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

Case No. CCPD/16658/1024/26 **Dated:** 05/10/2026

Notice u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016

Case No: CCPD/16658/1024/26

To,

The Managing Director,

Burns & McDonnell Engineering India Pvt. Ltd.

Email: avgoyal@burnsmcd.in

Sub: Notice to file comments in complaint dated 29.07.2026 of Mr. Pramesh Gaud, a person with 85% Locomotor Disability, regarding alleged hostile work environment, denial of reasonable accommodation, and illegal termination.

Madam /Sir,

I am directed to enclose a copy of documents related to complaint dated **29.07.2026** of **Mr. Pramesh Gaud,** a person with **85% Locomotor Disability** on the above-mentioned subject, which is self-explanatory.

2. And whereas, a preliminary was conducted on 03.09.2026 in Diary No. DNO/26/CCPD/6613 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Mr. Pramesh Gaud	Complainant

2.1 And whereas, no representatives on behalf of the Respondent were present during the hearing. The Complainant submitted that he is a person with 85% benchmark locomotor disability and was engaged as a

Process Engineer with Burns & McDonnell Engineering India Private Limited under a one-year contract, although his engagement was reflected through a supplier/vendor arrangement. He submitted that he worked full-time on-site under the supervision of the concerned department head and alleged that, on account of his use of a prosthetic leg and disability-related mobility constraints, he had sought basic workplace accommodations, following which his contract was abruptly terminated with only 15 days' notice, contrary to the 30-day notice period stipulated in his contract. He further raised grievances regarding non-payment of weekend/holiday wages and statutory provident fund deductions, and submitted that the Respondent had contended that the RPwD Act, 2016 was not applicable either to the establishment or to contingent workers.

2.2 And whereas, the Complainant further submitted that the Respondent had not complied with the written defence deadline and requested that such non-compliance be taken on record. The Complainant submitted that Burns & McDonnell Engineering India Private Limited is registered with the Government of India through the Ministry of Corporate Affairs, Registrar of Companies, Mumbai, and has its registered office in Mumbai, with a branch office in Bengaluru. Upon being satisfied that the Respondent is registered under the Central Government framework, the Hon'ble Commissioner observed that the matter falls within the purview of the Office of the Chief Commissioner for Persons with Disabilities. Upon being enquired by the Court regarding the nature and terms of his engagement, the Complainant clarified that his contract was for a period of one year and provided for a 30-day notice period in the event of termination or resignation, whereas he was served only 15 days' notice and his engagement was discontinued within approximately seven months. The Complainant stated that the relevant contract document could not be uploaded along with the online complaint due to a technical limitation, but that he was in possession of the same. Upon considering the submissions and the issues raised, the Hon'ble Commissioner directed that the Complaint be registered for regular proceedings.

3. Whereas Section 3 of the Rights of Persons with Disabilities Act, 2016 hereinafter referred to as "the Act" provides as under:

> *"3. (1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.*
>
> *(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.*
>
> *(3) No person with disability shall be discriminated on the ground of disability, unless it is shown*

that the impugned act or omission is a proportionate means of achieving a legitimate aim.

(4) No person shall be deprived of his or her personal liberty only on the ground of disability.

(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities."

4. And whereas Section 21 of the Act, mandates that every establishment shall notify Equal Opportunity Policy and shall register a copy of the same with the Chief Commissioner.

5. And whereas Section 23 of the Act makes it mandatory for every government establishment to appoint a Grievance Redressal Officer and to inform the Chief Commissioner about such appointment.

6. And whereas Section 75(1) (a) and (b) of the Act mandates the Chief Commissioner for Persons with Disabilities to identify, suo motu or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with this Act and recommend necessary corrective steps and to look into complaints inter-alia, concerning matters relating to deprivation of rights of persons with disabilities either on his own motion or on the application of any aggrieved person and recommend necessary corrective steps.

7. And therefore, you are hereby advised to forward your comments on the Complaint on an **affidavit** signed by an officer of an appropriate seniority not below the level of Group 'A' officer and to produce all the requisite documents upon which you base your Comments or Claim and where you rely on any other document as evidence in support of your comments or claim, you shall enter such documents in a list to be annexed to the Comments on Complaint along with action taken in compliance with statutory provisions as mentioned at paras 3 & 4 above, to this Court within **30 days** from the date of issue of this communication, failing which, the Complaint may be disposed of exparte. **While responding to this notice, due care may be taken of relevant provisions of the Act, other statutory provisions, and government instructions, such as the ones mentioned above, including but not limited to Section 20 of the Act and Department of Expenditure OM No. 21/1/2018-E.II (B) dated 15.09.2022 read with OM No. 21/1/2018-E.II (B) dated 29.07.2025.**

8. A copy of your reply should also be served to the Complainant **via email and by post and the**

Case No. CCPD/16658/1024/26 **Dated:** 05/10/2026

proof of service be submitted to this Court along with your Reply. You may also provide additional inputs, relevant to the case, if desired. However, it is to be informed that in case any statutory provision, any judgment of a High Court or the Supreme Court, rules formulated under any statute, Office Memorandum, or bye-law is relied upon, you shall attach a copy of the same along with your comments on the Complaint. The Complainant may file his rejoinder, if any, to this Court within 15 days with a copy to the Respondent(s).

Yours faithfully,



(VIKAS TRIVEDI)
Dy. Chief Commissioner

Copy to:

1) **Pramesh Gaud**
Room.no. 5, Yusuf Afzal CHS Datta Wadi Kurar Village Malad East
MUMBAI SUBURBAN, MAHARASHTRA, 400097
prameshgaud@gmail.com
9372414628

Enc. Copies:

1) Disability Certificate
2) Case Document - 1