



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

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Case No.14722/1011/2023**In the matter of:**

Sh. Narayan Kumar

...Complainant**Versus**

1. The Secretary, Railway Board

...Respondent No.1

2. The General Manager, East Central Railway

...Respondent No.2**1. Hearing (II):**

1.1 A hearing in hybrid mode (offline/online) was conducted on 25.06.2025.
 The following parties/representatives were present during the hearing:

Sl.No.	Name of the Parties/Representatives	For Complainant / Respondent	Mode of Attendance
1.	Mr. Narayan Kumar	Complainant	Online
2.	(i) Mr. Rajesh Kumar, Member-Secretary, RRB, Patna (ii) Mr. Ravinder Nath, Office Supdt., RRB, Patna	For Respondent No.2	Online

2. Record of Proceedings

2.1 At the outset, the court sought the Respondent's justification for calling the

Complainant for document verification despite securing lower than the cut-off marks for the said examination. The Respondent replied that the last person with blindness had 59.49 marks for the post, and the Complainant was called for document verification because, at times, candidates securing high marks don't join the post, therefore, candidates securing even lesser marks are called for document verification by maintaining a ratio of 1:1 (1 candidate for 1 vacancy). Furthermore, it was informed that no candidate securing fewer marks than the Complainant was selected.

2.2 The Respondent also acknowledged that SC/ST category candidates were given railway passes to travel for the document verification process, whereas persons with disabilities were issued concessional tickets for their journey.

2.3 After hearing both parties, the Court found it peculiar that a non-qualifying person was invited for document verification and medical examination. The Complainant had secured 57.14 marks, which was less than the last person with disabilities who secured 59.49 marks. In response, the Respondent informed that seven such candidates, like the Complainant, were invited for document verification and medical examination.

2.4 After hearing both parties, the Court observed that, even if it is assumed that the recruitment process was fair and free of any malafide, it is indeed a prima facie case of failure of communication on the part of the Respondent, about their recruitment rules and procedures. Such a failure from the largest public recruiter of the country was avoidable. The Court directed the Respondent to submit the following documents:

- (a) List of candidates who were called for document verification and medical examination despite securing lower than the cut-off marks and were finally not selected for the post.
- (b) a copy of the Recruitment Rules and Standard Operating Procedure (SOP) of Examination to understand the practice of inviting candidates with lower marks than the cut-off for document verification and the medical examination.

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

(Praveen Prakash Ambashta)
Dy. Chief Commissioner