Diary No. DNO/26/CCPD/6800 **Dated:** 22/10/2026

In the matter of

Shri Abdul Salam
(Complainant)

Vs.

The Secretary, Department of Official Language
(Respondent No. 1)
&
The Director, Central Hindi Training Institute
(Respondent No. 2)

1. Background of the Case

1.1 The Complainant, a person with 40% locomotor disability (PPRP Left Lower Limb), stated that he works as an Assistant Director (Language) in the Department of Official Language and the Central Hindi Training Institute (the Respondent). He stated that he has been posted in the North-East region since 2017 and has completed about nine years of service there, including six years in Manipur and three years in Guwahati. He submitted that, despite the applicable transfer policy and the provisions for employees with disabilities, his repeated requests for transfer to the Western Region (Mumbai/Pune/Nagpur) have not been considered.

1.2 The Complainant further stated that he submitted several representations for transfer between September 2024 and October 2025, but the Respondent did not consider his request, although other Assistant Directors were transferred during the same period. He alleged that he is being discriminated against and subjected to mental harassment on account of his disability. He also referred to an order of the Central Administrative Tribunal, Guwahati dated 15.06.2026 and the Respondent's subsequent reasoned order dated 11.08.2026, and alleged that despite these orders he has not been transferred out of the North-East region.

2. Notice of Admissibility

2.1 A notice dated 01.10.2026 under Sections 75 and 77 of the RPwD Act, 2016, was issued to the Respondent for a hearing on 09.10.2026 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 In its reply dated 06.10.2026, the Respondent stated that the Complainant was posted in Manipur in 2017 and, owing to the sensitive situation there, was shifted to Guwahati temporarily in June 2023 on his own request. It was further stated that, on his subsequent request dated 01.11.2023 stating that he had settled with his family at Guwahati and seeking permanent transfer there in view of his physical condition, he was permanently transferred to Guwahati on 05.12.2023 on the decision of the transfer committee.

3.2 The Respondent submitted that the Complainant's requests for transfer dated 17.09.2024, 12.03.2025, 14.05.2025 and 21.10.2025 were placed before the transfer committee and he was informed of the position from time to time. Regarding the Assistant Directors cited by the Complainant, it was stated that they were transferred within the same region on functional requirement, having served in one region for about 20–25 years since their initial appointment. The Respondent submitted that, out of 150 sanctioned posts of Assistant Director (Language), 78 are vacant and, of the 14 posts sanctioned for the North-East, only 7 are filled, so that transferring the Complainant would affect the training work; a requisition for new appointments has been sent and his transfer would be considered after they join. It was also stated that the Complainant's permanent residence is Jaunpur, Uttar Pradesh, and that the reasons for seeking transfer to Mumbai, Pune or Nagpur are not clear in view of his own statement that his family has settled at Guwahati. The Respondent added that the Complainant's grievance and appeal on the CPGRAMS portal were disposed of with similar replies, and that a reasoned order was issued on 11.08.2026 following the order of the Tribunal.

4. Hearing

4.1 A preliminary hearing was conducted on 09.10.2026. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant/Respondent	Mode of Attendance
1.	Mr. Abdul Salam	Complainant	Online
2.	Lt. Col. Ram Naresh Sharma, Director, Central Hindi Training Institute	Respondent No. 2	Online

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5. Record of Proceedings

5.1 The Respondent submitted that some of the facts stated in the complaint are not correct, and that the Complainant was posted to Guwahati from Manipur on 01.11.2023 on his own request, stating that his family resides at Guwahati. The Respondent stated that, considering the Complainant's disability, it is willing to transfer him elsewhere, but there is a shortage of about 78 officers out of 150 posts. It was submitted that, as per the transfer policy, an employee posted on his own request is to remain there for seven years, but notwithstanding this the Respondent is ready to transfer him once new incumbents join, for which a requisition has been sent to the UPSC, and that the Tribunal also agreed with this position. The Respondent further stated that the Complainant had earlier given a letter giving the choice of either Pune or Guwahati, which was submitted along with its reply.

5.2 The Complainant, in his email dated 09.10.2026 sent after the hearing, stated that his home town is Jaunpur, Uttar Pradesh, that he had mentioned Mumbai/Pune/Nagpur in his earlier application because he had not been posted at Lucknow, and requested that he be posted at Lucknow, which is nearest to his home town.

6. Observations & Recommendations

6.1 This Court observed that employees with disabilities are entitled to choose their place of posting under the applicable guidelines, but they cannot keep changing their choice, and there is no provision for the same. The choice of location should have a logic, such as the place of residence or native place, or the mental and physical support available from family, and cannot be changed every few years. This Court further observed that the Respondent can transfer an employee with disability on administrative exigency, but not to a place far away from his residence, and that a place where the employee can settle down should be chosen firmly, although this does not mean a permanent posting at one seat or post.

6.2 The complainant as well as the respondent informed the Court that the matter is sub judice before the Hon’ble Central Administrative Tribunal (CAT). In view of the pendency of the matter before the Hon’ble Tribunal, the Court considers that no further intervention is warranted at this stage. Accordingly, the case is disposed of.

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

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Yours faithfully,



(S. Govindaraj)
Commissioner

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(पया भविष्य मे पंत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)
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