Case No. CCPD/16631/1021/26 **Dated:** 13/10/2026

Shri Bindeshwari Prasad Singh

Email- bpsingh_29@yahoo.com **...Complainant**

Versus

The Commissioner,

Kendriya Vidyalaya Sangathan

Email - commissioner-kvs@gov.in **...Respondent**

1. Gist of the Complaint:

1.1 Bindeshwari Prasad Singh, a Trained Graduate Teacher (Science) posted at PM SHRI Kendriya Vidyalaya Katihar, is a person with disability (75%) filed a complaint dated 09.11.2025. He joined Kendriya Vidyalaya Sangathan on 06.09.1993 and is due to retire on 31.03.2026. He states that despite having qualified the LDCE, he has been denied Proforma Promotion by KVS Headquarters, New Delhi, in disregard of DoPT O.M. No. 6/5/2012-Estt(Pay-I) dated 30.11.2012, which provides entitlement to eligible employees who qualify through LDCE. Instead, KVS HQ issued an order/letter No. E-11017/3/2021-Estt-II/4011-12 dated 29.10.2021 relying on an older DoPT O.M. dated 15.07.1985 to deny the benefit, which he submits is contrary to the directions/recommendations issued by the CCPD on 12.10.2020.

1.2 He further submits that he made representations through proper channel on 07.07.2025 and

18.07.2025 citing the DoPT O.M. dated 30.11.2012, but no reply has been received. He also alleges irregularities in the RTI process: an RTI application dated 23.05.2025 was improperly transferred to KVS RO Patna, the First Appellate Authority did not decide the appeal, and in another RTI filed on 15.09.2025 the CPIO refused to provide file notings and correspondence despite the information being part of available records and not sub judice. On these grounds, he alleges violation of the CCPD directions, the DoPT O.M. of 2012, and the provisions of the RTI Act, and contends that the denial amounts to discrimination and infringement of rights under Sections 20 and 21 of the RPwD Act, 2016.

2. Notice of admissibility:

2.1 The matter was listed for an admissibility hearing on 02.01.2026 to consider whether the present representation is maintainable and fit to be registered for further proceedings before the Court of the Chief Commissioner for Persons with Disabilities (CCPD).

3. Proceedings of the Hearing:

3.1 A preliminary hearing was conducted in hybrid mode on 02.01.2026 wherein following parties were present:

Sl. No.	Name and Designation of the Party/Representative	Parties	Mode
1.	Shri Bindeshwari Prasad Singh	Complainant	Online
2.	Shri Saurav Jaitley- Asst. Commissioner - KVS	Respondent	Online

Case No. CCPD/16631/1021/26 **Dated:** 13/10/2026

3.2 During the hearing, the Complainant submitted that he had joined KVS as a teacher on 6 September 1993 and is scheduled to retire on 31 March 2026. He alleged that KVS Headquarters denied him proforma promotion by relying on an outdated Department of Personnel and Training (DoPT) Office Memorandum dated 15 July 1985, despite his claimed eligibility under a later DoPT memorandum dated 13 November 2012.

3.3 The Representatives from the KVS stated that similar matters relating to performance promotion were already pending before other judicial authorities, including the Central Administrative Tribunal – Patna and possibly the High Court of India, and therefore parallel consideration of the same issue by this forum might not be appropriate.

3.4 After hearing both sides, the Court observed that since the matter is already stated to be pending before the Central Administrative Tribunal and/or the High Courts of India, it would not be appropriate for this Court to proceed with parallel consideration of the same issue. Entertaining the matter simultaneously may lead to overlapping jurisdiction and the possibility of conflicting findings. In keeping with the principles of judicial propriety and orderly administration of justice, it is therefore considered appropriate that the parties pursue their remedies before the competent judicial forum where the matter is under adjudication.

4. The case is disposed of accordingly.

Yours faithfully,

(S. Govindaraj)

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/16631/1021/26 **Dated:** 13/10/2026

Commissioner

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाषः 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364, 20892275
E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in
(पया भविष्य मे पंत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)
(Please quote the above file/case number in future correspondence)