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/16554/1013/26 **Dated:** 21/09/2026

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

Case No: CCPD/16554/1013/26

To,

The Director General
Employees' State Insurance Corporation (ESIC)

Email: dir-gen@esic.nic.in ; dir-med.dl@esic.nic.in **...Respondent**

Sub: Notice to file comments in the complaint of Shri Harmandeep Singh, a person with 70% locomotor disability, regarding non-issuance of appointment/joining letter for the post of Junior Radiographer

Madam /Sir,

I am directed to enclose herewith a copy of the documents relating to the complaint dated 28.07.2026 of **Shri Harmandeep Singh, a person with 70% locomotor disability**, regarding non-issuance of his appointment/joining letter despite his having qualified the AIIMS CRE-2025 examination for the post of **Junior Radiographer** and completion of document verification on **20.03.2026**, for necessary action.

2. And whereas a preliminary hearing was conducted in Diary No: DNO/26/CCPD/6601 on 17.08.2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Harmandeep Singh	Complainant
2.	Shri A.K. Jha, Assistant Director	Respondent

Case No. CCPD/16554/1013/26 **Dated:** 21/09/2026

2.1 And wherein, the Complainant, Shri Harmandeep Singh, a person with 70% locomotor disability, submitted that he had successfully qualified the AIIMS CRE-2025 examination for the post of Junior Radiographer and had been allotted ESIC, Delhi-NCR. He submitted that his document verification was completed on 20.03.2026 and all his documents were accepted, but despite completion of the recruitment formalities, he had neither received his appointment/joining letter nor been informed about the status or expected timeline of his appointment. He further submitted that he had repeatedly approached the Respondent authorities through emails, telephone calls, representations, CPGRAMS and other channels, but had not received any satisfactory response, resulting in financial hardship, mental stress and uncertainty regarding his employment.

2.2 And wherein, the Respondent, represented by an officer from the Employees' State Insurance Corporation (ESIC), submitted that the Complainant's candidature was required to be considered with reference to the applicable Recruitment Rules and the qualification prescribed in the relevant recruitment notification for the post of Junior Radiographer. It was submitted that the qualification furnished by the Complainant did not appear to match the prescribed eligibility criteria and that mere qualification in the examination and appearance in document verification did not, by themselves, confer an absolute right to appointment. Upon hearing the submissions, the Hon'ble Commissioner observed that if the Respondent's contention was that the Complainant did not fulfil the prescribed qualification, such deficiency ought to have been clearly communicated to him at the stage of document verification. The Court further observed that the Respondent had not placed the relevant recruitment notification, Recruitment Rules, eligibility criteria and documentary basis for the alleged disqualification on record and, therefore, the matter could not be conclusively determined on the basis of oral submissions alone. The Respondent was accordingly directed to submit the relevant records and written comments within **15 days**, with a copy to the Complainant, who was granted **7 days** thereafter to file a rejoinder, following which the matter would be considered on the basis of the record and appropriate final order passed.

2. 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.”*

Case No. CCPD/16554/1013/26 **Dated:** 21/09/2026

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

4. 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.

5. And whereas Section 75(1) (a) and (b) of the Act mandates the Chief Commissioner to inter alia identify, suo motu or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with the Act 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.

6. 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 ex-parte. **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 and including but not limited to sections 33 and 34 of the Act; DoPT OM No. 36035/02/2017-Estt (Res) dated 15.01.2018; and Gazette Notification No.38-16/2020-DD-III dated 04.01.2021 issued by DEPWD/MSJE.**

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

Copy To:

Shri Harmandeep Singh

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/16554/1013/26 **Dated:** 21/09/2026

Yours faithfully,

(VIKAS TRIVEDI)
Dy. Chief Commissioner

Copy to:

1) **Harmandeep Singh**
Malout Main road and dhania Village sheranwala block Lambi City Malout 152114
SRI MUKTSAR SAHIB, PUNJAB, 152114
harmand733@gmail.com
9041603700

Enc. Copies:

1) Disability Certificate
2) Case Document - 1