



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)
सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. CCPD/9947/1141/2018

Dated: 06/03/2024

Case No. 9947/1141/2023

In the matter of —

Shri Dinesh Gupta

Chairperson

Friends Organization

Office: G-3, Harsha House

Commercial Complex

Karampura, New Delhi – 110015

Email: friendshipclub_4u@yahoo.co.in

... Complainant

Versus

(1) The Head,

Bureau of Indian Standards (BIS),

Electronics and IT Department,

Manak Bhawan,

9, Bahadur Shah Zafar Marg,

New Delhi – 110002

Email – htitd@bis.org.in

... Respondent

No.1

(2) The Additional Secretary,

E-Governance Group

Ministry of Electronics & Information Technology (MeitY)

6, CGO Complex, Lodhi Road

New Delhi – 110003

Email – as@meity.gov.in;

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)

5th Floor, NISD Building, Plot No.G-2, Sector-10, New Delhi-110075

Tele# 011-20892364, 20892275

E-mail: ccpd@nic.in



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भारत सरकार / Government of India

Case No. CCPD/9947/1141/2018

Dated: 06/03/2024

ooas@meity.gov.in

... Respondent

No.2

Affected Person: Shri Dinesh Gupta, a person with 100% Cerebral Palsy

Hearing:

An online hearing through Video Conferencing was conducted on **13.02.2024**. The following parties/representatives were present during the hearing—

- (1) Shri Dinesh Gupta, Complainant; and Ms. Aarti Maurya on behalf of the Complainant
- (2) Shri Chirag Shah, Dy. Director Scientist C, BIS for Respondent No.1
- (3) Dr. Kshitij Kushagra, Scientist C, MeitY for the Respondent No.2

RECORD OF PROCEEDINGS

During the hearing, the representative of Respondent No.2 submitted that the standards published by BIS are disability agnostic and address all 21 disabilities. At the same time, the standards are also technologically agnostic which keeps changing from time to time. BIS has no control over OEMs (Original Equipment Manufacturers).

2. In reply to a question that Respondent No.2 is running away from its responsibilities stipulated in the rules of business and the guidelines published by MeitY, the representative submitted that they had spoken to ICEA (Indian Cellular & Electronics Association) whether they are complying with digital accessibility standards for persons with disabilities. The ICEA said that all the devices which are manufactured in the country are already supporting the accessibility standards as per the IS and the Google Android



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Case No. CCPD/9947/1141/2018

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Source Project. Some of the features, like audio voice interaction with the user interface through voice dialing, voice recorder, and voice commands with the integrated hand's free speaker, etc. all have complied with the present mobile manufacturer's system in the country. Regarding these things, the Complainant has also been apprised that the technology is fast changing. However, the representative assured that they would check things internally with their team and other officials of MeitY, and come back before this Court.

3. The Complainant submitted that many mobile phones manufactured in China have been launched in the market, which have accessibility features like Google apps and Whatsapp calling, etc. He sought to know whether the respondents could get them on board.

4. After hearing both parties, the Chief Commissioner sought from the Complainant that if a mobile phone with the required features is available in the market, then what is his exact outstanding grievance as stated by him during the hearing then what is the exact grievance that is still outstanding? The Court desired a written statement from him in this regard. The Court also desired that the Respondent shall also file a status report in this regard within one month from the date of issue of these proceedings.

5. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

Praveen Prakash Ambashta,
Dy. Chief Commissioner



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सामाजिक न्याय और अधकिरति मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 13205/1102/2022

Dated: 18/03/2024

Case No. 13205/1102/2022

In the matter of —

Shri Rahul Bajaj,
R/o 001, Block 12, Sarvapriya Vihar Apartments,
New Delhi-110016
Email: rahul.bajaj1038@gmail.com

... Complainant

Affected Person: The complainant, a person with 100% Visual Impairment

Versus

(1) The Director,
Practo Technologies Pvt. Ltd. [PTPL]
3rd Floor, Salarpuria Symbiosis, Arekere,
Bannerghatta Main Road,
Bangalore-560076 (Karnataka)
Email: sid@practo.com

... Respondent No.1

(2) Directorate General of Health Service (DGHS),
Ministry of Health and Family Welfare,
Government of India,
Nirman Bhawan, New Delhi -110001
Email: sandhya.k@nic.in

... Respondent No.2

(3) The Secretary,
Ministry of Information & Broadcasting,



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दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13205/1102/2022

Dated: 18/03/2024

Room No 552, A wing Shastri Bhawan,
New Delhi-110001

Email: secy.inb@nic.in

... Respondent No.3

Hearing:

A physical/online hearing through video conferencing was conducted on **15 March 2024**. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of attendan
1.	Shri Rahul Bajaj, Advocate	Complainant	Online
2.	Advocate Jagannath Nanda	Respondent No.1	Online
3.	Dr. Rupali Roy, Director, M/o H&FW; Ms Sunita Mondal, Director, DGHS	Respondent No.2	Online
4.	Shri Mukesh Kumar, Section Officer	Respondent No.3	Online

RECORD OF PROCEEDINGS

During the hearing the Complainant submitted that in August 2022, a detailed Order had been passed by the Hon'ble Commissioner to review the app for making it accessible within nine months. Now, a lot of work has been done and the app is mostly usable as checked three weeks ago. However, an audit report from an accessibility auditor is required to be done so that the App can be checked.



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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

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Case No. 13205/1102/2022

Dated: 18/03/2024

2. The Learned Counsel for Respondent No.1 submitted that Respondent No.1 has complied with the instructions and the app/website is now fully accessible for blind persons. In addition to this, a WhatsApp group has also been created to get suggestions. The Learned Counsel sought two months' time to file an audit report from an accessibility auditor.

3. The Court appreciated the stand taken by the Respondent No.1 and granted two-month time to file audit report from a recognized international accessibility professional.

4. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

**(Praveen Prakash Ambashta)
Dy. Chief Commissioner**



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सामाजकि न्याय और अधकिरति मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 13362/1014/2023

Dated: 19/03/2024

Case No. 13362/1011/2022

In the matter of:

Dr. Haradhan Maity,
R/o 84/B/10, Dum Dum Cossipore Road,
AikatanAbasan, Kolkata-700074 (WB);
Email: hmaity.maths@gmail.com
... **Complainant**

Versus

The Director,
Indian Institute of Science Education and Research [IISER]
Mohali, Knowledge City,
Sector-81, SAS Nagar,
Manauli PO 140306;
Email: director@iisermohali.ac.in;
Shankar@iisermohali.ac.in
...**Respondent**

Hearing:

A physical/online hearing through video conferencing was conducted on **15 March 2024**. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of attendance
1.	Dr. Haradhan Maity, Complainant	Complainant	Online
2.	Shri Gautam Sharma, Dy. Registrar	Respondent	Online



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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13362/1014/2023

Dated: 19/03/2024

RECORD OF PROCEEDINGS

During the hearing, the Complainant, a person with 60% Locomotor Disability (Right Upper Limb) reiterated his complaint that he had applied for the post of Assistant Professor in Mathematics on 13.05.2020 under the Special Recruitment Drive for Reserved Category at IISER, Mohali. But he had not received any interview call from the respondent whereas he fulfilled all the recruitment criteria according to the recruitment rules of IISER Mohali given on their website.

2. The representative appearing for the Respondent submitted that the Institute had received the application of the Complainant for the post, but the Selection Committee did not find him suitable for the post. He further submitted that there are two faculty members with disabilities in the Institute — one is of Associate Professor, and another is Assistant Professor and fresh recruitment process is withheld due to unavailability of a regular Director. Approval of the Ministry of Education is awaited for appointment of the incumbent who is in-charge for the post at present.

3. The Court viewed it seriously that even as the fourth hearing in this case is underway, the Respondent has not yet submitted a proper response sought vide the initial notice and subsequent daily orders. The Court granted final opportunity to the Respondent to submit the marks obtained by the 16 candidates with disabilities and the reasons for their non-selection along with the cut off marks for selection within one week. The Court also directed that the respondent shall take all actions, including obtaining approval from the Ministry of Education or any other authority, which are necessary to ensure that the recruitment process is completed by April 2024. The next hearing would be conducted after April 2024.

4. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.



