



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

Diary No. DNO/26/CCPD/6260

Dated: 02/09/2026

Case No: DNO/26/CCPD/6260

In the Matter of

Complainant

Shri Aashish Kumar Jha

Versus

Respondent(s)

1. The Director General, Postal Services
2. The Chief Postmaster General (Bihar Circle)
3. The Secretary, Department of Personnel and Training

1. Gist of the Complaint

1.1 The Complainant, Shri Ashish Kumar Jha, a person with benchmark hearing impairment, submitted that he had worked as a Gramin Dak Sevak (GDS) at a Branch Post Office from 2008 to 2018 in place of his mother, who was serving as an Extra Departmental Agent (EDA). The Complainant alleged that appointment-related memoranda had been issued by the postal authorities and that he was repeatedly assured that his services would be regularized. However, despite rendering service for nearly ten years, his services were never regularized and, upon raising the issue, he was allegedly terminated from service. Aggrieved by the alleged illegal termination and non-regularization, the Complainant approached this Court seeking appropriate relief.

2. Hearing

2.1. A preliminary hearing was conducted on 23.07.2026 in hybrid mode, wherein the following

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parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1	Shri Aashish Kumar Jha	Complainant
2	Representative of Director (Establishment)	Respondent 1
3	Shri Sanjit Kumar Bhagat, Superintendent of Post Office	Respondent 2
4	Shri Sandeep Saxena, Director	Respondent 3

3. Record of Proceedings

3.1 During the proceedings, the Respondent submitted that the Complainant had never been appointed against any regular post. It was submitted that the Complainant was permitted to work only as a purely temporary substitute, in place of his mother, who was serving as an Extra Departmental Agent/Branch Postmaster. According to the Respondent, each engagement was expressly limited to a maximum period of 89 days and was purely an ad hoc arrangement, liable to be terminated at any time without assigning any reason.

3.2 The Respondent further submitted that no appointment letter for regular engagement had ever been issued to the Complainant and that he had never been appointed against any notified vacancy through the prescribed recruitment process. It was contended that the Complainant merely worked on temporary arrangements renewed from time to time and, therefore, acquired no legal right to claim regularization.

3.3 Upon hearing the Respondent, the Court sought clarification regarding the circumstances under which the Complainant was permitted to work "in place of his mother" for nearly ten years. The Court questioned the legal basis permitting a regular employee to nominate another person to discharge official duties and sought clarification as to whether the extensions of service were issued in the name of the Complainant or in the name of his mother.

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3.4 The Complainant submitted that although the Respondent described his engagement as temporary, he had continuously discharged duties for nearly ten years and had repeatedly been assured that his services would be regularized. He alleged that his termination was illegal and asserted that he had continuously performed the functions of a Gramin Dak Sevak during the period.

3.5 During the proceedings, the representative of the Department of Personnel and Training (DoPT) submitted that appointments under the Government are governed strictly by the applicable recruitment and service rules. It was submitted that reservation for persons with disabilities is available only in appointments made in accordance with the prescribed recruitment process, whether through direct recruitment or promotion. The DoPT representative further observed that the legality of the Complainant's engagement would depend upon the applicable service rules governing such appointments.

3.6 The DoPT further questioned whether any statutory provision or service rule permitted a regular employee to nominate his or her son or daughter to discharge official duties in his or her place. It was submitted that the relevant service rules governing the engagement of the Complainant would require examination before any conclusion could be reached.

3.7 Upon consideration of the submissions, the Court observed that, on the material presently available, the Complainant did not appear to possess any legal entitlement to claim regularization, as his engagement was admittedly temporary in nature and renewed periodically. However, the Court also observed that the Respondent had created certain administrative ambiguities by permitting the Complainant to continue rendering services in place of his mother over an extended period, the legality of which required further clarification.

3.8 Accordingly, the Court recommended the Respondent to file a detailed written submission within fifteen (15) days, clearly explaining the statutory provisions, departmental rules and administrative practice under which the Complainant had been permitted to work in place of his mother, together with all supporting documents relating to such temporary engagements and renewals.

3.9 The Court further observed that the Respondent's written submissions would thereafter be examined in consultation with the Department of Personnel and Training (DoPT) for evaluation of the applicable legal and service rules. The Court also observed, as a prima facie view, that the Complainant did not possess any legal entitlement to seek regularization solely on the basis of the temporary engagements placed on record. Consequently, the Court has determined that no further intervention necessary.

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4. Accordingly, the case is disposed of.

Yours faithfully,

(S. Govindaraj)
Commissioner

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