



न्यायालय मुख्य आयुक्त 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

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Case No: CCPD/14307/1022/2023

In the matter of

Complainant

Shri Vikas Srivastava

Vs.

Respondent(s)

The Chairman & Managing Director, Oil & Natural Gas Corporation Limited

The General Manager, Oil & Natural Gas Corporation Limited

1. Gist of the Complaint

1.1 The Complainant, Shri Vikas Srivastava, a Finance & Account Officer at ONGC in Kakinada, Andhra Pradesh, and a person with a 50% locomotor disability, submitted a grievance dated 04.07.2023 alleging the non-consideration of his persistent transfer requests by the corporate office in New Delhi. He contended that despite serving at his current location since March 2019 and making repeated representations for a transfer to Dehradun, Uttarakhand since 2021, his request remains unaddressed. He argued that the significant distance between his current posting and Dehradun has created extreme personal hardship, particularly in providing care for his newborn child alongside his wife, who is also a government employee posted in Dehradun. Highlighting the challenges in managing his professional and personal responsibilities effectively, the complainant sought a transfer to align with the principles of reasonable accommodation and the legal

framework governing the posting of employees with disabilities to ensure family support and accessibility.

2. Issue of Notice

2.1 The matter was taken up with the Respondent vide notice dated 27.07.2023 stating provisions u/s 3, 21, 23, and 75 of the Rights of Persons with Disabilities Act, 2016.

3. Respondent's Reply to the Notice

3.1 The Respondent (ONGC), in its written submission dated 22.08.2023, maintained that the Complainant's current posting to the Eastern Offshore Asset, Kakinada, was executed in March 2019 in accordance with the preference he indicated during his initial interview. It was submitted that while the Complainant has completed four years at his station, prevailing organizational practice normally requires a minimum tenure of five years before a transfer out of a station is considered. The Respondent further clarified that the Finance function within ONGC is presently undergoing restructuring, which may facilitate the movement of executives to the Northern Sector. Furthermore, the Respondent argued that in view of the personal hardships highlighted, the Complainant's request is under active consideration by the competent authority and is likely to be addressed in the forthcoming planned movement, ensuring that administrative exigencies do not unnecessarily disrupt the employee's welfare.

4. Rejoinder

4.1 In his rejoinder dated 30.08.2023, the Complainant reiterated his grievance and clarified that Kakinada was not his preferred posting at the time of interview but was allotted due to non-availability of his preferred locations. He contended that the general practice of a five-year tenure for transfer is not applicable to Persons with Disabilities, as per ONGC's Equal Opportunity Policy. He further submitted that under ONGC's Transfer Policy dated 03.02.2023, a sector change is permissible after completion of three years, a condition he has already fulfilled by

completing four years at Kakinada. He asserted that in any event, the Equal Opportunity Policy for PwDs prevails over the general transfer policy and ought to be implemented in his case.

5. Notice of Legal Framework

5.1 The matter was further looked into with the Respondent vide notice dated 23.01.2024 stating provisions under Article 41 of the Indian Constitution, Sections 20(2), 20(5), 21, 4, 16, 24, 27, 38, Rule 8(3), DOP&T OM No 36035/3/2013-Estt. (Res) dated 31.03.2014, DOP&T OM No. 42011/3/2014-Estt. (Res) dated 06.06.2014, DOP&T OM No. 42011/3/2014-Estt (RR) dated 08.10.2018, and Ministry of Finance OM F.No. 302/33/2/87-SCT (B) dated 15.02.1988.

6. Respondent's reply to the Notice of Legal Framework

6.1 The Executive Director (Chief HRD) vide e-mail dated 12.02.2024 stated that the Complainant has been posted at Kakinada since March 2019 in accordance with his initial posting preference. It was reiterated that transfers from non-Northeast locations are ordinarily considered after completion of minimum five-year tenure. The reply further noted that ongoing centralization of the Finance function may result in postings to the Northern Sector. ONGC informed that the Complainant's transfer request is under active consideration and is likely to be addressed in the April-May 2024 transfer cycle and accordingly requested that the matter be treated as resolved.

7. Hearing:

7.1 After the issuance of the Notice of Hearing on 12.12.2025, the matter was scheduled for a formal hearing on 17.12.2025. Subsequently, the Complainant vide email dt. 16.12.2025 informed that his grievance had been redressed.

7.2 In the aforementioned correspondence, the Complainant confirmed his successful transfer from Kakinada, AP, to Dehradun, Uttarakhand w.e.f. 31.05.2024, pursuant to Office Order No. DDN/CE/FIN/AT-2024 dated 15.04.2024.

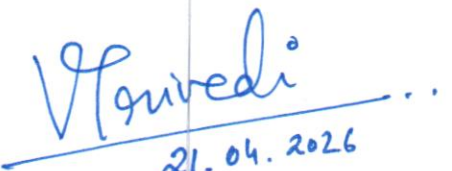
8. Observations & Recommendations

8.1 Upon reviewing the facts of the case and the available records, it is clear that the Complainant's grievance has been addressed.

8 . 2 After considering the submissions from both parties, specifically the Complainant's email dated 16.12.2025 expressing satisfaction with the transfer order, the Court has determined that no further intervention is necessary.

9. Accordingly, the case is disposed of.

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


21.04.2026
(Vikas Trivedi)

Dy. Chief Commissioner