included in the earlier DPC, along with 71 other eligible PwBD executives.

3.2 The initial DPC held in 2022 did not give effect to the PwBD reservation due to incomplete guidelines and pending finalisation of reservation modalities by BSNL. BSNL formed a High Power Committee to study and finalise the implementation of DoPT's latest OM dated 28.12.2023 regarding reservation in promotion for PwBD employees. Legal opinion regarding the implementation of Hon'ble PBCAT's order dated 29.02.2024 is awaited. Upon receipt of final guidelines and legal advice, BSNL will initiate a review DPC for promotion to AGM for PwBD executives, including Mr Ritesh.

4. Rejoinder:

4.1 The Complainant did not file a rejoinder in the matter.

5. Hearing:

5.1 A hearing was held in hybrid mode on 24.07.2025, wherein the following parties/representatives were present:

S. No.	Name of the Attendees	Mode of appearance	On behalf of
---------------	------------------------------	---------------------------	---------------------

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364,
20892275

E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in

(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)

(Please quote the above file/case number in future correspondence)



सत्यमेव जयते

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/15312/1021/24

Dated: 10/03/2026

1	Mr. Ritesh Kumar Gupta	Online	Complainant
2	Mr. O.N. Tiwari, GM Personnel, BSNL Corporate Office	Online	Respondent

6. Observations/Recommendations:

6.1 During the hearing, the Respondent clarified that the Complainant has been promoted to the post of AGM (T).

6.2 The Court observes that although the Complainant has now been promoted as AGM (Telecom), the Respondents are recommended to furnish year-wise data from 2016 onwards relating to:

- cadre strength of AGM (Telecom);
- total vacancies notified each year;
- pwbd category-wise vacancy distribution (4%);
- filled, unfilled, and carried-forward backlog vacancies;
- extended zone of consideration applied in each DPC cycle; and
- justification for their decision in each year.

6.4 In accordance with Section 76 of the RPwD Act, 2016, an Action Taken Report (ATR) and the aforesaid information shall be submitted within three (03) months

6.5 The Court records that the grievance of the Complainant relating to non-promotion has been redressed by the Respondent, as he has been promoted w.e.f. 08.08.2024. As such, no further intervention is warranted in the specific complaint in this case./ However, the subject matter may be further examined through a fresh case if the ATR and the information furnished are not found satisfactory.

7. This case is disposed of accordingly.

Yours faithfully,

5वीं मंजिल, एनआईएसडी भवन, प्लॉट नं०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364,
20892275

E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in
(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)
(Please quote the above file/case number in future correspondence)



सत्यमेव जयते

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/15312/1021/24

Dated: 10/03/2026

(S. Govindaraj)
Commissioner

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364,
20892275

E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in

(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)

(Please quote the above file/case number in future correspondence)