



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/6436

Dated: 26/09/2026

In the matter of:

Shri Pankaj Kumar
(Complainant)

Versus

The Director General,
Directorate General of Health Services (DGHS),
Ministry of Health & Family Welfare
(Respondent)

1. Background of the Case

1.1 The Complainant, Shri Pankaj Kumar, Deputy Director, Directorate General of Health Services (DGHS), Ministry of Health & Family Welfare, is a Person with Disability suffering from post-polio paralysis of the left lower limb, with 46% locomotor disability.

1.2 The Complainant submitted that his Government accommodation has been allotted to him on medical grounds, in view of his disability, at Pandara Road, New Delhi, whereas his official sitting arrangement has been fixed at the NCDC Complex, Civil Lines, New Delhi, which is over 20 km away from his residence.

1.3 The Complainant stated that he had, on multiple occasions, requested the Respondent that his sitting arrangement be shifted to the National Medical Library (NML) Building or Kartavya Bhawan-I, both of which are considerably closer to his residence and are also the locations from where the Sections functioning under his charge are presently located. He submitted that this request is in accordance with the applicable disability laws and DoPT guidelines, which provide that, wherever feasible, persons with disabilities be posted near their place of residence.

1.4 The Complainant stated that although his Reporting Officer forwarded the matter, and his Reviewing Officer recommended his accommodation at the NML Building, the Joint Secretary (Admin) did not accept the recommendation, citing administrative constraints arising from the dispersal of Dte.GHS offices consequent to the Central Vista redevelopment. The Complainant was instead retained at the NCDC Complex and additionally assigned charge of the Central Bureau of Health Intelligence (CBHI), HQ, which is also located at the NCDC Complex.

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1.5 The Complainant further objected to an observation recorded by the Joint Secretary (Admin) to the effect that his service records showed that he had undertaken outstation official tours in the past, and that his plea was therefore not logically supported by his own past conduct. The Complainant submitted that this observation disregards his disability and the extra effort involved in the discharge of his official duties despite it, and cannot be equated with the hardship of a daily commute of over 20 km each way.

2. Notice of Admissibility

2.1 A notice dated 24.08.2026 under Sections 75 and 77 of the RPwD Act, 2016, was issued to the Respondent for a hearing on 03.09.2026 to determine the admissibility of the case and find out if this can be resolved without further quasi-judicial intervention of this Court.

3. Respondent's Submission

3.1 The Respondent, vide letter dated 27.08.2026, submitted that while allotting office space to the Complainant, due consideration was given to ensure that his posting remains aligned with his area of specialization, i.e., statistical work, while also facilitating his proximity to the concerned Section.

3.2 It was submitted that the Complainant has accordingly been assigned work relating to the Central Bureau of Health Intelligence (CBHI), located in the NCDC Building, Sham Nath Marg, and has been allotted a single-occupancy room with all requisite amenities.

3.3 It was further submitted that the office is fully digitized and functions through the e-Office platform, and that the Complainant can effectively discharge his assigned duties through e-Office from his present sitting location.

3.4 The Respondent submitted that the present arrangement has been made keeping in view the nature of the Complainant's work, his area of specialization, proximity to the concerned Section, and applicable Government of India instructions, and that his request for allotment of space at a more proximate location shall be considered as and when the same becomes available.

4. Hearing

4.1 A hearing was conducted on 03.09.2026. The following parties/representatives were present during the hearing:

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Sl. No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Shri Pankaj Kumar	Complainant	Virtual (Video Conference)
2.	Shri Yogender Kumar, Director, Dte.GHS	Respondent	Virtual (Video Conference)

5. Record of Proceedings

5.1 The Respondent submitted that the Complainant's assigned work (CBHI, HQ) is located in the NCDC Building, and that, on account of a shortage of office accommodation, particularly since the NML Building is presently occupied by additional officers deployed on account of NEET counselling-related work, no space is presently available to accommodate the Complainant at NML. He submitted that the Respondent would accommodate the Complainant closer to his residence as and when space becomes available, and estimated that this may take about two to three months, contingent on vacancies arising on account of superannuation or transfer of officers presently accommodated at NML.

5.2 The Complainant reiterated that his Reporting and Reviewing Officers had already recommended that sufficient space was available for him at the NML Building, which is about 7 km from his residence, as against his present location at the NCDC Complex, which is over 20 km away. He further submitted that he is presently required to attend to work relating to three different Sections situated at three different locations, resulting in avoidable mobility and hardship on account of his disability.

5.3 On being asked by the Court about the possibility and timeline for shifting the Complainant nearer to his residence, the Respondent reiterated that they were making its best efforts and committed to providing relief within a period of three months.

5.4 The Court observed that the matter should not be prolonged further, and that the Respondent, having committed to a three-month timeline, should provide relief to the Complainant within this period and submit a report to this Court accordingly.

5.5 The Court further observed that, pending relocation, the Complainant should not be required to move between multiple locations for his official work, and that his other work may be attended to online/through the e-Office platform from a single location, so as to avoid unnecessary mobility.

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6. Observations & Recommendations

6.1 Having considered the submissions of both parties, the Court is of the view that the Complainant's request for a sitting arrangement closer to his residence, keeping in view his disability, is reasonable and merits consideration in accordance with the applicable disability laws and DoPT guidelines. The Respondent is recommended to accommodate the Complainant at the National Medical Library (NML) Building or Kartavya Bhawan-I, or at any other location in closer proximity to his residence, at the earliest, and in any case within a period of three months from the date of the hearing.

6.2 Pending such relocation, the Respondent is recommended to ensure that the Complainant is not required to attend to his official work at multiple locations, and that, to the extent feasible, his work be consolidated and conducted online/through the e-Office platform from his present sitting location, so as to minimize physical mobility.

6.3 The Respondent is recommended to be mindful, in future administrative decisions, of the reasonable accommodation requirements of employees with disabilities, and to avoid observations that may be perceived as disregarding an employee's disability, in keeping with the principles of non-discrimination enshrined in the Rights of Persons with Disabilities Act, 2016.

6.4 The Respondent is requested to submit a compliance report to this Court within three months from the issuance of this Order.

6.5 With the above recommendations, the case stands disposed of.

Yours faithfully,

(S. Govindaraj)
Commissioner

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