Diary No. DNO/26/CCPD/7139 **Dated:** 22/10/2026

In the matter of—

Mr. Dinesh Singh Yadav

(Complainant)

Versus

The Secretary (Defence Production)

Ministry of Defence

(Respondent No. 1)

The Director General

Directorate General of Quality Assurance (DGQA)

(Respondent No. 2)

1. Background of the Case

1.1 The Complainant, who works at the Missile System Quality Assurance Agency (MSQAA), Hyderabad, under the Directorate General of Quality Assurance (DGQA), Ministry of Defence, stated that he is the primary caregiver of his 14-year-old son, who has 100?nchmark disability due to profound intellectual and multiple disabilities. He stated that his son is bedridden, is completely dependent on his parents for his daily needs, and requires regular medical treatment and rehabilitation, including speech therapy, occupational therapy and physiotherapy, under the supervision of NIEPID, Hyderabad, where he has been undergoing therapy since 2022.

1.2 The Complainant stated that he was under consideration for placement-cum-posting to a higher functional post at HQ DGQA, Delhi, in the year 2026 and that such relocation would disturb his son's ongoing treatment and rehabilitation. He stated that he had already submitted a written undertaking to forgo the higher placement so that he may continue at Hyderabad and take care of his son, and that his continued posting at Hyderabad would also be useful to the Department in view of his specialised experience in missile quality assurance. He submitted that the proposed placement is contrary to the DoPT instructions

exempting caregivers of children with disabilities from routine transfers, and sought the intervention of this Court.

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 Respondents, the Ministry of Defence (Department of Defence Production) and the Directorate General of Quality Assurance (DGQA), 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. Respondents' Submission

3.1 The Respondents, vide their written reply dated 05.10.2026, submitted that the Complainant was due for his second placement in a higher functional appointment of DDG equivalent, that no post of DDG equivalent is available at Hyderabad/Secunderabad, and that such a post is available only at HQ DGQA, New Delhi, where, according to them, very good medical facilities are available as compared to Hyderabad. They submitted that, keeping these facts and the Complainant's earlier postings in view, he had been recommended for placement-cum-posting to HQ DGQA, New Delhi.

3.2 The Respondents further submitted that the Complainant's application and undertaking dated 14.07.2026 to forgo the placement, with no objection to his junior being considered for the higher functional appointment, were re-examined, and that, keeping in view this and the further undertaking dated 27.09.2026, it has been decided that he may be allowed to forgo his placement-cum-posting to the higher functional appointment of DDG equivalent and be retained at his present station, MSQAA, Hyderabad. The Respondents stated that the case file is being submitted to the Ministry of Defence/Department of Defence Production for seeking the approval of the Competent Authority and that, on approval, a formal retention order will be communicated to the Complainant.

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

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1	Mr. Dinesh Singh Yadav	Complainant	Online
2	Mr. Vinod Kumar, Joint Director (Admin) & Shri S. K Kushwaha, Deputy Director (Admin), DGQA	Respondent No. 2	Online

5. Record of Proceedings

5.1 During the hearing, the Respondents reiterated their written reply and submitted that, since the Complainant is ready to forgo the promotion, the Department has decided to submit a proposal for his retention at Hyderabad, that the approval of the Competent Authority would be sought shortly, and that the Department is in favour of the retention. The Respondents stated that obtaining the approval may take some time.

6. Observations & Recommendations

6.1 The Court notes that the Complainant is the primary caregiver of his son with 100?nchmark disability, who requires continuous treatment and rehabilitation at Hyderabad, and that the DoPT instructions provide that a Government servant who is a caregiver of a child with disability may be exempted from routine transfer/rotational transfer, subject to administrative constraints. The Court further notes that the Complainant has submitted undertakings to forgo the higher placement, that the Respondents have decided that he may be allowed to forgo the placement-cum-posting and be retained at Hyderabad, and that the proposal is pending for the approval of the Competent Authority. The Court appreciates the positive approach of the Respondents in the matter.

6.2 The Respondents are recommended to obtain the approval of the Competent Authority expeditiously, to issue the formal order retaining the Complainant at MSQAA, Hyderabad, and to furnish a copy of the same to the Complainant and to this Court.

6.3 In exercise of the functions of this Court under Section 75(1)(b) of the RPwD Act, 2016, the Respondents are recommended to take necessary action on the above recommendations and to inform this Court of the Action Taken Report (ATR) within one month from the date of receipt of this Order, as provided under Section 76 of the Act.

6.4 With the above recommendations, 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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