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भारत सरकार / Government of India

Case No. 13362/1014/2023

Dated: 19/03/2024

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13488/1024/2022

Dated: 27/03/2024

In the matter of—

Shri Manoj Pai,
T-15, Sunrise Park Tenements,
Sargam Road, Bodakdev,
Ahmedabad- 380054
Mobile- 9825253346
Email: manojpai@yahoo.com

...Complainant

1. The Chief Executive Officer
Prasar Bharati,
Prasar Bharati Secretariat Tower 'C',
Copernicus Marg,
New Delhi- 110001
Email: ceo@prasarbharati.gov.in
No. 1

... Respondent

2. The Dy. Director General (E)
All India Radio, Ahmedabad
Email: nlchauhan@prasarbharati.gov.in
No. 2

... Respondent

3. The Dy. Director General (E)
Doordarshan Kendra,
Ahmedabad – 380054
Email: dash.satyajeet@gov.in
No. 3

... Respondent

Hearing: An online hearing through Video Conferencing was conducted on 15.03.2024. The following parties/representatives were present during the hearing:



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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13488/1024/2022

Dated: 27/03/2024

- (1) None for the Complainant
- (2) Shri N L Chauhan, DDG, Akashvani, Ahmedabad –Respondent No. 2
- (3) Advocate Shushil Shukla for Respondents No. 2 & 3

RECORD OF PROCEEDINGS

At the outset, the Chief Commissioner asked the Respondent whether it is correct that the Complainant was promoted to the grade of UDC in 2002 while his batch mates of 1989 were promoted in 1997 and subsequently promoted further to the grade of Asstt. in May 2015, but promotion was due in December 2011.

2. The representative of the Respondent No. 2 & 3 submitted that the Complainant was promoted to the grade of UDC in 2002 and the batchmates who got promoted in 1997 were senior to him and were accommodated against vacancies reserved for persons with disabilities as per their quota of 3% prescribed under the PwD Act, 1995. The next DPC was held in 2002 and the Complainant, who was the next senior most PwD candidate, was promoted in employee with disability category.



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Case No. 13488/1024/2022

Dated: 27/03/2024

3. The representative of the respondents No. 2 & 3 further submitted that all the grievances raised by the Complainant in the instant matter were also raised before the CAT Ahmedabad and the Divisional Bench of Hon'ble High Court of Gujarat, Ahmedabad. Both the authorities denied and rejected the case of the Complainant. While the CAT, Ahmedabad Bench vide order dated 06.04.2016 in OA no. 436/2014 dismissed the case of the Complainant stating that there is no discrimination or harassment suffered by the Complainant, the Divisional Bench of the High Court of Gujarat, Ahmedabad vide Judgement dated 13.09.2017 in the Special Civil Application no. 20399/2016 held that there is no reason to interfere with the impugned judgement and order passed by the learned CAT, Ahmedabad."

4. After hearing the respondents, this Court directed them to submit copy of the Judgements of both the tribunal and the High Court within 7 days, after which only any further decision can be taken.

5. This is issued with approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 13511/1024/2022

Dated: 26/03/2024

In the matter of —

Shri Deepak Mukhi
Carrage Colony, Harijan Basti,
Tata Nagar, Jamshedpur,
East Singhbhum,
Jharkhand-831002
Mobile: 9709261330
Email: bramhamukhi@gmail.com
...**Complainant**

Versus

The Divisional Railway Manager (P)
South Eastern Railway
P.O. Tatanagar,
Dist. East Singhbhum
Jharkhand- 831002
Email: drm@ckp.railnet.gov.in
vijayindiarail@gmail.com
... **Respondent**

Hearing: An online hearing through Video Conferencing was conducted on 15.03.2024. The following parties/representatives were present during the hearing:

- (1) None for the Complainant
- (2) Shri Rishabh Sinha, SDPO, SE Rly. Chakradharpur Division for Respondent

RECORD OF PROCEEDINGS



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सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13511/1024/2022

Dated: 26/03/2024

At the outset, the Chief Commissioner asked the Respondent to brief about the progress in subject matter at their end.

2. The representative of the Respondent submitted that the case pertains to family pension and is pending due to lack of Original PPO. The Railway Authority positively considered the case and will immediately process the case as and when the Complainant submitted an affidavit signed by a 1st Class Magistrate in place of PPO.

3. The Court sought from the Respondent reasons for conduct of a separate medical examination of a Person with Disability (PwD) despite possession of UDID card. The Respondent submitted that there is a medical setup in Railways with specialist doctors to conduct medical examination and submission of Report. The Respondent further submitted that the medical examination of the Complainant has already been conducted and the Medical Board has also submitted its report. The delay in processing the family pension is due to the lack of original PPO. The Respondent is in process of obtaining legal affidavit required for authorising the family pension to the Complainant.

4. After hearing the Respondent, this Court directed the Respondent to share status of the case and following circulars with this Court within next week :

(i) A copy of the rule as per which a separate medical examination is required to ascertain disability of a PwD despite holding a UDID card.

(ii) A copy of the Circular which states that Railway Medical Board will confirm the percentage of the disability and only on that basis the family pension will be authorised.



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सामाजकि न्याय और अधकिरति मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 13511/1024/2022

Dated: 26/03/2024

5. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13543/1024/2022

Dated: 28/03/2024

In the matter of —

Shri Shahid Mukhtar
Technical Officer,
Crop Improvement Division,
ICAR-CRIJAF, Barrackpore,
Kolkata-700121
Mobile- 7003396037, 9007770948
Email- shahid9339@gmail.com
shahid.mukhtar@icar.gov.in

... Complainant

Versus

1. The Secretary (DARE) & DG (ICAR)
Krishi Bhawan,
New Delhi-110001
Email-dg.icar@nic.in

... Respondent No.

1

2. The Director
ICAR- CRIJAF,
Barrackpore-700121
Email: director.crijaf@icar.gov.in

...Respondent No.

2

Hearing: A hearing was conducted on 15.03.2024 through Hybrid Mode. 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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COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13543/1024/2022

Dated: 28/03/2024

1.	Shri Shahid Mukhtar	Complainant	Online
2.	Shri Rajeev Lal, Jt. Secretary, ICAR	for Respondent No. 1	Physical
3.	Shri Ravi Mishra, Admin Officer, ICAR-CRIJAF	for Respondent No. 2	Physical
4.	Shri Manish Kumar, Sr. Counsel, ICAR	for Respondent No. 1	Online

RECORD OF PROCEEDINGS

At the outset, the Chief Commissioner for Persons with Disability observed that it is quite apparent that the quarter was allotted to the Complainant without him applying for the same. Just after 2 months The Complainant informed within two months of the allotment that he did not need the quarter because he wished to reside at his paternal house. He applied for HRA, instead. His HRA was stopped despite non-occupation of govt. accommodation for more than 4 years.

2. The representative of the Respondent No. 1 submitted that there is no discrimination with a person with disability. According to DoPT standing instructions before 2019, a Non Availability Certificate (NAC) is mandatory from the department in case of employee who want to be eligible for grant of HRA. If there is a vacant govt. accommodation ready to be allotted to an eligible employee, he cannot be given HRA on refusing to occupy the allotted accommodation.

3. The Court asked the Complainant about reasons for not occupying the allotted quarter. The Complainant submitted that the quarter was allotted on 15.07.2009 even before his joining on 20.07.2009 and he had not applied for allotment of the quarter. He submitted a written application to the Respondent No. 2 on 30.09.2009 stating that he will reside with his parents at paternal house. There were many other employees too, who were allotted with quarters but they did not occupy and their HRA was not deducted.



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दवियांगजन सशक्तिकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)
सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment
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Case No. 13543/1024/2022

Dated: 28/03/2024

4. After hearing both the parties, this Court directed the Respondent to provide following information within a week:

(i) List of officials working in the establishment of Respondent No. 2 who joined between 01-01-2009 and 31.12.2009;

(ii) List of serving employees as on the date of allotment of accommodation to the Complainant, i.e. as on 15.07.2009 and details of allotment of accommodation or payment of HRA to them and also the basis for issue of NAC to them or exemption thereof along with the grounds for the same, if any;

(iii) List of officials who were offered the quarter after the same was not accepted by the Complainant with date of offer and allotment, if any;

(iv) List of officials who were eligible for the same quarter during 2009-13, but were not offered citing reasons for the same;

(v) List of the officials working in the establishment of Respondent No. 2 who were not offered any quarter and why so;

(vi) List of officials who were offered but did not occupy the accommodation and effect of the same on their HRA; and

(vii) Name of the person who occupied the quarter allotted to the Complainant and the date of occupation.

5. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,



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COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

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Case No. 13543/1024/2022

Dated: 28/03/2024

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
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सामाजिक न्याय और अधकिरति मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 13555/1141/2022

Dated: 21/03/2024

Case No: 13555/1141/2022

In the matter of —

Ms Sadaf Khan,
R/o B 909, New Sarvottam Society,
Irla Bridge, Andheri West, Mumbai 400058;
Mobile: +91-9833257816
E-mail: ksadaf1993@gmail.com

... Complainant

Versus

(1) The Director,
Nextbillion Technology Private Limited,
[CIN: U65100KA2016PTC092879]; And,
Billionbrains Garage Ventures Private Limited,
[CIN: U72900KA2018FTC109343], both at
No.11, 80ft Road, 4th Block, S.T Bed,
Koramangala, Bangalore – 560034
E-mail: corp.secretarial@groww.in

... Respondent No.1

(2) The Chairperson,
Securities and Exchange Board of India,
'SEBI Bhawan BKC', Plot No.C4-A, 'G' Block,
Bandra-Kurla Complex, Bandra (East),
Mumbai - 400051 (Maharashtra)
Email: chairman@sebi.gov.in;
chairperson@sebi.gov.in

... Respondent No.2

(3) The Chief Executive Officer,
Unique Identification Authority of India (UIDAI)
Bangla Saheb Road,
Behind Kali Mandir, Gol Market,



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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

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Dated: 21/03/2024

New Delhi - 110001

Email: ceo@uidai.gov.in

... Respondent No.3

- (4) The Secretary,
Ministry of Electronics & Information Technology (MeitY),
Electronics Niketan,
6, CGO Complex, Lodhi Road,
New Delhi - 110003
Email: secretary@meity.gov.in

... Respondent No.4

Hearing (3):

A physical/online hearing through video conferencing was conducted on **15 March 2024**. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/ Representatives	For Complainant/ Respondent	Mode of attendance
1.	Ms. Sadaf Khan	Complainant	Online
2.	Advocate Amar Jain	For Complainant	Online
3.	Advocate Nalin Kohli	Respondent No.1	Online
4.	Advocate (Ms) Sandhya Kohli	Respondent No.2	Online
5.	Shri Deepak Soni, Assistant Manager; and Shri Sunil Gautam, Section Officer	Respondent No.3	Online
6.	Ms Tejaswanee Kandhavel	Respondent No.4	Online



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RECORD OF PROCEEDINGS

1. During the hearing, the Learned Counsel appearing for Respondent No.1 submitted that the platform against which the initial complaint was filed, called 'GROWW' is a 'DIY' or "Do It Yourself" platform for investment into stock markets, mutual funds, etc. So, the Complainant was told that the Company could not help her. However, her KYC was accepted by the Company on email. Further, the Complainant used the platform, invested into the markets and also got returns, and now the issue stands over. However, he expressed his willingness to modify the platform for making it fully accessible for persons with blindness within the regulatory framework.



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2. The learned Counsel appearing on behalf of the Complainant submitted that while signing up, one is required to draw one's signature using a pen styled icon on the App for verification which in case of a person with blindness is problematic. So, there is a need to give an option on the app to indicate that the user is a person with blindness and/or a person with disability. Further, when a thumb impression is uploaded in the space provided and if the service provider uses a recognized e-sign under the Information Technology Act, 2000 then it is good from SEBI's perspective. SEBI has also amended its FAQ to clarify that persons with disabilities are entitled to Demat & Trading Account and thumb impression's image coupled with e-sign can be accepted for e-KYC. The Complainant further submitted that GROWW needs to amend its e-KYC mechanism so that people with blindness / persons with disabilities are not denied investment facilities in future. Further, the Complainant also submitted that the customer care representatives should also be sensitized about the process to be followed for opening of accounts of persons with disabilities.

3. On the issue of e-KYC, the learnt Counsel for Respondent No.1 stated that as far as KYC is concerned for identification, the Company is in the process of implementing video customer identification process for persons with disabilities. The Complainant's Counsel stated that video-identification process is not a problem for a person with blindness to be able to read the OTP, to be able to enter it on the platform, provided that the platform is accessible. As well as the OVDs also can be fetched through Digi locker or the e-PAN database is also available. The Counsel for the Complainant also contended that Section 46 of the Rights of Persons with Disabilities Act, 2016 [hereinafter as "the Act"] read with Rule 15 of the Rights of Persons with Disabilities Rules, 2017 requires every establishment to comply with the accessibility standards. So, if GROWW can come up with an



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accessibility audit report from an accessibility professional who has certification from the International Association of Accessibility Professionals (IAAP) along with timeline to remedy the accessibility issues. The learned counsel for Respondent No. 1 objected to the request for direction for conducting access audit and submitted that they cannot be singled out for such direction. If the SEBI regulations can be modified to provide for mandated access audit across the industry, the same will be applicable to the Respondent No. 1 too.

4. The Learned Counsel appearing for Respondent No.2 submitted that as of now the e-KYC is using the other platform as per the process prescribed by UIDAI to verify the authenticity of a user. Once the UIDAI have the mechanism in place, SEBI would be more than willing to do so being a regulatory body.

5. The Complainant submitted that even on UIDAI website there is inaccessible captcha. To which the representative appearing for Respondent No.3 submitted that they are already working on it to have the audio captcha and few of the facilities are already available on the UIDAI. And the EKYC framework of UIDAI does not discriminate against persons with disabilities. To which the Complainant's Counsel highlighted the issues faced by persons with disabilities in conducting EKYC, such as people with blindness, or those with oral cancer cannot use face recognition facility of UIDAI and prayed that UIDAI should come up with a framework for conducting e-KYC of persons with disabilities.

6. After hearing the parties, the Court noted the measures so far adopted and commitments made by the Respondents in making the platform accessible. The Court expressed its general satisfaction about the redressal



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of immediate grievance of the Complainant and also on the progress made by the Respondent so far in making its product and the service accessible to the blind persons, but advised to continue working in this direction till the time full accessibility level as per sections 42, 46 and the rule 15 of the RPwD Rules, 2017 as amended from time to time, is achieved. The Regulator, respondent no. 2 in this case, is directed to bring the above provisions to the attention of all concerned and ensure compliance without further delay as the prescribed time limit under the statute is already over. The Court did not agree with the submission of the Respondent No. 1 that issuing direction to them for undertaking the access audit amounts to discrimination and singling out them. The provisions on accessibility of services are mandatory in nature. An access audit will provide them the opportunity to improve their services and make the same available to more customers. Once the issue has been brought to the cognizance of this Court, it cannot move away from ensuring that rights and safeguards provided to the persons with disabilities are protected. Accordingly, the Respondent No.1 is directed to submit an audit report from an accessibility auditor who has certification from the IAAP. Respondent No.1 is also directed to implement the video-based customer identification process for EKYC as well as provide details of the measures taken by it to sensitize its customer care and other channels for conducting EKYC of persons with disabilities. Respondent No.3 is directed to come up with a framework for conducting EKYC of persons with disabilities using mechanisms of UIDAI including after taking into account the difficulties highlighted by the Counsel for the Complainant. The respondents are directed to submit their compliance report within 90 days.



