



सत्यमेव जयते

## 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

5<sup>th</sup> 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. 13718/1103/2023**

In the matter of—

Mr Mirtunjay Kumar

.... Complainant

**Versus**

- (1) The Divisional Railway Manager,  
East Central Railway, Danapur ... **Respondent No.1**
- (2) The Sr. Divisional Commercial Manager,  
Danapur Division,  
East Central Railway,  
Danapur-801503 ... **Respondent No.2**
- (3) The Secretary,  
Railway Board ... **Respondent No.3**

### 1. Gist of Complaint:

1.1 The Complainant filed a complaint dated 27.12.2022 regarding non-issuance of the Railway Photo ID Card by the Office of Senior Divisional Commercial Manager, Danapur, Bihar.

1.2 The Complainant submitted that he had applied for a Railway Photo ID Card on 10.05.2022. While the office of the Sr. DCM on 06.07.2022 had informed that the making of the ID Card is in process, and after completion of the process, the ID

Card would be delivered to him. On 09.09.2022, the Complainant was informed that he should come with all the documents so that the process of making the ID Card could be completed, whereas all the requisite documents were already submitted earlier, along with his application dated 10.05.2022. The Complainant expressed his concern that his request is being shelved intentionally.

1.3 The Complainant also submitted that, being a person with 75% Locomotor Disability, he has to face many difficulties in attending the office of Sr. DCM Office at Danapur, Bihar in order to pursue his matter, physically. He requested this Court to look into the matter for issuance of ID Card.

## **2. Notice issued to the Respondents:**

In terms of the provisions contained u/s 3 of the Rights of Persons with Disabilities Act, 2016 [hereinafter referred to as "the Act"], the matter was taken up and notices dated 02.02.2023, 17.02.2023 and 06.03.2023 were issued to the respondents for forwarding to this Court their comments on affidavit on the complaint within the statutory time limit.

## **3. Reply filed by the Respondent Nos.:**

3.1 No reply was received from the respondents despite the issuance of reminders on 17.02.2023 and 06.03.2023 and lapse of statutory time limit.

## **4. Hearing:**

An online hearing was conducted on **05.01.2024** through video conferencing. The following parties/representatives were present during the hearing:

(1) Shri Mritunjay Kumar, Complainant

- (2) Shri Saraswati Chandra, Sr. Divisional Commercial Manager,  
ECR/Danapur for the Respondents No.1 & 2
- (3) None appearance for the Respondent No.3

## **5. Record of Proceedings:**

5.1 The Record of Proceedings of the said hearing was issued on 17.01.2024 inter-alia with the following observations:

(1) The parties were informed that there is a very simple case of the Complainant regarding non-issuance of the Railway Photo ID Card to the complainant by the Railway officials of ECR/Danapur. The representatives of the respondents were asked whether the case of the Complainant was fit in accordance to the rules of the Indian Railways or not.

(2) The Representative appearing on behalf of the Respondents submitted that the disability certificate of the incumbent was sent to the concerned CMO/Civil Surgeon who had issued the same. The concerned CMO/Civil Surgeon confirmed that the said disability certificate was not issued by him.

(3) The Complainant submitted that he was issued the Railway Photo ID Card in the year 2017 on the same disability certificate, which had been verified by the ECR/Danapur from the Sadar Hospital, Jamui, who had issued the Disability Certificate, and on the basis of that verification, ECR/Danapur had issued the Photo ID Card. Now, he has applied for the renewal of the Photo ID Card. In reply to a question, the Complainant submitted that he also has a UDID Card, which had been issued on the basis of the verification done by Sadar Hospital, Jamui.

(4) After hearing both parties, the representatives of the respondents were recommended that the Railway Photo ID Card should be issued to the Complainant within three days, under information to this Court.

## **6. Action Taken Report by the Respondent:**

Vide email dated 28.04.2025, the Complainant was advised to confirm whether his grievance was resolved or still existed. The respondents were also requested to inform of the action taken so far in the matter so that a final decision with regard to scheduling of the hearing before the Chief Commissioner/Commissioner, if required, is taken.

## **8. Status Report filed by the Parties:**

**8.1** The Complainant vide email dated 09.05.2025 confirmed that the grievance was resolved.

## **9. Observations & Recommendations:**

9.1 From the facts mentioned above and the documents available on record, no further intervention of this Court is warranted in the instant case as the grievance of the Complainant has been redressed. However, it has been noted by the Court with due concerns that the respondents has violated Section 93 of the Act by not replying to the notices issued by this Court on 02.02.2023, 17.02.2023 and 06.03.2023 and the Record of Proceedings dated 17.01.2024, and is therefore liable to be penalized under section 89 of this Act. **Considering that eventually the grievance of the Complainant has been resolved, the Court is not inclined to initiate the penal proceedings in the instant case. However, it**

**recommends that this serious lapse be brought to the personal attention of the Chairman, Railway Board, and the Respondent No. 3 in order to ensure that the same doesn't happen in the future.**

9.2 The respondents are advised to file an action taken report to this Court within three months in terms of Section 76 of the Act, from the date of receipt of this Order. In case the Respondents fail to submit the ATR, it shall be presumed that the respondents have not complied with the Orders and the matter will be reported to the Parliament in accordance with Section 78 of the RPwD Act.

9.3 The case is accordingly disposed of.

**(Rajesh Aggarwal)  
Chief Commissioner  
for Persons with Disabilities**