Diary No. DNO/26/CCPD/6761 **Dated:** 15/10/2026

In the matter of

Mr. Vikas Chahal
(Complainant)

Vs.

The Director
Indian Institute of Forest Management
(**Respondent No. 1)**

&

The Secretary
Ministry of Environment, Forest and Climate Change
(**Respondent No. 2)**

1. Background of the Case

1.1 The Complainant, a person with 85% locomotor disability, stated that he worked as Junior Manager at the Indian Institute of Forest Management (IIFM), Bhopal (the Respondent), from 30.12.2014 to 09.07.2025 and became eligible for Assistant Manager grade on completion of three years of service on 31.12.2017. He alleged that the Respondent did not grant him this benefit and wrongly treated it as a promotion requiring selection, whereas, according to him, it was an automatic upgradation under the applicable Recruitment Rules.

1.2 The Complainant further alleged that his PwBD reservation benefit was not considered and that, due to incorrect consideration of another employee's disability, he was denied the Assistant Manager benefit and the consequential Deputy Manager grade.

1.3 The Complainant stated that, despite several representations since 2021 and a direction of the Ministry dated 13.07.2026 for a personal hearing and reply, the Respondent neither provided the hearing nor resolved his grievance. He stated that he has since joined another Central Government institution on pay protection, but the issue continues to affect his service record and pay.

2. Notice of Admissibility

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2.1 A notice dated 22.09.2026 under Sections 75 and 77 of the RPwD Act, 2016, was issued to the Respondent for a hearing on 01.10.2026 to determine the admissibility of the case and find out if this can be resolved without further quasi-judicial intervention of this Court.

3. Hearing

3.1 A preliminary hearing was conducted on 01.10.2026. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant / Respondent	Mode of Attendance
1.	Mr. Vikas Chahal	Complainant	Online
2.	Prof. Yogesh K. Dubey, In-charge CAO, IIFM, Bhopal	Respondent No. 1	Online

4. Record of Proceedings

4.1 The Respondent submitted, as a preliminary objection, that the complaint pertains purely to a service matter, that the allegations do not disclose any violation of the provisions of the RPwD Act, 2016 or the Rules framed thereunder, and that the complaint is therefore not maintainable before this Court. On merits, the Respondent stated that the Complainant was appointed as Junior Manager in Level 7 against the PwBD category as a direct recruitment candidate, joined on 30.12.2014, and was promoted as Assistant Manager in the next higher Level 8 on a regular basis with effect from 26.04.2019, on completion of three years of regular service in Level 7, subject to availability of vacancy, under the Administrative and Technical Employees Recruitment Rules, 2006 of the Institute. The Respondent added that the Junior Manager posts are filled 50% by direct recruitment and 50% by promotion, that the post of Junior Manager (Selection Grade) was redesignated as Assistant Manager in 2007 with the same 50:50 ratio, and that the posts of Deputy Manager and Manager are filled by promotion, failing which by deputation. According to the Respondent, these are merit-based selection posts, so promotion depends on suitability and availability of vacancy against the relevant quota and cannot be claimed merely on fulfilment of the minimum eligibility period. The Respondent also stated that certain promotions in earlier years had been made contrary to the Recruitment Rules and in excess of the available vacancies, and that, although the Complainant was considered for promotion to Deputy Manager under the UR category by a DPC held in 2022, he was not granted the promotion, and that no vacancy existed on the date of that DPC, which was conducted

inadvertently.

4.2 The Respondent submitted that, in compliance with the orders of the Hon'ble Supreme Court on reservation in promotion for persons with benchmark disabilities and DoPT O.M. dated 17.05.2022, a separate PwBD reservation roster for promotion within Group B has been prepared, and that the Complainant was promoted against point no. 30 of the first block, against an UR vacancy, with his promotion adjusted in 2019, and was subsequently adjusted against the PwBD category as per the said O.M. As he had already been promoted against an existing regular vacancy with effect from 26.04.2019, the Respondent stated that no question arises of granting him a notional promotion or creating a supernumerary post. The Respondent further submitted that the other employee referred to by the Complainant was likewise adjusted in the PwBD category against his regular promotion, and that Section 34 of the RPwD Act, 2016 makes no reference to the nature of the disability certificate. Relying on the O.M. issued by the Department of Empowerment of Persons with Disabilities (Divyangjan), the Respondent stated that a certificate marked 'temporary' should not be rejected outright where the disability is progressive, non-progressive or not likely to improve. It stated that the said employee's earlier certificate carried no remark of 'likely to improve', that on reassessment by the Medical Board in 2022 his disability was found to have increased, and that the reservation extended to him was therefore proper.

4.3 The Respondent submitted that all the Complainant's grievances, including those lodged through CPGRAMS and the PMOPG portal, were duly examined by the competent authority of the Institute and detailed responses were provided on multiple occasions. It stated that the Complainant did not avail the opportunity of a personal hearing offered on the grievance day held on 28.10.2021, although he was in service at the time, and that his repeated representations and requests for a personal hearing at this stage are not justified.

4.4 The Complainant reiterated his grievance, submitting that the issue is whether the movement from Junior Manager to Assistant Manager is an upgradation or a promotion, and that his grievance relates to the delay in his promotion.

4.5 The Respondent is advised to submit its written reply along with the relevant records to this Court within seven days, with a copy to the Complainant. The Complainant may file his rejoinder within seven days thereafter.

4.6 On examination of the records and evidence submitted by both parties, this Court shall determine whether there has been any discrimination on the ground of disability and shall pass appropriate orders

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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accordingly.

Yours faithfully,



(VIKAS TRIVEDI)
Dy. Chief Commissioner

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