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7. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

**(Praveen Prakash Ambashta)
Dy. Chief Commissioner**



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भारत सरकार / Government of India

Case No. 13573/1092/2022

Dated: 26/03/2024

Case No: 13573/1092/2022

In the matter of —

Shri Nilesh Kumar Dubey,
22, Vrundavan Colony, Dr.C.V.Raman Marg,
Vasna. Ahmedabad-380007 (Gujarat);
Email: nkumardubey@gmail.com
Mobile No.9825041041

... Complainant

Versus

(1) The Chairman,
Insurance and Regulatory Development Authority of India,
115/1, Financial District,
Nanakramguda,
Hyderabad-500032
Email: irda@irdai.gov.in

... Respondent No.1

(2) The Chairman and Managing Director,
General Insurance Corporation of India,
"Suraksha", 170, Jamshedji Tata Road,
Churchgate, Mumbai - 400 020
Email: cmd@gicofindia.com
info@gicofindia.com

... Respondent No.2

(3) The Chairman cum Managing Director,
The New India Assurance Co. Ltd.,
Head Office: 87, M.G. Road,
Fort, Mumbai – 400001
Email: cmd.nia@newindia.co.in

... Respondent No.3

(4) The Chairman and Managing Director,
United India Insurance Company Limited,
United India Insurance Co. Ltd.
#19, Nungambakkam High Road, IV Lane,
Chennai – 600034
Email: cmd@uic.co.in

... Respondent No.4

(5) The Chairman-cum-Managing Director,
The Oriental Insurance Company Limited,
Block - 4, Plate-A, NBCC Office Complex,
Kidwai Nagar East,
New Delhi – 110023



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दवियांगजन सशक्तिकरण वभिग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)
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भारत सरकार / Government of India

Case No. 13573/1092/2022

Dated: 26/03/2024

Email: anitasharma@orientalinsurance.co.in
csd@orientalinsurance.co.in

... Respondent No.5

- (6) The Chairman-cum-Managing Director,
National Insurance Company Limited,
3, Middleton Street,
Prafulla Chandra Sen Sarani,
Kolkata - 700071 (West Bengal)
Email: suchita.gupta@nic.co.in

... Respondent No.6

Hearing (2):

A physical/online hearing through video conferencing was conducted on **15 March 2024**.
The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of attendanc
1.	Shri Nilesh Kumar Dubey	Complainant	Physical
2.	Shri Rajeshwar Gangula, DGM Health, IRDAI	Respondent No.1	Online
3.	Shri Mangesh Joshi, Chief Manager, GICI	Respondent No.2	Online
4.	Ms. Anjali Mirchandani, Chief Manager, Corporate Office NIACL, Mumbai	Respondent No.3	Online
5.	Dr. Sandeep Raju Dadala, Medical Officer; and Shri Surendra Verma, Regional Manager, NIACL, Delhi	Respondent No.3	Physical
5.	Shri Amit Singh	Respondent No.4	Online
6.	(Not known)	Respondent No.5	
7.	None appeared	Respondent No.6	Absent

RECORD OF PROCEEDINGS

During the hearing, the Complainant submitted that on the instructions of this Court he had approached the New India Assurance Co. Ltd., but no response was received from them despite rigorous follow up. He had emailed to the Oriental Insurance Co. Ltd. The premium was almost twice the normal rate. On the Insurance Value of 4.00 Lakh, the premium was for 48,000 + GST for Cerebral Palsy i.e. with 100% rider; and for Chronological Neurology 88,000/- to 99,000/- i.e. with 75% rider with 50% reimbursement of claim. As a result. he would have to pay almost 1.00 Lakh for Insurance Value of 2.00 Lakh in a year.

2. The representative for the Respondent No.4 submitted that the Complainant could not approach United India Insurance Company Ltd. (UIIC). There is a product called 'Samaveshi Suraksha Health Policy'. Had the Complainant approached UIICL in his jurisdiction and took an assessment



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Dated: 26/03/2024

about the low risk factor and other premium charges, he would have found the policy reasonable with 100% claim reimbursement. He further submitted that the Complainant may approach in any nearby branch of UIICL to by the product.

3. Ms. Anjali Mirchandani, Chief Manager, Corporate Office, Mumbai for the Respondent No.3 submitted that the major features of the product are the disabilities have been categorized in three parts, viz. (i) lower; (ii) moderate; and higher. There premiums are not higher but reasonable and manageable too. These products are available for 4.00 Lakh to 5.00 Lakh. No case of discrimination of persons with disabilities has come to their knowledge. The security obligations are fully complied with as per the law and the norms of IRDAI.

4. The representative for IRDAI (Respondent No.1) submitted that the same issue had earlier come up in the case of Shri Pramod Gupta, and it was brought to the notice in the concerned department who are re-evaluating. Meetings have also been conducted with insurers to know the prices of the products and some 4-5 insurers have also done this. The representative assured to continue the exercise to bring out the best prices.

5. After hearing the parties, the Court was of the view that IRDAI has to ponder over the fact that for an insurance value of 2.00 Lakha premium of 1.00 is being asked, which is apparently, unjustifiable. The IRDAI had earlier assured that they would ask every insurance company to bring out reasonably priced products. The sought a report from the IRDAI in this regard within 30 days. The Court also advised the Complainant to approach to UIICL and NIACL and analyse their products vis-a-vis their quotes on premiums.

6. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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न्यायालय मुख्यायुक्त दवियांगजन
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
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सामाजकि न्याय और अधकिरति मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 13588/1024/2022

Dated: 25/03/2024

In the matter of—

Professor Kaushik Kumar Majumdar
Systems Science and Informatics Unit,
Indian Statistical Institute, Bangalore Centre,
8TH Mile, Mysore Road,
Bangalore- 560059
Mobile: 9481901138, 9019171174
Email: mkkaushik@hotmail.com

...**Complainant**

Versus

The Director
Indian Statistical Institute,
8th Mile, Mysore Road, R.V. College Post,
Bangalore- 560059
Email: headisibc@isibang.ac.in

...**Respondent**

Hearing: An online hearing through Video Conferencing was conducted on 15.03.2024. The following parties/representatives were present during the hearing:

- (1) None for the Complainant
- (2) Professor Dayasagar, Centre Head, ISI Bangalore for Respondent
- (3) Ms. Ashwini Tambe, Dy. Chief Executive (Admin), ISI, Bangalore for Respondent

RECORD OF PROCEEDINGS

At the outset, the Chief Commissioner was informed that the Complainant was not keeping well and had to be hospitalised due to which he

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5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075
Tele# 011-20892364, 20892275
E-mail: ccpd@nic.in



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न्यायालय मुख्यायुक्त दवियांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

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could not appear in the scheduled hearing. The Court asked the Respondent to brief the Court about the progress of the case.

2. The representative of the Respondent submitted that the Complainant joined the ISI, Bangalore Campus in 2009 and since then he is residing in the Guest House of the Institute, which has been made disabled friendly. The main substance of the complaint pending before this Court is that the Complainant seeks to continue to reside in the Guest House and draw House Rent Allowance (HRA) while occupying the said accommodation, which is not in line with the government rules on HRA.

3. The representative of the Respondent further submitted that the Institute has been trying to construct an accessible accommodation for the Complainant. The fund has been sanctioned, and the location has also been earmarked. Demolition of some old accommodation has been concluded and at the same place, two new disabled friendly quarters with 1300 Sq Ft space is proposed to be constructed. A fund of 1 Crore is earmarked for the said construction. But the Complainant is demanding that construction be done at a specific location of his choice on the ground that the proposed location is adjacent to the hostel accommodation and there could be some noise because of that. He further submitted that the Complainant does not have family and is living alone. The Respondent also mentioned that the location chosen by the Institute is only 70-80 meters away from the office of the Complainant.

4. The Respondent also submitted that the Committee tried to modify the existing quarters to make them disabled friendly, but it was not possible as per the Civil Engineers and Construction Experts. As regards the Complainant statement that he is the only PwBD employee in the Campus,



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Dated: 25/03/2024

the Respondent replied that now there is one more PwBD employee with 90% locomotor disability (a wheelchair user). The Respondent also informed that the other employee is also residing in the same accommodation and not claiming HRA. The Respondent informed the Court that the Complainant is stating that he will not reside in the quarter unless the same is constructed on his desired location.

5. In regard to the transfer of the Complainant, during his initial joining he requested for posting to Kolkata but due to formation of new unit at Bangalore, he was posted to Bangalore. Later on, he did not submit any request for transfer to Kolkata. In fact, he was offered by the institute for a transfer to Kolkata in view of his disability and support system available at Kolkata, being his home town. But the Complainant did not accept the offer.

6. After hearing the Respondent, this Court advised that since the Complainant is not available, another hearing needs to be scheduled to hear his side. The schedule of next hearing will be intimated accordingly.

