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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-5613-2026

Date of decision: 10.03.2026

Bijender Singh

....Petitioner

Versus

Haryana Vidyut Prasaran Nigam Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Raj Kumar Makkad, Advocate,
Mr. Himalya Makkad, Advocate and
Ms. Himani Makkad, Advocate
for the petitioner.

Mr. Piyush Khanna, Advocate
for the respondent(s)-Nigam.

HARPREET SINGH BRAR, J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing of rejection letters memo No. CH 27/PF-4654 dated 24.04.2018 (Annexure P-7), memo No. CH 30/PF-4654 dated 14.02.2020 (Annexure P-8) and letter memo No. CH-30/E4-1157 dated 20.09.2024 (Annexure P-9) passed by the respondents. Further, for issuance of writ in the nature of *mandamus* directing the respondents to release the conveyance allowance in favour of the petitioner with effect from 03.02.2015 with arrears along with interest @ 12% per annum.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was having disability more than the benchmark of 40% for becoming eligible for conveyance allowance. The disability of the petitioner has been



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assessed thrice even by the Medical Board constituted by the PGIMS, Rohtak as discernible from Annexure P-2. Moreover, the State Commissioner for Persons with Disabilities directed the respondents to consider the claim of the petitioner for conveyance allowance on 30.09.2022 (Annexure P-11). However, his claim has been rejected in a cryptic manner by passing a non-speaking order dated 20.09.2024 (Annexure P-9). He further submits that case of the petitioner is squarely covered by the Division Bench judgment of this Court in CWP-12356-2024 titled as *Nakul Vs. State of Haryana and others* decided on 24.12.2025.

3. Learned counsel for the respondent-Nigam submits that the claim of the petitioner was rejected after seeking an opinion from the Director, Medical Services. It is submitted that the disability of the petitioner is confined only to the right lower limb and, therefore, he is not entitled to medical allowance in terms of the Haryana Civil Services (Allowances to Government Employees) Rules, 2016 (hereinafter referred to as the '2016 Rules').

4. Having heard learned counsel for the parties and after perusal of the record with their able assistance, it transpires that the disabled employees in accordance with the 2016 Rules are entitled to conveyance allowance. The relevant rules providing for grant of conveyance allowance to differently abled Government employees are reproduced as under:-

“2. “conveyance allowance” means a monthly allowance paid for going to and coming from the place of duty;

4. “emoluments” for the purpose of—

(a) conveyance allowance to differently abled employees means—

(i) basic pay in pay scale; and



(ii) *any other amount specially classed as emoluments for the purpose by the competent authority;*

22. Conveyance allowance to blind and orthopaedically handicapped Government employees:-

(1) A Government employee working on regular basis, who is declared-

(i) blind or having vision less than 3/60 of field vision less than 10 in both eyes by the Head of Ophthalmological Department of a Government Civil Hospital; or

(ii) orthopaedically handicapped with a minimum of 40% permanent partial disability of either upper or lower limbs by the Head of Orthopaedics Department of a Government Civil Hospital; or

(iii) orthopaedically handicapped with overall minimum 50% permanent partial disability of both upper and lower limbs together by the Head of Orthopaedics Department of a Government Civil Hospital; or

(iv) suffering from the spinal deformity causing permanent partial disability of above 40% by the Head of Orthopedics Department of a Government Civil Hospital;

shall subject to the provisions in these rules, be entitled to a conveyance allowance at the rate of 10 per cent of the basic pay subject to minimum Rs.1,000/- and maximum Rs.2,000/- per month or as prescribed from time to time. The dearness allowance at the prevailing rate shall also be admissible on conveyance allowance.

(2) No conveyance allowance shall be admissible to-

(i) one eyed (partially blind) Government employee; or

(ii) those who covered under these rules but have been provided with the facility of vehicle at Government expenses for journey between office and residence.



Note.- For the purpose of assessing of disability, the standards as contained in the Manual for Orthopedic Surgeon in Evaluating Permanent Physical Impairment brought out by the American Academy of Orthopaedic Surgeon U.S.A., and published on their behalf by Artificial Limbs Manufacturing Corporation of India, G.T. Road, Kanpur, shall apply.

23. Competent authority and procedure for grant of conveyance allowance to blind and orthopaedically handicapped Government employees.—

(i) The Head of Department concerned shall refer the case of the concerned Government employee to the Head of Ophthalmological or Orthopaedics Department, as the case may be, of a Government Civil Hospital for obtaining their recommendations for the grant of conveyance allowance. In case he is declared blind or orthopaedically handicapped of the prescribed degree of disability, he shall be granted conveyance allowance with effect from the date of certificate of the appropriate medical authority.

(ii) The travelling allowance shall be admissible to the Government employee for the journey performed for obtaining recommendations of the appropriate medical authority.

(iii) The fee charged, if any, by the Government Hospital shall be reimbursable.

(iv) The period spent to obtain medical examination and also for journey performed for the purpose shall be treated as duty.”

5. Admittedly, there is no dispute with regard to the petitioner having disability of right lower limb to the extent of 40% and his case is squarely covered under Rule 22 (ii) which provides that orthopaedically disabled employee with a minimum of 40% permanent partial disability of either upper or lower limbs is entitled to the conveyance allowance. As such, the ground on which the claim of the petitioner is rejected, is not sustainable.



6. Further, the Hon'ble Apex Court in case of '**Deaf Employees Welfare Association and others Vs. Union of India and others**' (2014) 3 SCC 173, has laid down the ratio that a differently abled person having 40% of the disability certified by the Medical Doctor as a disability specified in Section 2 (i) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, then such person is entitled to the benefits of all the schemes and benefits provided by the Government and there can be no further discrimination amongst the persons with varied or different types of disabilities.

7. Even the Right of Persons with Disabilities Act, 2016 (in short 'the Act, 2016') has defined the benchmark disability under Section 2 (r) of the Act, 2016. Further, the Division Bench of this Court in **Nakul's case (supra)** has allowed the conveyance allowance to identically circumstanced employee after interpreting the Rule 22 of 2016 Rules and issued a direction to pay the allowance along with interest @ 8% per annum within a period of three months.

8. In view of the above, the present petition is allowed in terms of the judgment rendered by the Division Bench of this Court in **Nakul's case (supra)** and rejection letters memo No. CH 27/PF-4654 dated 24.04.2018 (Annexure P-7), memo No. CH 30/PF-4654 dated 14.02.2020 (Annexure P-8) and letter memo No. CH-30/E4-1157 dated 20.09.2024 (Annexure P-9), are hereby set aside. The petitioner is entitled to conveyance allowance from the date of assessment of disability dated 03.02.2015 (Annexure P-2) along with interest

@ 8% per annum and the same shall be released to the petitioner within a period of three months from the date of receipt of certified copy of this order. The arrears will be restricted to a period of 38 months prior to the filing of the present writ petition.

(HARPREET SINGH BRAR)
JUDGE

10.03.2026
Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No