सत्यमेव जयते
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-0057/1022/2026

In the matter of-

Shri Satyapal **…Complainant**

Versus

The Director,
Central Government Health Scheme (CGHS)
Email: director-cghs@cghs.nic.in **…Respondent**

Sub: Recommendation to look into the Complaint dated 12.08.2026 received from Shri Satyapal, a person with 63% Locomotor Disability regarding non-transfer/posting back to CGHS Bareilly and temporary attachment at CGHS Agra

Madam/Sir,

I am directed to refer to a complaint dated **12.08.2026** received from **Shri Satyapal,** a person with **63% Locomotor Disability**, which is self-explanatory.

2. I am further directed to bring to your notice that the aforesaid complaint pertains to the conditions of service of an employee with disabilities, which, as per Section 23 of the Rights of Persons with Disabilities Act 2016, ["the Act,''] read with Rule 10 of the Rights of Persons with Disabilities Rules, 2017 ["the Rules"], is required to be looked into by the Grievance Redressal Officer of your establishment.

3. And whereas, a preliminary was conducted on 17.09.2026 in Case No. CCPD-AD-0169/2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf

		of
1.	Shri Satyapal	Complainant
2.	Dr. Anuradha, Additional Director, CGHS Lucknow	Respondent
3.	Dr. Sathesh Y H, Director, CGHS	Respondent
4.	Dr. Anupam Sinha, CMO-SAG	Respondent

3.1 And whereas, the Complainant, Shri Satyapal, Senior Medical Officer, CGHS Agra, a person with 63% locomotor disability, submitted that he was transferred from RML Hospital to CGHS Bareilly in February 2020 on compassionate grounds to take care of his seriously ill parents. He stated that after completing his DNB course in Nephrology, he joined CGHS Bareilly on 16.03.2026, but his joining was cancelled and he was directed to report to the office of the Additional Director, CGHS Lucknow, and thereafter to work at CGHS Agra on a temporary basis. He submitted that he had been working at CGHS Agra for approximately five months and had not been transferred back to Bareilly despite repeated requests, citing his 63% locomotor disability, the education of his children, his residence at Bareilly and the health condition of his elderly parents. The Respondent submitted that the Complainant had originally been transferred from RML Hospital to Bareilly on his own request, based on his disability and the requirement to care for his parents, and that he subsequently proceeded for higher studies in Delhi. It was submitted that, upon completion of the course, he was required to report to the office of the Additional Director, CGHS Lucknow, under whose administrative jurisdiction his posting fell, and that his placement at Agra was made on administrative requirements, particularly in view of the workload and requirement of doctors at the Agra Wellness Centre. The Respondent further submitted that medical officer posts are sensitive posts and, as per the applicable CVC guidelines, an officer cannot claim posting at one place beyond three years. It was also submitted that, considering the Complainant's super-specialisation, he could be accommodated at an appropriate CGHS establishment subject to administrative requirements.

3.2 And whereas, the Hon'ble Commissioner observed that persons with disabilities are required to be given due consideration in matters of posting and, where retention at the chosen location is not possible, the employer should identify a posting as close as reasonably possible to the person's residence, preferably within a location from which the employee can reach his residence on the same day. The Hon'ble Commissioner noted that the Complainant had been posted at Agra, approximately 250 kilometres from Bareilly, and observed that the employer should consider a suitable placement closer to his residence while also taking into account administrative exigencies. At the same time, the Hon'ble Commissioner observed that the Complainant had himself availed the opportunity to pursue

higher education for approximately three years, during which he had remained away from his parents and other considerations, and therefore advised him also to cooperate with the administration and accommodate reasonable administrative requirements. The Hon'ble Commissioner recommended that the Respondent consider the Complainant's request for a posting closer to his residence, in consultation with him and keeping in view administrative exigencies, and directed the Director, CGHS to resolve the matter amicably within **thirty days** and submit the decision taken in the matter to the Court.

4. Whereas Section 23 of the Act, 2016 provides as under:

23. (1) Every Government establishment shall appoint a Grievance Redressal Officer for the purpose of section 19 and shall inform the Chief Commissioner or the State Commissioner, as the case may be, about the appointment of such officer.

(2) Any person aggrieved with the non-compliance of the provisions of section 20, may file a complaint with the Grievance Redressal Officer, who shall investigate it and shall take up the matter with the establishment for corrective action.

(3) The Grievance Redressal Officer shall maintain a register of complaints in the manner as may be prescribed by the Central Government, and every complaint shall be inquired within two weeks of its registration.

(4) If the aggrieved person is not satisfied with the action taken on his or her complaint, he or she may approach the District-Level Committee on disability.

5. And whereas Rule 10 of the Rules provides as under:

10. Manner of maintenance of register of complaints by the Government establishments. - *(1) Every Government establishment shall appoint an officer not below the rank of a Gazetted Officer as Grievance Redressal Officer:*

Provided that where it is not possible to appoint any Gazetted Officer, the Government establishment may appoint the senior most Officers as a Grievance Redressal Officer.

(2) The Grievance Redressal Officer shall maintain a register of complaints of persons with disabilities with the following particulars, namely:-

(a) date of complaint;

(b) name of complainant;

(c) name of the person who is enquiring the complaint;

(d) place of incident;

(e) the name of establishment or person against whom the complaint is made;

(f) gist of the complaint;

(g) documentary evidence, if any;

(h) date of disposal by the Grievance Redressal Officer;

(i) details of disposal of the appeal by the district level committee; and

(j) any other information.

6. I am, accordingly, directed to forward this case to you to be entrusted to the Grievance Redressal Officer (GRO), who will take appropriate remedial measures. The Complaint shall be examined and disposed of with a speaking order of the Competent Authority within two weeks. While examining the matter, the GRO and the Competent Authority shall consider sections 3, 20, and 34 of the Act, read with DOP&T OM No.36012/1/2020-Estt/ (Res-II) dated 17.05.2022 and OM No. 36012/1/2020-Estt/ (Res-II) dated 28.12.2023, and/or any other corresponding instructions applicable in this regard.

7. If the Complainant is not satisfied with the resolution of her/his grievance, she/he will be at liberty to approach a Court or tribunal or a quasi-judicial authority having jurisdiction in the matter. The respondents are advised to submit an Action Taken Report in terms of Section 76 of the Act within 3 months from the date of issue of these recommendations.

8. Accordingly, the case is disposed of.

Digitally signed by Vikas Trivedi
Date: 12-10-2026 13:30:54

(Vikas Trivedi)

Dy. Chief Commissioner