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13639/1024/2023/155165

Dated: 27/03/2024

In the matter of —

Shri Pankaj Shrivastava
LDC/Hygiene Cell,
Vehicle Factory Jabalpur/AVNL,
Jabalpur, Madhya Pradesh-482009
Mobile: 9009554727/9111147711
Email: pankajshrivastav77@gmail.com

...Complainant

Versus

1. Jt.General Manager (Admin)
Vehicle Factory Jabalpur,
A Unit of Armoured Vehicles Nigam Limited,
Jabalpur, Madhya Pradesh-482009
Email: srkrishnan@ord.gov.in

...Respondent No. 1

2. The Director General Ordnance
Directorate of Ordnance (C&S)
10 A, S.K. Bose Road, Kolkata- 700001
Email: hr@avn1.co.in; perng@ord.gov.in

...Respondent No.2

Hearing: An online hearing through Video Conferencing was conducted on 15.03.2024. The following parties/representatives were present during the hearing:

- (1) Shri Pankaj Shrivastava, for the Complainant
- (2) Ms. Shweta Johri Gupta, Works Manager, VFJ, for Respondent No. 1
- (3) None for Respondent No. 2



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13639/1024/2023/155165

Dated: 27/03/2024

RECORD OF PROCEEDINGS

At the outset, the Chief Commissioner for Persons with Disability clarified that as per Sec. 20 (3) of the Right of Persons with Disabilities (RPwD) Act, 2016 says that the promotion cannot be denied merely on the ground of disability. The DEPwD Notification dated 04.01.2021 also provides at Note 4 that if a post is identified in the feeder grade, all the posts in the promotional grade should also stand identified. As such as a general rule, if an employee with disability is included in a feeder cadre then he cannot be denied for the promotion to the Supervisory post unless there is any specific rule contrary to this. In other words if a person is available in the feeder cadre, disability alone cannot be a ground for denying him the promotion. Besides, the promotion post in question here, namely "Chargeman" is in the list of jobs suitable for PwBDs.

2. The Court instructed that the OFB, Kolkata has no power to change or overrule the notified list. If they seek any exemption of such notified list of identified posts, they must come through their parent Ministry to DEPwD for such exemption. They cannot deny the post unless got exemption from the DEPwD with proper justification that a normal person can do the supervisory job, but an employee with disability cannot. The Respondent may go by seniority or other principal/circulars regarding promotion but cannot deny promotion merely on the ground of disability.



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3. The representative of the Respondent No. 1 submitted that the OFB, Kolkata sent a notification wherein it is stated that the post of Chargeman (N/T) is identified for Low Vision but not for Blind.

4. The Chief Commissioner asked the Complainant about any Blind person in the Ordnance Factories who was promoted to the post of Office Superintendent. The Complainant submitted that he is not aware of any such person. The representatives of the respondent could not explain the action of the respondents in denial of promotion in contravention of the statutory provisions except that they followed the instructions of Respondent No. 2.

5. After hearing both the parties, this Court observed that the Respondent did not adhere to Sec. 20 (3) of the RPwD Act, 2016 and the DEPwD Notification dated 04.01.2021 containing the gists of recommendations of the Expert Committee and list of jobs identified for the PwDs.

6. The Chief Commissioner also expressed its displeasure over the fact that none appeared on behalf of the Respondent No., due to which a decision could not be arrived at and the crucial time of the Court was lost. Respondent No. 1 also did not deploy sufficiently senior officer who could answer the queries of the Court. The Court directed that in the next hearing Respondent No. 1 shall appear in person, while on behalf of the Respondent No. 2, a senior officer well versed with the facts of the case and competent to represent the Respondent shall be present. The Chief Commissioner also directed the respondents to inform their clear stand vis-a-vis the observation of this Court within a week.



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Dated: 27/03/2024

7. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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भारत सरकार / Government of India

Case No. 13653/1031/2023/180460

Dated: 05/03/2024

Case No. 13653/1031/2023

In the matter of—

Mr. Ashwin Gopal VK,
By Mother and Guardian-
Smt. Krishnaveni P,
Aswath House, Panangottu Parambu,
Chevayur (PO) 673017
Kozhikode, Kerala
Mobile No. – 9847957021
Email – venivijayan80@gmail.com

... Complainant

Versus

(1) Veterinary Council of India (VCI)
(Represented by its President),
A Wing, 2nd Floor,
August Kranti Bhawan,
Bhikaji Cama Place,
New Delhi – 110066



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13653/1031/2023/180460

Dated: 05/03/2024

Phone – 011-26184149/26184354

... Respondent No.1

(2) Department of Animal Husbandry and Dairying (AH&D),

(Through: Secretary),

Krishi Bhawan, Central Secretariat,

Dr Rajendra Prasad Road,

New Delhi – 110001

Phone – 011-23382608

Email – secyahd@nic.in

... Respondent No.2

(3) The Director General,

National Testing Agency,

UGC-NET Examination,

C-20, 1A/8, Sector 62, IITK,

Outreach Centre, Noida – 201309 (UP);

Email: ugcnet@nta.ac.in;

Phone: 011-69227700/ 01140759000

... Respondent No.3

Hearing (2):

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)

5th Floor, NISD Building, Plot No.G-2, Sector-10, New Delhi-110075

Tele# 011-20892364, 20892275

E-mail: ccpd@nic.in



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न्यायालय मुख्यायुक्त दवियांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दवियांगजन सशक्तिकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 13653/1031/2023/180460

Dated: 05/03/2024

A physical/personal hearing was conducted on **29.02.2024**. The following parties/ representatives were present physically/personally as well as online during the hearing: —

For Complainant:

- (1) Advocate Anil R. – presented virtually/online

For Respondent:

- (1) Shri Bhagwan Swaroop Shukla – Standing Counsel for Central Govt.
(2) Dr. Sadam Bano, Assistant Commissioner
(3) Shri Pramod

RECORD OF PROCEEDINGS

The learned Counsel appearing for the Complainant read out the Para 7 (8) of the Veterinary Council of India Minimum Standards of Veterinary Education – (Bachelor of Veterinary Science and Animal Husbandry – Degree Course) Regulations, 2016 as under: —

“(8) 15% of the total number of seats of each recognised veterinary college which is included in the First Schedule of the Act shall be reserved and filled on an all India basis through Common Entrance Examination and seats for the candidates belonging to Schedule Caste or Schedule Tribes or Physically handicapped or Other backward classes against said 15% quota of Veterinary Council of India shall be reserved to be filled up as per Government of India Policy.”

2. The learned Counsel emphasized on the words – “...shall be reserved and filled on an all India basis...” But this filling never happened.

3. From the submission filed by the Respondents in compliance of the directions issued in the last hearing conducted on 02.05.2023, the Court observed that the vacancies have been earmarked reserved for both vertical

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5th Floor, NISD Building, Plot No.G-2, Sector-10, New Delhi-110075

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न्यायालय मुख्यायुक्त दवियांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

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as well as horizontal categories, which is not as per the concept of interlocking the two categories. The practice also makes it a near impossibility to fill the reserved vacancies. The respondents also need to explain how the fixing of the upper cap of 50% disabilities in the case of lower extremities and disabilities in the chest or spine and complete exclusion of candidates with disabilities in their upper limbs, vision or hearing. The Hon'ble Supreme Court in the WRIT PETITION (C) No(s).669 OF 2018 Purswani Ashutosh Vs. UOI had vide Order dated 24.08.2018 directed the central government to allow candidates with visual impairment (low vision) for admission to UG-NEET. The operative part of the judgement reads as under:-

“Be that as it may, as mentioned hereinabove, it is not necessary for this Court to adjudicate the question of whether Section 32 of the 2016 Act is attracted or not, in view of the admission that the Medical Education Regulations which incorporate the provisions of the 2016 Act in relation to reservation to higher educational institutions, have statutory force and are binding on the MCI. The regulations have not yet been amended by the MCI in the light of the recommendations made by its Committee and the decision taken at the Secretariat level. No amendment in the 2016 Act or in the regulations framed by the MCI have been made so far. For the reasons discussed above, this Court holds that the petitioner cannot be denied admission to the MBBS course if he qualifies as per his merit in the category of Persons with Disability. In the event, the petitioner is found to be entitled to admission, he shall be given admission in the current academic year 2018-19.”

4. The Honb'le High Court of Delhi in W.P.(C) No. 4853 of 2012 vide Order dated 12.09.2012 has held as under:-

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“21. Reference to the aforesaid judgment is made by us to highlight the decision taken by the Government, and accepted by the Supreme Court that reservation for disabled is called horizontal reservation which cuts across all vertical categories such as SC, ST, OBC & General. Therefore, what was recognized was that since PWDs belonging to SC/ST categories, i.e., vertical categories enjoyed the relaxation which is provided to SC/ST categories, there is no reason not to give the same benefit/concession to those disabled who are in General Category or Other Backward Class Category as that process only would bring parity among all persons’ disparity irrespective of their vertical categories. This itself provides for justification to accord same concession, viz., 10% concession to PWDs as well, in all categories which is extended to those PWDs who fall in the category of SC/ST.

