



न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)

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

भारत सरकार/Government of India

5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364

5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364

Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

Case No. 13697/1023/2023

Complainant

Shri Brijesh Kumar Mishra
Head Guard
Food Corporation of India
7-R, Dalibagh, Lucknow-226001
Mobile No: 08423840991
Email: brijeshmishradhatri@gmail.com

Respondents

The Divisional Manager
Food Corporation of India
7-R, Dalibagh, Lucknow-226001
Uttar Pradesh
Email: lucknupfci@gov.in

Hearing:

A hearing in hybrid mode (online/offline) was conducted on 06.01.2025. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Mrs. Shiva Gupta	Complainant's Sister	Online
2.	Mr. Anil Kumar	For Respondent	Online

RECORD OF PROCEEDINGS

Whereas Mrs. Shiva Gupta appeared before the Court and submitted that she is the sister of the Complainant and shall be representing him in the hearing. On being asked about any authority letter issued by the Complainant in this regard, she replied in negative. The Court gave a short adjournment and after ascertaining the availability of the Respondent, asked her to come again at 1200 hrs with the requisite authorisation letter.

2. An authorisation letter was received through email from the Complainant's mail id. However, the name mentioned in the Complainant's mail did not match with the name furnished by his representative. Mrs. Gupta stated that the Complainant resides with her, however, he was not at home at the time of the hearing. When asked as to how was she able to get the authority letter, she informed that she got the same using the WhatsApp. The Court asked as to why the Complainant can not appear the online hearing when he is available on WhatsApp. Mrs. Gupta could not reply satisfactorily.

3. The Court decided to adjourn the matter and hold the hearing in hybrid mode on **13th February 2025**. The Complainant was directed to be present in the hearing either in person or through VC. The Respondent shall also appear in the hearing.

**Digitally signed by
PRAVEEN PRAKASH AMBASHTA
Date: 07-02-2025 11:24:32**

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



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Case No. 15546/1041/24

In the matter of -

Complainant

Kovid Jagdeo Manohar

Versus

Respondent

The Director General,
Council of Scientific and Industrial Research,
Anusandhan Bhawan,
Kidwai Marg, New Delhi:-110001

Hearing (I):

A hearing was conducted on **13.11.2024** in hybrid mode (offline/online through Video Conferencing) at Room No. 529, BA III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi. The following parties were present during the hearing:

SNo.	Name of the parties/ Representatives	Mode of Presence
-	Complainant:	
1.	Mr. K.J. Manohar	Online
	Respondent:	
1.	Mr. Suprakash Haldar, Deputy Secretary, CSIR	Online

RECORD OF PROCEEDINGS

1. Complainant's Submission:

1.1 Mr. Kovid Jagdeo Manohar suffers from advanced retinitis pigmentosa, a progressive and incurable condition that causes night blindness and low vision. He applied for the CSIR examination on July 1, 2023, under the Persons with Disabilities (PWD) category. He requested a scribe and assistive devices and uploaded all necessary documents, including a Swavalamban UDID, disability certificate, and scribe permit, before the deadline. Despite this, he received no response regarding approval. On 6th July, he visited the exam centre in Bhopal to verify accessibility and ensure scribe arrangements but was denied entry and assistance. On the day of the examination, i.e.; 7th July, he brought all required documents but was not allowed to use a scribe during the morning session and was forced to take the exam in a poorly lit room without any assistive devices, which severely affected his performance. However, in the afternoon session, he was permitted to use a scribe based on the same documents. The complainant argued that this inconsistent treatment caused irreparable harm to his exam performance and significant emotional distress.

2. Submission of the Respondent:

2.1 The Respondent, represented by Mr. Suprakash Haldar, Deputy Secretary, clarified that the examination process was conducted nationwide through an outsourced agency, following established procedures. They explained that the Complainant did not present the original scribe permit during the morning session, which was mandatory for verification. In contrast, other visually impaired candidates who provided the original documents were allowed scribes without any issue. The Respondent further stated that the Complainant was granted additional time and a supportive environment for the morning session, as shown in the CCTV footage. The Complainant was allowed a scribe for the afternoon session upon presenting the required documents. The respondents emphasized that any inconsistencies in treatment were procedural and not intentional. They also pointed out

that the complainant successfully participated in the re-examination on 1st September 2023, under suitable conditions. Additionally, no other PWD candidates at the centre raised similar accessibility concerns.

3. Observations and Recommendations :

3.1 The Court sought documentary evidence in support of the claim of the Respondent that two other visually impaired (VI) candidates were provided scribes during the first session. The Respondent could not provide any evidence to that effect during the hearing. It was observed that any falsehood in this claim would be tantamount to perjury before the court.

3.2 The Court expressed its concerns at the rigidity and insensitivity displayed by the examination authorities in denying the complainant a scribe during the morning session. It noted that the complainant's hall ticket explicitly indicated his entitlement to a scribe, and the denial reflected procedural harassment.

3.3 The Court observed that the respondents' inconsistency in allowing a scribe in the afternoon session based on the same documents undermined their argument of procedural adherence.

3.4 The court observed that outsourcing examination management to a third-party agency did not absolve CSIR of its statutory obligations under the RPwD Act, 2016.

3.5 The Court pointed out a similar Complaint received by it from another candidate, Mr. Murari, who, despite having 60% multiple disabilities including deaf-blindness, was also denied a scribe during the same examination. It expressed concern over a pattern of systemic failures and negligence. The Court demanded an internal inquiry into the handling of the examination process and directed the respondents to submit a report within ten days containing:

- i. Statements from the Centre supervisor.
- ii. Video footage from the examination centre
- iii. Details of all candidates, including names and mobile numbers, particularly those with disabilities, who appeared at the centre.

- iv. The percentage of posts held as reserved by persons with disabilities across CSIR.

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

**Digitally signed by
Praveen Prakash Ambashta
Date: 11-02-2025 00:47:57**

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