



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/16080/1022/25

Dated: 15/03/2026

Case No. CCPD/16080/1022/25

In The Matter Of:

Complainant(s):

Shubham Sharma

Respondent(s):

The Managing Director,

Mangalore Refineries & Petrochemicals Ltd.

1. **Hearing :**

1.1 A hearing was conducted in hybrid mode on **10.07.2025**, wherein the following parties/representatives were present:

S. No.	Name and Designation of the Party/Representative (Sh./Smt./Km.)	On Behalf of	Mode of attendance
1.	Shubham Sharma	Complainant	Online
2.	Shivam	Complainant	In person

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)

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3.	Sandish Kutino - Chief General Manager, HR	Respondent	Online
4.	Sandeep - Chief Manager, HR	Respondent	Online
5.	Prafull - General Manager, Law;	Respondent	Online
6.	Naveen - General Manager, HR	Respondent	Online

2. Proceedings during hearing:

2.1 The Complainant submitted that he is a person with low vision and was diagnosed with an autoimmune disease in 2022. He applied for a departmental transfer in March 2022; however, his request was not acceded to. In 2023, his medical condition deteriorated and doctors recommended long-term treatment with Immunosuppressants and steroids. He again sought a transfer on medical and disability grounds, also highlighting the psychological distress caused due to his chronic condition. Despite this, the department issued a transfer list accommodating other employees who neither had disabilities nor medical grounds.

2.2 He then approached the Head of the Department and submitted a representation through proper channels in April 2024 but received no response, following which he filed a grievance. The HR Manager informed him that grievances could only be filed against unlawful policies and rejected his grievance despite lacking authority to do so. The Complainant states that he has been on leave and dependent on a liquid diet since January 2025 and informed the department in March 2025 that he was medically unfit to resume duties. The management replied in writing that there was no vacancy, yet subsequently issued another transfer list transferring employees to the Delhi office. He asserts that the International Trading Desk (ITD) in Delhi frequently has suitable vacancies for a person with low vision and that since 2022; around eight employees have been posted there.

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2.3 The Respondent submitted that the Complainant joined the organization in 2018 as a Mechanical Engineer through a recruitment advertisement. He was initially posted in the maintenance department but after he represented that he was unable to work there, he was shifted to the materials department to a desk-based position where he continues to work. The Respondent stated that the organization has a job rotation policy as well as an equal opportunity policy under which preference is accorded to persons with disabilities subject to administrative constraints, availability of posts and suitability. They further clarified that transfers are decided by a high-level committee, which also examined the Complainant's request. However, the International Trading Desk (ITD) in Delhi has only six lower-management officers out of a total of 560 and the function is highly critical as it deals with crude oil imports and product exports. Officers posted there are required to have prior refinery experience. The existing officers include Mechanical Engineers with refinery experience, Chemical Engineers and one Law Graduate with visual impairment .

2.4 While acknowledging the Complainant's condition, the Respondent stated that he could not be accommodated in ITD due to administrative limitations and specialized suitability requirements. Instead of a permanent posting, the Complainant was offered several deputation opportunities and was given first preference from MRPL whenever deputation positions in Delhi became available. In certain instances, he declined the offers (such as due to CHD accommodation issues) and in other cases — including PPAC and ISPRL — he was either not selected post-interview or not found suitable by the borrowing organizations. The Respondent assured that he would continue to receive priority consideration for future deputations.

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2.5 In response to a query from the Court as to why he did not take up the deputation opportunities offered to him, the Complainant explained that his medical condition requires him to take frequent leave and he had repeatedly requested the Respondent to inform the borrowing organisations about his disability and health status. However, on at least one occasion, a borrowing organisation stated that they had not been informed of these details; he expressed concern that borrowing organisations might not accommodate his medical and disability needs in the same manner as his parent organisation.

2.6. The Respondent further stated that there is no equivalent post to that of the Complainant, who is a Materials Manager in the Delhi office which is primarily responsible for food procurement and product export functions rather than materials management.

2.7 The Court observed that the Complainant failed to produce any evidence to show that a Materials Manager had previously been posted in the Delhi office. In the absence of such proof, no case of discrimination or denial of any rights can be established. As such the Court advised the Complainant to utilise deputation opportunities facilitated by the Respondent. The Complainant's brother, appearing in person, stated that he possessed all relevant documents. The Court therefore directed him to place the documents on record within seven days of issuance of the Record of Proceedings with a copy to the Respondent, who shall file a rejoinder, if any within a further period of 7 days.

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

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Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner

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