22. All the aforesaid clinchingly demonstrates that the people suffering from disabilities are equally socially backward, if not more, as those belonging to SC/ST categories and therefore, as per the Constitutional mandates, they are entitled to at least the same benefit of relaxation as given to SC/ST candidates.

23. We, therefore, hold that the provision giving only 5% concession in marks to PWD candidates as opposed to 10% relaxation provided to SC/ST candidates is discriminatory and PWD candidates are also entitled to same treatment. The mandate is, accordingly, issued direction the DTU to provide 10% relaxation. Thus, the minimum eligibility requirement for persons belonging to PWD becomes 50% in PCM. Since the petitioner becomes eligible to be considered for admission in B.Tech. Course of DTU, his case may accordingly be considered for admission and if found eligible for admission on that basis, the same be granted to him forthwith.”

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COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)
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Dated: 05/03/2024

5. The Chief Commissioner for Persons with Disabilities also directed that the National Testing Agency (NTA) be impleaded as one of the Respondents and a copy each of the aforesaid Orders be forwarded to the Director General, NTA for extending their support to the respondent in preparing a list to forward the following information to this Court within seven days: —

- (i) Name of the Candidates with disabilities appeared in the NEET 2022-23;
- (ii) Their Disabilities;
- (iii) The extent (%) of their Disabilities;
- (iv) The nature of their disability; and
- (v) The marks obtained by them.

Yours faithfully,

Praveen Prakash Ambashta,
Dy. Chief Commissioner



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COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)
सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 14007/1014/2023

Dated: 28/03/2024

Case No. 14007/1014/2023

In the matter of—

Shri Madhur Singh,
S/o Shri Arun Kumar Singh,
R/o B-1/72, Janakpuri,
New Delhi 110058
Email: aksaecpwd@gmail.com;
Contact: 9868536364

... Complainant

Versus

(1) The Chairman,
Staff Selection Commission,
CGO Complex, Block No.12,
Lodhi Road, New Delhi-110003
Email: chairmanssc@gmail.com

... Respondent No.1

(2) Regional Director (NR)
Staff Selection Commission,
Block No.12, 5th Floor,
CGO Complex, Lodhi Road,
New Delhi 110003
Email: enquirysscnr@gmail.com

... Respondent No.2

(3) The Secretary,
Department of Posts,
Ministry of Communications,
Dak Bhawan, Sansad Marg,
New Delhi-110001;
Email: secretary-posts@indiapost.gov.in;
Phone: 23096060

... Respondent No.3

(4) The Secretary,
Department of Personnel & Training,
Ministry of Personnel, Public Grievances and Pensions,
North Block, New Delhi-110001
Email: secy_mop@nic.in

... Respondent No.4

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075
Tele# 011-20892364, 20892275
E-mail: ccpd@nic.in



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)
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- (5) The Department of Empowerment of Persons with Disabilities (Divyangjan),
[Through: Joint Secretary]
Ministry of Social Justice & Empowerment,
Room No.524 (B-III), Antyodaya Bhawan,
CGO Complex, New Delhi-110001
Email: secretaryda-msje@gov.in

... Respondent No.5

Hearing (2):

A physical/online hearing through video conferencing was conducted on **15 March 2024**. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/ Representatives	For Complainant/ Respondent	Mode of attendance
1.	Shri Madhur Singh, Complainant; and Shri Arun Kumar Singh for the Complainant	Complainant	Online
2.	Shri Manish Mrinal, US, SSC(HQ)	Respondent No.1	Physical
3.	Shri Bimal Kumar Gupta, Under Secretary, SSC (NR)	Respondent No.2	Online
4.	Shri Mandira Prasad, ADG SPN	Respondent No.3	Online
5.	Shri Sandeep Saxena, Dy. Secretary	Respondent No.4	Online
6.	Shri Rajesh Yadav, JS (Policy), DEPWD	Respondent No.5	Online

RECORD OF PROCEEDINGS

During the hearing the representative for the Complainant submitted that the SSC conducted examination for the post of JSA/LDC, DEO, Postal Assistant and Sorting Assistant. The Complainant had applied for the post of Postal Assistant and JSA/LDC. He also reiterated his submissions to be sympathetically considered in the light of Note 8 of the Notification dated 04 January 2021 vide which the list of Identified posts for Persons with



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भारत सरकार / Government of India

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Benchmark Disabilities has been notified. Note 8 reads under:

“Note 8: *It is for the Central Ministries or Departments or Public Sector Undertakings or Autonomous Bodies to verify the authenticity of the certificate of disability and examine suitability of the candidate in terms of functional requirements before appointment against any identified post.”*

2. The representative of the Complainant further submitted that the functional requirement for the post of Postal Assistant or Sorting Assistant are sitting, standing, walking, bending, manipulation by fingers, writing, seeing, hearing, and communication. Shri Madhur Singh can do all these things.

3. The representative of the Complainant further reiterated his submission made in his Rejoinder dated 16.06.2023 that the respondent had rightly stated that the Disability Certificate issued in the year 2008, i.e. during the currency of the PwD Act, 1995, does not specify the physical impairment of Shri Madhur Singh in terms of OA, BA, OL, BL etc. Instead, it mentions the disability as 70% in Whole Body". As a result, the SSC rejected his candidature during the Document Verification. He further submitted that the error in the Disability Certificate, cannot be attributed to the Complainant, and therefore, the Complainant should not be made to suffer. Another DC was issued in the year 2022 by Dr. RML Hospital, which explicitly mentions it as a case of multiple disabilities with BLA - 60% and Low Vision - 30%. This certificate was issued after the crucial date of applying for CHSLE-2021. Therefore, the same was not taken on record by the SSC. The representative further submitted that the Disability Certificate mentions the locomotor disability as BLA as all the four limbs of the Complainant are weak,



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but they are all intact and his disability cannot be compared with another BLA affected person whose limbs are underdeveloped or amputated. He requested for a sympathetic consideration of his case and issue of direction to the respondents for issue of offer letter as only 13 posts have been filled out of the 18, which were advertised.

4. The representatives for the Respondent No.1 and 2 (SSC) submitted that the Complainant had applied for 5 categories of vacancies in the impugned recruitment process. 4 of them were in the posts of JSA/LDC in 4 different departments and another in the post of Postal Assistant in the Department of Posts. He is a PwBD of BLA category, which is not found suitable for any of these posts as per the DEPwD Notification dated 04.01.2021. The representatives of Respondent No. 3, the Department of Posts added that despite the fact that the post of Postal Assistant was not declared suitable for the categories of SLD and Intellectual Disabilities, they had accepted the recommendation of the SSC in this regard and added these categories as suitable in the spirit of Note 2 of the Notification. However, BLA was not considered suitable to be accommodated for the post. The representative for Respondent No. 4 submitted that the Notification dated 04th January 2021 provides at Note 2 that the list of posts being notified is only indicative and not an exhaustive list. If a post is not mentioned in the list, it is not to be construed that it has been exempted. Central Ministries, Departments, Autonomous Bodies, Public Sector Undertakings may further supplement the list by adding to the list of posts identified for respective category of disability. As such the employer in this case, i.e the Department of Posts may consider this particular case on the



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COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 14007/1014/2023

Dated: 28/03/2024

functional grounds.

5. The Respondent No. 5 submitted that in the Instant case the identification exercise was to be carried out by the concerned Ministry. The Complainant/Candidate might be able to meet functional requirements of the jobs and execute assigned work. The same is based on the premise that despite the candidate has all four limbs affected, he is still able to take a care of all his daily needs and complete his studies while living in hostel without any external support. Respondent No.1 and Respondent No.3 may consider widening the categories of disabilities that have been hitherto identified suitable for the posts of LDC/JSA and Postal Assistant/Sorting Assistant by taking into consideration Note-2, Note-6 and Note-8 of the Identified List dated 04 January 2021. While doing so, it may be ensured that the candidate/Complainant Shri Madhur Singh has a fair opportunity to prove his disability in terms of meeting functional requirements of the post. He also suggested to refer the matter to an appropriate medical board for clarification on the suitability of the disabilities of the Complainant vis-a-vis the functional requirement of the post as mentioned in the Notification dated 04.01.2021.

6. The Chief Commissioner underscored that the case is based on the interpretation of the entry at Sl. No. 1269 of the list of suitable jobs for Gp C posts and the disability certificate of the Complainant. He asked the Complainant how does he believe that he was fit for the job of Postal Assistant and whether he would be able to do the typing work if required? The Complainant answered that with the advent of technology, software has been developed for voice recognition and conversion from speech to text, with the help of which he can easily do the typing work. He also submitted that though he cannot run, he can walk and he can work using both his



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hands. He also submitted that he does all his personal daily chores without any assistance from anyone.

