



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.: 14555/1022/2023

In the Matter of:

Complainant(s):

Shri Ajay Singh

Versus

Respondent(s):

The General Manager (Legal), Food Corporation of India

1. Gist of Complaint:

1.1 The Complainant, Ajay Singh, a person with 100% permanent multiple disability (cerebral palsy and locomotor), stated that although he was selected under the Persons with Benchmark Disability quota for the post of Assistant Grade III (Depot) in the Food Corporation of India, he has been posted in Punjab, far from his native place in Chitrakoot district, Uttar Pradesh. He contended that the distant posting has caused him severe hardship in terms of mobility, daily living, access to medical care, assistive facilities and family support. He asserted that such posting is contrary to the spirit of disability rights legislation and government instructions on reasonable accommodation and preferential posting of persons with disabilities. Accordingly, he requested that his case be considered sympathetically and that he be transferred or posted to a suitable station nearer to his home state or within Uttar Pradesh to enable him to discharge his duties with dignity and adequate support.

2. Notice Issued:

2.1 The matter was taken up with the General Manager (Legal) vide letter dated 16.10.2023 citing statutory provisions and government instruction including but not limited to section 20 of the Act read with DoPT OM No. 36035/3/2013-Estt. (Res)

dated 31.03.2014.

3. Submissions made by the Respondents:

3.1 The Assistant Manager in their reply vide email dated 09.11.2023 stated that at the time of physical verification for joining, the Complainant was found to have 100% disability in both legs and did not meet the prescribed physical requirements or the identified PwBD category for the post of AG-III (Depot) as specified in the relevant recruitment advertisement. Accordingly, his candidature for the said post is presently under examination at the FCI Regional Office, Punjab. They further submitted that his grievance relating to posting and transfer would be considered only after a final decision is taken regarding the validity of his candidature for the post of AG-III (Depot) and therefore no decision on his posting has been taken at this stage.

4. Rejoinder

4.1 In the rejoinder dated 21.11.2023, the Complainant strongly refuted the arbitrary actions of the Divisional Office, FCI Patiala, specifically targeting the harassment by Manager Dharamveer, and submitted that despite joining as an AG-III (Depot) on October 25, 2023 (Employee No. 317264), he had been will fully denied a formal posting and was subsequently blocked from marking his daily attendance. The Complainant emphasized that as a person with a benchmark disability who had migrated from Uttar Pradesh to Punjab for employment, the department's hostile conduct violated the core mandate of the RPwD Act, 2016, which obligated authorities to provide reasonable accommodation and a supportive working environment rather than subjecting vulnerable employees to mental agony. Consequently, the Complainant asserted that the administrative denial of attendance and regular duties constituted a grave injustice and prayed that the authorities be directed to immediately accept his attendance, allocate a suitable posting, and ensure effective protection of his rights as a disabled employee.

5. Hearing (I)

5.1 A hearing was scheduled for 17.12.2025 in hybrid mode, wherein none of the parties/representatives were present. Therefore, no proceedings could take place.

6. Hearing (II)

6.1 A hearing was scheduled for 27.04.2026 in hybrid mode, wherein none of the parties/representatives were present. Therefore, no proceedings could take place.

7. Hearing (II)

7.1 A hearing was scheduled for 16.06.2026 in hybrid mode, wherein none of the parties/representatives were present. Therefore, no proceedings could take place.

8. Observation and Recommendation

8.1 The Court takes note of the Complainant's email dated 15.06.2026, wherein he submitted that he had changed his organization and was no longer interested in pursuing the matter, and accepted his request for closure. The Court observed that while the individual matter is being disposed of as closed due to the Complainant's career transition. The Court further observes that the Respondent's actions must be evaluated against the statutory framework of the RPwD Act, 2016 which mandates a transition from a welfare-based approach to a rights-based entitlement for applicants with disabilities.

8.2 The Court recommends the Respondent to strictly implement the Department of Personnel and Training (DoPT) guidelines mandating nearby or preferred postings for persons with benchmark disabilities to minimize hardship, ensuring that procedural delays are not used as grounds to deny reasonable accommodation.

8.3 The Court further recommends that the management shall conduct mandatory sensitization programs on the RPwD Act, 2016 for all administrative and managerial staff, particularly at the divisional and depot levels, and institute strict disciplinary accountability to prevent instances of harassment or arbitrary denial of duties/attendance to disabled employees. Consequently, the Court has determined no further intervention necessary.

9. Accordingly, the case is disposed of.

(S. Govindaraj)

Commissioner for Persons with Disabilities