



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
 5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364
 5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364
 Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

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

Case No: CCPD-OF-0059/1024/2026

To,

The Director,

All India Institute of Medical Sciences (AIIMS)

Email: director@aiims.gov.in | executivedirector@aiimsgorakhpur.edu.in

Sub: Notice to file comments in complaint dated 23.06.2026 of Shri Pradipta Narayan Ganguly, a person with 55% Locomotor Disability, regarding alleged premature repatriation and harassment from the post of Registrar at AIIMS Gorakhpur

Madam /Sir,

I am directed to enclose a copy of documents related to complaint dated **23.06.2026** of **Shri Pradipta Narayan Ganguly**, a person with **55% Locomotor Disability** on the above-mentioned subject, which is self-explanatory.

2 . And whereas, a preliminary was conducted on 17.09.2026 in Diary No. CCPD-AD-0174/2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Pradipta Narayan Ganguly	Complainant
2.	Dr. Manoj Saurabh, Director, All India Institute of Medical Sciences (AIIMS), Gorakhpur	Respondent

2.1 And whereas, the Complainant submitted that he had been appointed on deputation as Registrar at AIIMS Gorakhpur for a period of three years after being duly interviewed and selected, and that his appointment was subsequently ratified by the Governing Body and Institute Body of AIIMS Gorakhpur. He submitted that

he was prematurely repatriated to his parent department, Metallurgical & Engineering? Steel Factory, Ishapore, Ministry of Defence, in February 2026, without the mandatory three months' advance notice prescribed under the applicable deputation guidelines. The Complainant alleged that the repatriation followed a media controversy and an internal inquiry concerning his eligibility for the post and contended that the process was procedurally flawed and discriminatory. The Respondent submitted that the Complainant had indeed been appointed as Registrar on deputation, but that a complaint was subsequently received by the Ministry alleging that the Complainant and another appointee did not fulfil the prescribed eligibility criteria. It was submitted that, under the applicable regulations, the post of Registrar was to be filled on deputation from persons meeting the prescribed pay-level and experience requirements. According to the Respondent, at the time of applying, the Complainant was working at Pay Level 8, whereas the applicable requirement contemplated an officer at Pay Level 11, and the scrutiny/selection process had not properly examined the eligibility of the applicants. Upon receipt of the complaints, the Ministry directed an inquiry, pursuant to which the concerned department was instructed to repatriate the Complainant. The Complainant disputed the said contention and submitted that the recruitment/deputation notification under which he had applied did not prescribe Pay Level 11 as an eligibility condition, but required the prescribed supervisory category and seven years' experience.

2.2 And whereas, the Hon'ble Commissioner observed that the Respondent had acknowledged that the Complainant was appointed as Registrar following the selection process and that the requirement concerning the applicable pay level was not clearly specified in the notification relied upon by the Complainant. It was further observed that the Respondent had acknowledged an administrative lapse in the scrutiny of applications, while the subsequent inquiry and repatriation were undertaken pursuant to directions received from the Ministry. At this stage, the Hon'ble Commissioner did not find sufficient material to conclude that the action taken against the Complainant was attributable to his disability; however, it was observed that the absence of clear specification of the eligibility/pay-level requirement in the recruitment/deputation process had resulted in avoidable proceedings and administrative complications. The Respondents were accordingly directed to place on record, within 15 days, the Office Memorandum/regulations/guidelines relied upon for prescribing Pay Level 11 as an eligibility requirement for appointment to the post of Registrar on deputation, along with the relevant notification under which the Complainant had applied, and the inquiry report submitted to the Ministry pursuant to which the decision regarding his repatriation was taken. Upon considering the submissions and the issues raised, the Hon'ble Commissioner decided to formally admit the Complaint 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 **15 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 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 07 days with a copy to the Respondent(s).

(Vikas Trivedi)

Dy. Chief Commissioner

Digitally signed by
Vikas Trivedi
Date: 23-09-2026
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