7. The Court concluded that this is not a routine case of denial of reservation in appointment and it needs further examination by the DEPwD. While the strict interpretation of the list of identified jobs notified by the DEPwD in January 2021, the Complainant, a person with BLA category of disabilities is not eligible for appointment, the notification through the Notes containing the gist of recommendations of the Expert Committee makes enabling provision for the establishments to add certain sub-categories for any post. However, in the instant case, even if the Department of Post decides to add a certain subcategory as suitable for the post of Postal Assistant for a past recruitment process, it will have to consider the case of the Complainant keeping in mind the rights of other similarly placed candidates.

8. After considering the submission of the parties, their written submissions, and all relevant facts, the Court directed Respondent No. 5 to examine the case again, in consultation with the Department of Posts Ministry of Communication, and the Ministry of Health & Family Welfare, if needed and submit its report within 30 days.

Yours faithfully,



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Case No. 14007/1014/2023

Dated: 28/03/2024

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
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सामाजिक न्याय और अधकिरति मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 14380/1031/2023

Dated: 05/03/2024

Case No. 14380/1031/2023

In the matter of —

Shri Mohan Lal Sharma,
R/o 491-A, Gopal Nagar,
Khajuri Kalan Road,
Piplani, Bhopal – 462022 (Madhya Pradesh)
Mobile No – 9461938893
Email - sharmasarita1977@gmail.com

... Complainant

Versus

(1) The Director
National Medical Commission
Pocket-14, Sector-8, Dwarka Phase-1,
New Delhi – 110077
Email: director.nmc@nmc.org.in

... Respondent No.1

(2) The Secretary,
Ministry of Health and Family Welfare
Nirman Bhawan
New Delhi – 110001
Email: secyhfw@nic.in

... Respondent No.2

Hearing:

A physical/personal hearing was conducted on **29.02.2024**
. The following parties/representatives were present during the hearing: —

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)
5th Floor, NISD Building, Plot No.G-2, Sector-10, New Delhi-110075
Tele# 011-20892364, 20892275
E-mail: ccpd@nic.in



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न्यायालय मुख्यायुक्त दवियांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दवियांगजन सशक्तिकरण वभिग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजकि न्याय और अधकिरति मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 14380/1031/2023

Dated: 05/03/2024

For the Complainant:

- (1) Dr. A.B. Sharma, Associate Professor, Department of Physics, Nabisa Mahavidyalaya, Katoal, Nagpur (Maharashtra)
- (2) Master Lakshay Sharma, the victim/beneficiary

For Respondent No.1:

- (1) Shri Shambhu Sharan Kumar, Director, UGMEB NMC
- (2) Mrs. Leena George, Under Secretary, UGMEB NMC
- (3) Mrs. Preeti Nanda, Under Secretary, UGMEB NMC
- (4) Ms Priyanka Sati, Legal Assistant, UGMEB NMC

For Respondent No.2:

None appeared.

RECORD OF PROCEEDINGS

The Chief Commissioner for Persons with Disabilities (CCPD) took cognizance of the fact that the special medical board constituted by the Ministry of Health and Family Welfare on the recommendation of this Court assessed the visual impairment of Master Lakshay Sharma and found it to be 40% which is at variance with the certificate issued by the Civil Surgeon, Bhopal (Madhya Pradesh) on 10.04.2023 wherein the disability was mentioned as 70%. Accordingly, there are two disability certificates in existence now, showing two different extents of the disability. Moreover, the Disability Certificate issued by the Civil Surgeon, Bhopal became a basis for the issue of a UDID Card showing 70% disability, which has now become untenable. The said UDID Card entitles the possessor to get benefits from all government schemes and programmes. As such, it was decided to reopen

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the case for further necessary deliberations.

2. It was decided to hear the respective parties in person before reviewing the Order. Accordingly, a personal hearing was held by the CCPD on 29.02.2024.

3. During the hearing the representative of Respondent No.1 submitted that as per the Notice dated 30.09.2022 of the Medical Counseling Committee (MCC), the disability assessment is required to be done only at one of the 16 listed medical boards of the NMC as per their parameters framed on the basis of the Report —'Guidelines for Admission of Person with Specified Disabilities' of the Expert Committee under the Chairpersonship of the then Director, AIIMS, New Delhi. The NMC is not aware whether the special medical board constituted for the purpose of re-assessment of Master Lakshay Sharma has taken all the requisite parameters for medical education into their consideration.

4. No one appeared on behalf of the Ministry of Health.

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5. After hearing the parties, the CCPD was of the view that medical education being a highly technical and sensitive stream of higher education, involving the safety of the general public (patients), requires very deft and careful handling. The CCPD pointed out non-availability of an appellate mechanism for PwBD students seeking admission to medical courses, where the admission has been rejected by the designated medical board of NMC. Such provisions for appealing against a decision of the Medical Board for issuing a disability certificate under Section 57 of the Rights of Persons with Disabilities Act, 2016 [hereinafter as "the Act"] read with Rule 18 of the Rights of Persons with Disabilities Rules, 2017, are available under Section 59 of the Act.

6. The CCPD directed Respondent No.2 to get the disability of Master Lakshaya Sharma re-assessed within 30 days by one of the medical centers from the list of NMC or by any other board competent to review the assessment done by the medical board at the RML Hospital on 21.07.2023, in consultation with Respondent No.1. The Medical Board should examine the aspect of disability and its percentage, strictly using the existing SOP for disabilities assessment issued by DePWD. Also, the Medical Board should examine the medical fitness for admission to the medical studies as per NMC/Health Ministry notifications.

7. The Chief Commissioner also directed both the respondents to create a structure within the next three months, for handling the appeals of PwBD students, for any grievance against the assessments of the designated medical boards of NMC, and forward an Action Taken Report to this Court at the earliest.

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Case No. 14380/1031/2023

Dated: 05/03/2024

8. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

Praveen Prakash Ambashta,
Dy. Chief Commissioner

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)

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सामाजकि न्याय और अधकिरति मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 14513/1033/2023

Dated: 26/03/2024

Case No. 14513/1033/2023

In the matter of —

Dr. Seema Girija Lal (Ph.D.)
Kerala,
Email: twctogetherwecan@gmail.com

... Complainant

Versus

The Secretary,
Central Board of Secondary Education
Shiksha Kendra, 2, Community Centre,
Preet Viha, Delhi-110092
Email: secy-cbse@nic.in
Tel No. 011-22549627, 22549628

... Respondent

Hearing:

A physical/online hearing through video conferencing was conducted on **15 March 2024**. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of attendance
1.	Dr. Seema Girija Lal	Complainant	Online
2.	Ms Suchitra Narayan for the Complainant	Complainant	Online
3.	Shri Satya Saroj, Under Secretary	Respondent	Online

RECORD OF PROCEEDINGS

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)
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During the hearing the Complainant reiterated her concern that she had sought clarity from CBSE regarding three things, because this year 2023-24 for Board Exam in Trivandrum all report of children with Specific Learning Disability of assessment got rejected without citing any specific reason, and the reason cited by the CBSE, RO, Thiruvananthapuram was that "Referred to 2018 Gazette"

(1) CBSE has to give specific reason for rejection which would be helpful to the school and the parent to know the reason of rejection and make reapply. When CBSE rejects a report at Grade 10 or 12, for a student who has been availing all accommodations since Grade 9 and also before that as the schools are allowed to use their discretion based on prior assessment (before Grade 9). The student, parent and school are left in the dark without knowing a way forward as there is no explanation currently given by the CBSE (RO TVM) on why the report is rejected. A child who scored well in grade 10 is because of the accommodations and not because the SLD disappeared. CBSE to kindly clarify the reasons for rejection and how to rectify any error in the submission and not leave parents schools and students guessing.

(2) After the rejection, the time given to reapply was one week. So, every parent and the school started guessing and they figured out that it was a private certification that is why it was rejected. But the private practitioners are the registered and RCI certified. In Ernakulam, the number of children is huge, and every school has to do re-certification. The Government Hospital has to go to the schools and conduct camp for re-certification in a single day. CBSE has to clarify, does it mandate the reports need to be from Government Hospital only when a district has only on Government Hospital and licensed private practitioners [RCI and Medical license] are not accepted.

