



सत्यमेव जयते
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
5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष 20892364(011) :
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CaseNo.14100/1021/2023

Complainant:

Shri Satyaveer Dagur

Respondent:

The Director,
Post Graduate Institute of Medical Education & Research
Chandigarh

1. Gist of Complaint

1.1 Shri Satyaveer Dagur filed a complaint dated 15.04.2023 alleging that the reservation roster for Divyang employees should have been prepared from 01.01.1996, the date of implementation of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. However, according to him, the Postgraduate Institute of Medical Education and Research administration prepared the reservation roster only from 2017 after notification of the Rights of Persons with Disabilities Act, 2016. He further alleged that the roster was prepared only on paper without revising DPCs or carrying forward vacant posts up to the date of preparation, and that Divyang employees were not considered for promotion before the OM dated 17.05.2022. He also claimed that the administration prepared the roster only group-wise, leading to incorrect computation of reservation in cadres and identified posts.

1.2 The Complainant further stated that the Liaison Officer for SC/ST and PWD signed the allegedly incorrect roster and was not serious about protecting the rights of persons with disabilities. He requested the

appointment of a separate Liaison Officer for PWD from among Divyang employees of the institute. In his prayer, he sought quashing of the existing reservation roster for PWD employees and constitution of a fresh committee to prepare a new roster, with representation from the Differently Abled Employees' Union included in the committee.

2. Notice issued to the Respondent:

2.1 The matter was taken up with the Respondent vide notice dated 01.06.2023 followed by reminder dated 28.07.2023.

3. Reply by Respondent:

3.1 The Respondent filed their reply dated 29.09.2023 and stated that that reservation rosters for Persons with Disabilities (PwD) in Groups A, B, and C had already been prepared with effect from 01.01.1996 and supplied earlier to the Chief Commissioner for PwD in June 2016 in connection with another case. The Institute stated that after the enactment of the Rights of Persons with Disabilities Act, 2016, reservation rosters were prepared group-wise in accordance with DoPT OM dated 15.01.2018, and reservation points were earmarked for identified posts suitable for benchmark disabilities. The Institute further clarified that reservation in promotion for PwBDs was introduced through DoPT OM dated 17.05.2022 and, as clarified by DoPT on 01.08.2022, the policy operates prospectively from the date of issuance without retrospective effect. Accordingly, the rosters prepared from 19.04.2017 were re-drawn from 17.05.2022 for implementing reservation in promotion, and the Institute stated that the discrepancies raised in the complaint stood resolved thereafter.

3.2 The Institute also explained that reservation in promotion is being implemented cadre-wise within Groups A, B, and C in accordance with the DoPT guidelines, ensuring fair distribution of reservation points for PwBDs. It submitted that vacancy details received from establishments are entered into the roster and verified by concerned officers before approval by the Liaison Officer for PwD matters. Regarding the demand for a separate Liaison Officer, the Institute stated that existing DoPT instructions require Liaison Officers for SC/ST matters to also function as Liaison Officers for PwBDs. The Institute further informed that it had already supplied reservation rosters from 01.01.1996 to the Commission

and was in the process of compiling detailed vacancy and appointment data relating to PwBDs. It also noted that Shri Satyaveer Singh Dagur had separately filed Contempt Petition No. 307 of 2022 before the Punjab and Haryana High Court concerning reservation in promotion for persons with disabilities.

4. A hearing in hybrid mode was conducted on 19.05.2026, wherein the following parties/representatives were present:

S. No.	Name and Designation of the Attendees	Complainant/Respondent	Mode of Attendance
	Shri Satyaveer Dagur	Complainant	Online
	Mr. Ashish Sharma - Sr. Administrative Officer	Respondent	Online

5. Record of Proceedings:

5.1 The Hearing before the Court focused on grievances raised by Mr. Satyaveer Dagur, President of the PwD association at PGIMER, Chandigarh, regarding the functioning of the liaison officer system for persons with disabilities (PwDs). The Complainant stated that PGIMER had earlier maintained a separate liaison officer for PwDs, but since 2021 the role had been merged with the SC/ST liaison officer. According to him, this combined arrangement created serious administrative difficulties, as PwD - related concerns were not receiving adequate attention. He emphasized that unlike SC, ST, OBC, and EWS categories, PwDs no longer had a dedicated officer to monitor reservation and roster implementation.

5.2 Mr. Satyaveer also informed the Court that the association had repeatedly requested the administration to appoint a separate liaison officer from among PwD officers, but no action had been taken. He alleged that the existing combined liaison mechanism failed to properly verify rosters, calculate backlog vacancies, or address promotion-related discrepancies affecting PwD employees. He further stated that PwD

representatives were often excluded from important reservation-related discussions and that employee unions were consulted instead of affected PwD candidates.

5.3 In response, PGIMER officials, including Senior Administrative Officer Ashish Sharma, informed the Court that the matter regarding constitution of the committee had already been forwarded to the competent authority.

6. Observations and Recommendations:

6.1 The Court has considered the complaint, the Respondent's reply, the submissions made during the hearing, and the material on record. The grievance relates to reservation rosters, reservation in promotion for persons with benchmark disabilities (PwBDs), and the Liaison Officer mechanism at PGIMER, Chandigarh. The Respondent has clarified that reservation rosters have been prepared and revised in accordance with the Rights of Persons with Disabilities Act, 2016 and the DoPT O.Ms. dated 15.01.2018, 17.05.2022 and 01.08.2022. Accordingly, the Court is satisfied that the issues relating to reservation rosters and reservation in promotion have substantially been addressed.

6.2 However, the Court observes that effective implementation of the RPwD Act, 2016 requires a robust monitoring mechanism. During the hearing, the Court emphasized that a Liaison Officer must possess adequate knowledge of PwBD reservation policies, roster maintenance, backlog vacancy calculations, and promotion rules, rather than merely holding the designation. The Court had therefore directed the Respondent to place the appointment order of the Liaison Officer on record. The Court also notes the Respondent's proposal to constitute a committee for periodic review of reservation, promotions, and backlog vacancies, which would strengthen compliance with the RPwD Act, 2016 and the applicable DoPT guidelines.

6.3 The Court recommends that the Respondent ensure strict compliance with Sections 20 and 34 of the RPwD Act, 2016 and the applicable DoPT instructions relating to reservation, maintenance of reservation rosters, backlog vacancies, reservation in promotion, and future recruitment and promotion exercises, while maintaining updated reservation records.

6.4 The Court further recommends that the Respondent ensure that the Liaison Officer is adequately conversant with PwBD-related laws and policies, maintain the appointment order on record, and constitute, at the earliest, a Committee

comprising senior administrative officers and representatives of PwBD employees to periodically review reservation, promotion, and backlog vacancy issues, facilitate effective grievance resolution, and submit an Action Taken Report (ATR) to this Court within 90 days from the date of this Order.

7. Accordingly, the case is disposed of.

(S. Govindaraj)

Commissioner for Persons with Disabilities