



सत्यमेव जयते

न्यायालय मुख्य आयुक्त विकलांगजन  
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES  
विकलांगजन सशक्तिकरण विभाग / Department of Empowerment of Persons with Disabilities  
सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment  
भारत सरकार / Government of India

Case No.: 6304/1022/2016

Dated: 15.06.2017  
Dispatch No.....

In the matter of :

Shri Naveet Sethi,  
Assistant Manager Materials, R1436  
Indian Oil Corporation Limited,  
Panipat Naphtka Cracker,  
Haryana  
Email<sethin@indianoil.in>

.....Complainant

Versus

The Indian Oil Corporation Limited,  
(Through the Chairman),  
Head Office;  
3079/3, Sadiq Nagar,  
J.B. Tito Marg,  
New Delhi – 110 049

.....Respondent

Date of Hearing : 26.05.2017

Present :

Complainant - Shri Naveet Sethi, Present  
Respondent - Shri K. Vijay, ED (HRD), Shri S.K. Bose, CGM (HRD), Shri R.R. Raje,  
GM (MS & HRD) and Shri Goutam Datta, GM (HRD) – On behalf of  
Respondent.

ORDER

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The above named complainant, a person with 85% locomotor disability, filed a complaint dated 02.05.2016 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 hereinafter referred to as the Act, regarding his transfer from Panipat Refinery to Bhatinda (Punjab) near to his home town.

2. The complainant submitted that he is posted as Assistant Manager (Materials) at Indian Oil Corporation Panipat Refinery. He was appointed under Ph quota. He made many representations to the management of his establishment for his transfer posting on compassionate ground to Bathinda, Punjab, which is near to his home town, i.e. Mandi Dabwali.

3. The matter was taken up under Section 59 of the Act with the respondent vide this Court's letter dated 27.09.2016.

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4. The Respondent vide letter no. HRD/28 dated 13.10.2016 stated that the complainant was appointed as an Officer in IOC in the year 2010. Post completion of the Corporation Induction Program at IOL, Gurgaon, he was allocated Refineries Division. The complainant then underwent six months Divisional Induction Module at Bongaigaon Refinery, Assam and was finally posted as Materials Officer at Panipat Refinery. The complainant was promoted to Grade 'B' in the year 2014 and is currently working as Assistant Manager (Materials) at Panipat Refinery. The complainant's request for transfer to Bhatinda (Punjab) could not be materialized due to non-availability of a suitable position. The respondent further stated that the Operating Locations (Terminal and Aviation Fuel Station) of Marketing Division are not suitable for the complainant since except the location-in-charge and a Finance Officer, the other positions are in the field. They submitted that similarly is the case at Bhatinda Divisional Office, the Officers manning the Marketing Division here require prior experience and the other positions are for field sales area officers and Engineering Officers which involve extensive touring and is not suitable for a person with a disability. Similarly, the Delivery Station of Pipelines Division also does not allow any flexibility because the jobs/activities involved are Operation and Maintenance of the station – extremely critical for the safe operation of the station. These jobs are also not suitable for a person with disability like the complainant. The Panipat Refinery is set up which is large and offers placement flexibility as well as rotation of the officer in Materials function in Panipat Refinery itself. The respondent further clarified that the complainant belongs to Refineries Division Cadre and in terms of the govt. guidelines, he was posted at Panipat Refinery, a unit/location of Refineries Division nearest to his hometown. The Panipat Refinery has more than 2000 regular employees and the complainant has also been allotted Company's quarter in Panipat Refinery township. The Township has a Hospital and should the complainant requires any specialized treatment, he can come to Delhi and avail specialized medical treatment at any of the IOC's nominated Hospitals on the basis of reference from the CMO of Panipat Refinery Hospital.

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5. The complainant vide his rejoinder dated 18.11.2016 has submitted that he is a victim of '1995 Dabwali Fire Tragedy' with 85% physical disability and third degree burns all over the body. He is a Mechanical Engineer. He had requested the IOCL Management to transfer him to a location near to his home town. On his personal request, IOCL management agreed to transfer him to Panipat but not as 'Mechanical Engineer' but as 'Material Officer' and he had to compromise with his career although he always want to be Mechanical Engineer and also joined IOCL as Mechanical Engineer. He does not have any physical movement constraints. Physical movement and distance is not a constraint in performing his duties, hence touring profile in marketing is perfectly fine for him. The IOCL management's statement that Marketing job is extremely critical is not correct. His initial posting was as 'Mechanical Engineer' at

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Bongaigon Refinery which is a plant job. He further submitted that job profile of Officers in IOCL is mainly involves supervisory nature and he was perfectly suitable for this job. The Bhatinda where the complainant has requested for his posting is near to his native place and has got all types of medical facilities. The complainant further submitted that IOCL is not providing any kind of facilities to persons with disabilities as per Govt. of India guidelines.

6. An hearing was scheduled in the matter on 26.05.2017 at 12.30 Hrs.

7. During the hearing the complainant reiterated for his transfer from Panipat Refinery to Bhatinda (Punjab) near to his home town.

8. During the hearing the representatives of Respondent informed the Court that the transfer of the complainant to Bhatinda Terminal is under process and it will take 1-2 months before the complainant is being transferred near to this native place.

9. The Court directed the representative of the respondent to send the compliance report to this Court within 2 months.

10. The case is disposed off.



(Dr. Kamlesh Kumar Pandey )  
Chief Commissioner  
for Persons with Disabilities