Diary No. DNO/26/CCPD/6744 **Dated:** 07/10/2026

IN THE MATTER OF

Shri Ayush Raj

Complainant

Versus

The Chief Executive Officer (CEO)
Tata Power Delhi Distribution Limited
Respondent

1. Background of the Case

1.1 The Complainant stated that he is a BCA graduate and a person with 100% hearing impairment. He submitted that he was directly contacted by the Respondent for a job opportunity on 30.09.2025. From the first interaction, the Complainant disclosed his hearing impairment and requested text-based communication, which the Respondent accepted and followed throughout the recruitment process.

1.2 The Complainant submitted his formal application on 13.10.2025 and appeared for a physical interview on 24.10.2025. After positive feedback on the interview, the compensation package was negotiated and accepted by the Complainant.

1.3 On 09.01.2026, the Respondent issued an offer letter selecting the Complainant for the post of Assistant Officer, subject to medical fitness and successful background verification.

1.4 The Complainant completed the background verification through On-grid and attended the pre-employment medical examination at the office of the Respondent's Chief Medical Officer at Rohini on 20.01.2026.

1.5 Thereafter, the Respondent neither issued a joining date nor communicated any decision on the medical examination or background verification, nor issued any formal rejection, despite the Complainant's repeated follow-ups up to April 2026.

1.6 The Complainant has alleged that, having full knowledge of his disability from the outset and having advanced his candidature through every stage, the Respondent's conduct of leaving his candidature

undecided is arbitrary and discriminatory, and is in violation of the provisions of the Rights of Persons with Disabilities (RPwD) Act, 2016, including its provisions on non-discrimination, reasonable accommodation and the Equal Opportunity Policy of an establishment.

2. Notice of Admissibility

2.1 A notice dated 18.09.2026 under Sections 75 and 77 of the RPwD Act, 2016, was issued to the Respondent for a hearing on 24.09.2026 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, in its written reply dated 23.09.2026, denied the allegations and submitted that the complaint is not maintainable before this Court and is liable to be dismissed.

3.2 The Respondent stated that it came into being on 01.07.2002 following the unbundling of the erstwhile Delhi Vidyut Board and the privatisation of electricity distribution in Delhi under the Delhi Electricity Reforms Act, 2000; that it is a company incorporated under the Companies Act as a non-government company, being a joint venture between Tata Power Company Limited, which holds 51% of the shares, and the Government of NCT of Delhi; that its management vests in a Board of Directors, the majority of whom are nominees of Tata Power Company Limited; and that no funds are provided by the Government, its activities being funded from the tariff collected from consumers. On this basis, the Respondent submitted that it is not covered under Section 75 of the RPwD Act, 2016.

3.3 The Respondent further submitted that the Complainant is, in effect, seeking a direction that it enter into a contract of employment with him, and that a contract of employment cannot be specifically enforced.

3.4 The Respondent submitted that the Complainant's curriculum vitae had come through a reference and not against any vacancy or advertisement; that an offer letter dated 09.01.2026 was issued to him, but that the offer letter or inclusion in a select list is no guarantee of final absorption into employment; and that the offer letter itself made joining subject to medical fitness and background verification. The Respondent stated that the Complainant was found not fit for the post and the management decided not to appoint him, and that there is no error, illegality or infirmity in this decision.

3.5 The Respondent denied the allegation of discrimination as bald and vague, and stated that the

Complainant had concealed that due relaxation in the minimum marks required for selection had been given to him.

4. Hearing

4.1 A preliminary hearing was conducted on 24.09.2026. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant/Respondent	Mode of Attendance
1.	Shri Ayush Raj	Complainant	Online
2.	Shri Sujit Kumar Singh, Advocate	On behalf of the Respondent	Online

5. Record of Proceedings

5.1 The Respondent reiterated that it is a private company funded entirely from the tariff collected from consumers and is therefore not covered under Section 75 of the RPwD Act, 2016. The Respondent further submitted that the Complainant is seeking employment in a private company, which amounts to seeking specific performance of a contract of employment, and that such a contract cannot be specifically enforced.

5.2 On the facts, the Respondent submitted that the Complainant's candidature was not made against any vacancy advertisement or reserved post, but came on the recommendation of a retired employee of the company, and that all possible relaxations were given to him in view of that recommendation. The Respondent stated that the offer was subject to the Complainant being found medically fit for the post; that he was examined and the management decided not to issue him an appointment letter; and that this decision was conveyed to him orally during discussions with the company's personnel. The Respondent admitted that no formal letter of rejection was issued to the Complainant.

5.3 The Court observed that the jurisdiction of this Court is not determined by whether an establishment is funded or financially controlled by the Government, and that the Respondent's objection on this ground could not be accepted.

5.4 The Court further observed that the Complainant's grievance, as stated in the complaint, is

essentially that after his selection, offer and medical examination, the Respondent has not formally communicated whether he is being appointed or rejected. The Court noted that what was required was for the Respondent to either appoint the Complainant or formally communicate its decision of rejection to him.

6. Observations & Recommendations

6.1 The Court notes that the recruitment in question was not made pursuant to any notification or formal recruitment process. This Court also notes that the Respondent initiated the process for the post of Assistant Officer with knowledge of Complainant's hearing impairment, issued him an offer letter and put him through background verification and a medical examination. It is also on record that the Respondent has not issued any formal written communication of its decision on his candidature.

6.2 The Respondent is recommended to formally communicate its final decision on the Complainant's candidature to him in writing, in an accessible text-based format, within one week from the issuance of this Order, and to submit a copy of such communication to this Court.

6.3 In view of the Respondent's stated position that the Complainant was found medically unfit and was not appointed, and the recommendation at para 6.2 above, this Court does not consider that the case requires any further hearing or quasi-judicial intervention. The case is accordingly disposed of.

Yours faithfully,

(S. Govindaraj)
Commissioner