



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/16475/1013/26

Dated: 10/04/2026

Case No: CCPD/16475/1013/26

In the Matter of

Ms. Megha Joshi

...Complainant

Versus

The Senior Superintendent, Railway Mail Services, Ahmedabad

...Respondent 1

The Professor & Head of the ENT Dept., Asarwa, Ahmedabad

...Respondent 2

The Resident Medical Officer & Head of the ENT Department, Civil Hospital

...Respondent 3

Sub: Notice to file comments in the complaint dated 13.02.2026 of Ms. Megha Joshi, a person with 51% hearing impairment, regarding the delay and subsequent cancellation of appointment to the post of Civil Clerk by Senior Superintendent of Railway Mail Service (SSRM), Ahmedabad Mail Division (AM Division).

Madam /Sir,

Whereas Ms Megha Joshi, a person with 51% hearing impairment, filed a complaint dated 13.02.2026 (Copy Enclosed), on the above-mentioned subject, which is self-explanatory.

2. And whereas, a preliminary hearing was conducted on 20.02.2026 in hybrid mode, wherein the following parties/representatives were present:

S. No.	Name and Designation of the Attendees	On Behalf Of:
1.	Ms. Megha Joshi	Complainant
2.	Shri Rajack, SSRM, Ahmedabad Division	Respondent 1
3.	Representative, MS-Civil Hospital Asarwa	Respondent 2

5वीं मंजिल, एनआईएसडी भवन, प्लॉट नं०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
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3. And whereas during the hearing, the Complainant, Ms. Megha Joshi, challenged the cancellation of her appointment as a Civil Clerk by the Department of Posts (SSRM AM Division) through the Staff Selection Commission (SSC), alleging administrative harassment and inconsistent medical evaluations, and stating that despite possessing a valid UDID card certifying 51% hearing impairment, her joining was repeatedly delayed. The Respondent (SSRM) submitted that upon her selection, she was referred to Civil Hospital, Asarva, for a mandatory pre-appointment medical examination, where she was found ineligible under the PwBD category with a disability of 28.3%, and was thereafter referred to a second medical institution in the interest of natural justice. The Civil Hospital maintained that, based on multiple audiometry tests, her disability was below the 40% threshold prescribed under the RPwD Act, 2016, despite the UDID card reflecting 51%. The Court noted the significant discrepancy between the certified disability and the medical findings, terming it a potential conceptual flaw in the assessment process. Accordingly, after considering submissions of both parties, the Court decided to register this case and issue notices. It also recommended obtaining a third independent medical opinion from AIIMS Rajkot to ensure neutrality, directing the constitution of a medical board within 30 days and submission of a confidential report in a sealed cover within 45 days.

3. And whereas Section 3 of the Rights of Persons with Disabilities Act, 2016, hereinafter referred to as "the Act", provides as under:

"3. (1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.

(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.

(3) No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.

(4) No person shall be deprived of his or her personal liberty only on the ground of disability.

(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities."

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4. And whereas Section 21 of the Act mandates that every establishment shall notify an Equal Opportunity Policy and shall register a copy of the same with the Chief Commissioner.
5. And whereas Section 23 of the Act makes it mandatory for every government establishment to appoint a Grievance Redressal Officer and to inform the Chief Commissioner about such appointment.
6. And whereas Section 75 (1) (a) and (b) of the Act mandates the Chief Commissioner to inter alia identify, suo motu or otherwise, the provisions of any law or policy, program and procedures, which are inconsistent with the Act and to look into complaints inter-alia, concerning matters relating to deprivation of rights of persons with disabilities either on his own motion or on the application of any aggrieved person and recommend necessary corrective steps.
7. And therefore, you are hereby advised to forward your comments and findings of the Medical Board w.r.t. the Complaint on an **affidavit** signed by an officer of an appropriate seniority not below the level of Group 'A' officer and to produce all the requisite documents upon which you base your Comments or Claim and where you rely on any other document as evidence in support of your comments or claim, you shall enter such documents in a list to be annexed to the Comments on Complaint along with action taken in compliance with statutory provisions as mentioned at paras 3 & 4 above, to this Court within **30 days** from the date of issue of this communication, failing which, the Complaint may be disposed of ex-parte. While responding to this notice due care may be taken of relevant provisions of the Act, other statutory provisions, and government instructions such as the ones mentioned above and including but not limited to sections 33 and 34 of the Act; DoPT OM No. 36035/02/2017-Estt (Res) dated 15.01.2018; and Gazette Notification No. 38-16/2020-DD-III dated 04.01.2021 issued by DEPWD/MSJE.
8. A copy of your reply should also be served to the Complainant via email and by post. You may also provide additional inputs relevant to the case, if desired. However, it is to be informed that in case any statutory provision, any judgment of a High Court or the Supreme Court, rules formulated under any statute, Office Memorandum, or bye-law is relied upon, you shall attach a copy of the same along with your comments on the Complaint. The Complainant may file his rejoinder, if any, to this Court within **15 days** with a copy to the Respondent(s).

Yours faithfully,

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(Praveen Prakash Ambashta)
Dy. Chief Commissioner

Copy to:

- 1) **Megha joshi**
House No.B-88A HIG, Nandgram, Ghaziabad
GHAZIABAD, UTTAR PRADESH, 201003
joshimegha2662@gmail.com
9899229894

Enc. Copies:

- 1) Disability Certificate
- 2) Case Document - 1

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