



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

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Case No: 13712/1024/2023

In the matter of—

Shri Abhay Kumar
S/o Shri Pramod Singh,
R/o Sirari PS- Sheikhpura,
Dist.- Sheikhpura, Bihar-811107
Email: abhay201391@gmail.com

...Complainant

Versus

1. Additional Divisional Railway Manager,
East Central Railway Danapur,
PO - Khagaul, District Patna,
Pin-801503 (Bihar)
Email-adrmdnr1@gmail.com
Telephone - 06115232523

...Respondent No. 1

2. IG-cum-Principal Chief Security Commissioner
RPF East Central Railway
Hajipur, Bihar
Email-csc@ecr.railnet.gov.in
Telephone No. 06224273201

...Respondent No. 2

3. Commandant 95 B.N., CRPF,
New Paharia Mandi,
Varanasi, Uttar Pradesh,
Email- hq95bn@crpf.gov.in
Telephone - 05422587702

...Respondent No. 3

4. The Directorate General

Central Reserve Police Force,
Block No. 1, CGO Complex
Lodhi Road, New Delhi- 110003
Email: igadm@crpf.gov.in

...Respondent No. 4

Hearing:

A hearing in hybrid mode (online/offline) was conducted on 28.01.2025. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Nisheet Kumar (Commandant Welfare) CRPF Directorate	Complainant	Online
2.	Rajeshwar Balakumar (Commandant)95 th Batallion CRPF	For Respondent No.1	Online
3.	Harinarayan Ram, Ast. Security Commissioner, ADR, RPF(Danapur)	For Respondent No.2	Online

RECORD OF PROCEEDINGS

At the outset, The Hon'ble Court asked the Complainant to explain his grievance. The Complainant submitted that on completion of his leave, he was traveling from Lakhisarai to Jammu Tawi to resume his duties using a journey authority slip issued by his department. On 25.04.2006, he met with an accident during his journey, and the details of his travel were recorded in his service book. Despite this, the CRPF refused to take this into account and grant him disability pension as per rules applicable to employees who acquire disability during service.

2. Respondent 2, the Commandant from the 95th Battalion, stated that the relevant documents, including the tickets, were not submitted by the Complainant, and they have already submitted a para-wise reply.

3. Respondent 1, the Commandant Welfare of CRPF Directorate, stated that the Complainant was on 15 days of casual leave from 7th April 2006 to 27th April 2006. He had gone to visit his home in Bihar. He added that in CRPF, a court inquiry is conducted before proceeding with such matters. The office order of the 95th Battalion was also posted on 20th September 2006. According to the respondent, Force No. 0252600126, Safai Karamchari Abhay Kumar, while traveling on Train No. 3023 UP-Howrah-Gaya Express at Lakhisarai station, fell onto the platform due to the rush. He was not reporting for duty from the leave station to the duty station, he was there to meet his friends. The respondent also mentions that upon receiving the order dated 20th September 2006, the Complainant should have raised the issue or discrepancy at that time. Additionally, in 2014 and 2016, respectively, he approached the Patna High Court with two petitions: one for reinstatement in the CRPF which was dismissed by the Hon'ble Court, and the other for a disability pension.

4. Furthermore, Respondent 1 stated that according to the Extraordinary Pension Rules, 2021, the Complainant is receiving ₹18,000 along with Dearness Allowance under Category A, for invalidation pension. Additionally, a regiment fund of ₹8 lakh had been provided to him in the year 2006, along with ₹60,000 from the Risk/Central Welfare Fund.GPF/DCRG and Gratuity fund. The Complainant is also receiving ₹1,000 per month for medical expenses. These are the only forms of assistance available within the rules and regulations.

5. The Hon'ble Court asked the Complainant why it took him so long to file the case. The Complainant explained that he remained in service until December 13, and in 2014, he had filed a petition. Following the court's order, he was instructed to undergo a medical examination, which concluded that he was fit for duty in the control room, a health center, or any other suitable desk job. However, despite the court's order, they did not reinstate him in the service.

6. Respondent 1 stated that the incident occurred in 2006, and any loss he has suffered cannot be attributed to government service. Additionally, the exemption clause issued on 18th August 2021 by the CRPF, under competent authority, confirms that he was not fit for retention. As a result, he had to be referred to the invalidation department.

7. The Hon'ble Court directed that the proceedings from the High Court need to be submitted to understand the court's observations. However, no supporting documents have been provided by the Complainant, and a copy of

the service book alone is not sufficient. Thus, both parties were asked to submit their records, evidence, or any order passed on the same issue by any court of law or tribunal within 15 days.

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

Digitally signed by
PRAVEEN PRAKASH AMBASHTA
Date: 29-01-2025 20:13:03

(P. P. Ambashta)
Dy. Chief Commissioner