(3) Previous year, the certificates issued by the RCI certified practitioners were accepted, but this year suddenly without any notification CBSE said that it would not be accepted and only the certificates issued by the Government Hospitals would be accepted. Therefore, in future, only the certificate issued by the Government Hospitals would be accepted or the certificate issued by the private practitioners with RCI certification would also be accepted.



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(4) CBSE have a gross misunderstanding in Intellectual Disability (ID) and Specific Learning Disability (SLD) as the two are different category of disabilities as shown in the "Guidelines for Evaluation and Procedure for Certification of Various Specified Disabilities" issued vide Gazette Notification dated Jan 04, 2018. Para 21 is for ID and Para 22 is for SLD. Further, in Para 22.6, the Figure 1 is about ID where VSMS is mandated and in Figure 2, VSMS is not necessary or mandated for SLD. Does CBSE prescribe tests for SLD assessment and IQ assessment as VSMS is used in addition to IQ tests? It is not clear about why a social maturity scale is used for SLD when SLD is not an ID.

(5) Currently, students are sent for assessments based on their academic performance and other observations by teachers and parents, at the beginning of Grade 9 (June/July) or soon after Grade 8 (April/May). Based on the result, the students get exempted from the study of language or change subject options and get all other support from school - such as extra time and other depending on student need based on assessment. However, this is done before any CBSE approval is received as students and schools cannot wait till the end of the year to learn the alternate subject and they need to start in June. The student is again subject to reassessment in Grade 10 and later in 11th and then again in 12th. CBSE has to clarify, is this necessary, as SLD can be diagnosed soon after age 6 and support and accommodations will help the child perform well but not be aware of the SLD.

2. After hearing the parties, the Court appreciated the Complainant for broadly explaining the issues being faced by the students of Class X and Class XII having Mental Illness and Specific Learning Disabilities. The Court apprised that a new SoP regarding the Guidelines for Evaluation and Procedure for Certification of Various Specified Disabilities" is expected to be uploaded on the website of the Department of Empowerment of Persons with Disabilities very soon. The Court was of the view that the issues raised by the Complainant would be discussed in the next hearing in the light of the new SoP. Till then Shri Rajeev Sharma, Joint Secretary, DEPWD; Dr. Sunita Mondal, DEPWD be informed to be present in the next hearing; and the link of the revised SoP would be sent to the Complainant as well the Respondent and their representatives for reference.



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सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 14513/1033/2023

Dated: 26/03/2024

4. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Copy for information to:

(1) Shri Rajeev Sharma,
Joint Secretary,
Department of Empowerment of Persons with Disabilities
Ministry of Social Justice & Empowerment,
Room No. 530, B-III Wing,
Antyodaya Bhawan, CGO Complex,
Lodhi Road, New Delhi – 110003
Email: wb113@ifs.nic.in

(2) Ms. Sunita Mondal,
Director Professor & HOD,
Lady Hardinge Medical College &
Smt. Sucheta Kriplani Hospital,
C-604, Shivaji Stadium Bus Terminal,
Shaheed Bhagat Singh Marg,
Connaught Place, New Delhi - 110001
Email: director-lhmc@gov.in; directorlhmc@gmail.com

Yours faithfully,



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(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No. 14552/1092/2023

Dated: 21/03/2024

Case No. 14552/1092/2023

In the matter of —

Shri Binay Agarwal,
F/o Ms Dhriti Agarwal,
R/o C-59, Flat No.6, Vivek Vihar,
Phase-1, Delhi – 110095
Email: binayagarwal24@gmail.com
Contact: 9212720755, 8368452577

... Complainant

Versus

(1) The CEO/CMD/Director,
Star Health & Allied Insurance Co. Ltd.
1, New Tank Street, Valluvar Kottam High Road,
Nungambakkam, Chennai- 600 034
Email: cmd@starhealth.in;
drsp@starhealth.in

... Respondent

Hearing:

A physical/online hearing through video conferencing was conducted on **15 March 2024**.
The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of attendance
1.	Shri Binay Agarwal; and Advocate O.P. Kejriwal	Complainant	Physical
2.	None appeared for the Respondent	--	Absent

RECORD OF PROCEEDINGS

1 Since none was appearing for the Respondent, the Court referred to the submissions made by the Complainant in his complaint according to which the Respondent had cancelled his policies on the ground of non-disclosure of the material facts about the disease Ms. Dhriti Agarwal was suffering from. The Complainant submitted that he had disclosed about the disease immediately on becoming aware about the same. Thereafter, the Respondent got the PD Forms filled by him and also deposited the amount against the premium and for the top ups. Later, they cancelled the policies on the grounds of non-disclosure of the disease and also withdrew the policies of the parents of Ms. Dhriti Agarwal.

2 The Learned Counsel appearing for the Complainant submitted that the Respondent has neither filed its reply to the notices issued by this Court nor has appeared before this Court in the hearing. The Counsel requested this Court to initiate penal proceedings against the Respondent in terms of Section 93 of the Act. He insisted that the Court should at least consider imposing an



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appropriate fine to the Respondent.

3 After hearing the arguments as well as the written submission made by the Complaint, the Court directed that the Insurance and Regulatory Development Authority of India be impleaded as one of the Respondents in this case and all documents related to this be furnished to IRDAI to look into the matter as to how the premium was sought after declaration of the disabilities and how the policies of the parents of Ms. Dhriti Agarwal were withdrawn. The IRDAI was also advised to take up with the original respondent and sensitise them about their liability under the provisions of the RPwD Act, 2016, including its penal provisions. The respondents would submit their comments/report within 30 days from the issue of the Record of Proceedings.

4 The Court viewed the non-compliance of the notices/summons issued to the Respondent by this Court seriously and directed the Respondent to submit their version on affidavit within 30 days to this Court as to why the penal proceedings should not be initiated against them under Sections 75, 77 and 93 of the Act.

5 This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Copy to:
The Chairman,
Insurance and Regulatory Development Authority of India,
115/1, Financial District,
Nanakramguda,
Hyderabad-500032
Email: irda@irdai.gov.in

(Attention: Shri D. Rajesh, DGM Health, IRDAI, Email: g.rajeshwar@irdai.gov.in)

- With a copy of the relevant documents submitted by the Complainant vide his letter dated 15.03.2024.

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner



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COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. 14714/1012/2023

Dated: 28/03/2024

Case No. 14714/1012/2023

In the matter of —

Suo-motu cognizance regarding relaxation in employment in campus recruitment

Versus

(1) The Secretary
Department of Higher Education
Ministry of Education
128-C , Shastri Bhawan
New Delhi – 110001
Email – secy.dhe@nic.in

... Respondent No. 1

(2) The Chief Executive Officer,
C-Dot,
C-Dot Campus
Mehrauli, New Delhi - 110030
Email - cdotweb@cdot.in

... Respondent No. 2

Hearing:

A physical/online hearing through video conferencing was conducted on **15 March 2024**. 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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Office of Chief Commissioner for Persons with Disabilities(Divyangjan)
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075
Tele# 011-20892364, 20892275
E-mail: ccpd@nic.in



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन

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1.	None	Respondent No.1	absent
2.	Shri Shabaz, Legal Wing, C-Dot	Respondent No.2	Online

RECORD OF PROCEEDINGS

During the hearing the Court informed the representative of the Respondent No.2 that some students who did not want their identities to be disclosed, approached this Court with their grievances that C-DoT is not encouraging them with regard to their placement for employment. The Court asked the Respondent about their policy for placement of engineering students with disabilities.

2. The representative for Respondent No.2 submitted that there are around 27 divyang candidates already serving in C-Dot, and divyang candidates are encouraged participation both in recruitment process and at work. The divyang candidates are mostly engineers. C-Dot has divyang friendly environment and infrastructure as well. The representative of the respondent while expressing their respect for the anonymity of the students requested for some specific imputations of the complaints so that the matter can be investigated and appropriate reply be filed before this Court.

3. The Court instead desired to know the general state of implementation of reservation for PwBD in the employment of the respondent establishment, particularly with respect to their Campus and Walk-in recruitment processes. In reply to a question as to how many students including the students with disabilities from the IITs and NITs were recruited by the respondent in the last two years through Campus selection and Walk-in -Interview and of which sub-categories of disabilities the successful candidates belonged to, the representative sought some time to furnish the same.

4. The Court allowed 10 days time for submission of the above report.



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Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner