



सत्यमेव जयते

न्यायालय मुख्य आयुक्त दिव्यांगजन

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 & Empowerment

भारत सरकार/Government of India

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Case No.: CCPD/14493/1014/2023

In the matter of:

Complainant:

Shri Sagar

Respondent(s):

The Director, Lady Hardinge Medical College & Smt. Sucheta Kriplani Hospital

RECORD OF PROCEEDINGS

1. Hearing: A hybrid hearing in the matter was conducted on 23.07.2025 wherein the following were present :

Sl. No.	Name & Designation of the Attendees (Smt./Shri)	On behalf of	Mode of Presence
1.	Shri Sagar	Complainant	Online
2.	Dr. Alka Aggarwal	Respondent	Online

2. Proceedings during the hearing:

2.1 The case concerns a complainant with low vision who belongs to a Scheduled Caste category and had applied for a Multi-Tasking Staff (MTS) post. He raised serious concerns about how his medical examination was handled at Lady Hardinge Medical College (LHMC).

2.2 The complainant had previously been issued a disability certificate in 2017 by the same hospital, assessing his visual impairment at 40%. However, during the recruitment process, things became inconsistent.

One doctor assessed his disability at 30%, while another doctor, Dr. Rinki, later assessed it at 60% and declared him medically fit.

2.3 This sharp variation raised red flags for the complainant. He alleged that there were irregularities in the process, including a demand for a bribe of ₹30,000 by unknown individuals. He also claimed that he faced caste-based discrimination and that his medical reports may have been manipulated.

2.4 In response, the hospital, represented by Dr. Alka Aggarwal, stated that an internal inquiry had already been conducted. A committee of three senior faculty members reviewed the matter and recorded statements from the doctors involved. According to the hospital, the inquiry found no evidence of wrongdoing, like no bribery, no manipulation, and no misconduct. They explained that differences in disability percentages can occur because visual impairment assessments may involve some degree of subjective judgement. The hospital stood by the final assessment of 60% and maintained that the complainant was correctly declared fit. However, the Court was not fully convinced.

2.5 It noted that the same hospital had issued three different assessments, i.e., 40%, 30%, and 60%, within a relatively short period, which raised legitimate concerns. The Court also pointed out that the internal inquiry seemed one-sided, as the complainant was not involved in the process.

2.6 Additionally, the Court expressed dissatisfaction with how the hospital handled the hearing. It observed a lack of seriousness, an unprepared representative, and the absence of senior officers.

2.7 Importantly, the Court clarified that, as per current government guidelines (such as DoP&T and RPwD Rules), the assessment of visual impairment is largely objective and should not vary so drastically.

2.8 Given the seriousness of the allegations, including possible corruption, caste discrimination, and manipulation of official medical records, the Court emphasised the need for a thorough and transparent review.

2.9 Accordingly, the Court issued the following recommendations:

- i) The Hospital must submit a detailed reply within 10 days through a senior level Officer. This reply must clearly explain the reason for such large variations in the disability percentages.
- ii) The hospital must also state whether any action has been taken against the doctor(s) who issued the 30% certificate.
- iii) Details of all members of the medical board, including their areas of specialization, must be provided.
- iv) A complete copy of the internal inquiry report must be submitted, including statements of all doctors involved and the complainant (if his statement was recorded).

2.10 The Court further recommended that in the next hearing, the Director (or competent authority) and the Head of the Ophthalmology Department must be present.


(Ipsita Mitra) 17.6.26

Dy. Chief Commissioner