



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

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Case No. 14726/1021/2023

Complainant(s):

Shri Suraj Dadaso Patil
201, Surywanshi Apartment,
Mithbandar Road, Thane (East)
Thane – 400603
Email - surajp1502@gmail.com

Respondent(s):

1.The Secretary
Railway Board
Room No – 256-A, Rail Bhawan
Raisina Road, New Delhi – 110001
Email – secyrb@rb.railnet.gov.in

2.The General Manager
Western Railway
1st Floor, GLO Building
HQ Office, Churchgate, Mumbai – 400020
Email – gm@wr.railnet.gov.in

1. Gist of Complaint:

1.1 Sh. Suraj Patil, a person having 42% locomotor disability, filed his complaint on 21-12-2023 regarding his Reservation in Promotion. He is currently serving as a Junior Engineer (JE) at level-6 with a GP of 4200/- in the EMU Workshop, Mahalaxmi, Mumbai, since 09.08.2021, and was deemed suitable for promotion to the post of Senior Section Engineer (SSE) at level-7 with a GP of 4600/- under the

PwBD category, as per communication from CWM/MX's office (letter no. E/MX/830/Finance upgradation dated 09.10.2023).

1.2 The total quota for SSE posts at level-7 with a GP of 4600/- in the workshop is 20, with one reserved for PwBD candidates. As of 05.12.2023, 7 posts remain vacant (including 1 for PwBD), and 6 posts have already been filled (with no PwBD candidate considered). Despite this, the Complainant having been identified as suitable for promotion, has to be granted the position, with CWM/MX's office citing letter no. E/MX/839/1 Vol VI dated 05.12.2023. This oversight, particularly the unfilled PwBD post being allocated to an unreserved candidate had raised serious concerns regarding the violation of PwBD rights and has led to considerable disappointment and frustration over the apparent injustice in the decision-making process related to PwBD reservation in the railway system.

2. Notice Issued :

2.1 The matter was taken up with Secretary, Railway Board and General Manager Western Railway vide notice dated 28-12-2023 citing provisions of Section 20 and 34 of the act read with DoPT OM No. 36012/1/2020-Estt. (Res-II) dated 17.05.2022.

3. Submissions made by the Respondents:

3.1. Shri Ramprasad B., General Manager (E), submitted his response on 02.02.2024, stating that the Complainant, Shri Suraj D. Patil, JE (EMU), MX Workshop, Mumbai (PwBD), has been included in the panel for promotion to the next higher grade, i.e., SSE with Grade Pay of Rs. 4600/-, Level-7, as per Mahalaxmi Workshop's Memo No. E/MX/830/Finance Upgradation dated October 9, 2023. He further mentioned that the Complainant is due for promotion to SSE, Grade Pay Rs. 4600/-, Level-7, based on seniority/panel position, as and when vacancies arise in June 2024.

4. Submissions made in Rejoinder:

4.1 The Complainant submitted his rejoinders on March 20, 2024, March 27, 2024, April 3, 2024, April 22, 2024 and June 24, 2024, reiterating his grievance.

5. Hearing (I):

A hearing in hybrid mode (offline/online) was conducted on **30.05.2025**. The following parties/representatives were present during the hearing:

Sl.No.	Name of the Parties/Representatives	For Complainant / Respondent	Mode of Attendance

1.	Sh. Suraj Dadaso Patil	Complainant	Online
2.	Sh. Adesh Kumar, Joint Director (Estt.)	For Respondent No.1	Online
3.	Sh. Manjula Saxena, Pr. CPO, Western Railway, Mumbai	For Respondent No.2	Online
4.	Sh. Rajesh Chaudhari, CPO, Mumbai	For Respondent No.2	Online

6. Record of Proceedings:

6.1. At the outset, the Complainant reiterated that he is employed as a Junior Engineer (JE) at EMU Workshop, Mahalaxmi, Mumbai. He stated that on 05.12.2023, out of 7 posts of Senior Section Engineer (SSE), promotions were granted to 6 non-disabled candidates, while the one post reserved for a person with disability (PwD) remained vacant. During hearing, he further informed that he received his promotion order on 29.05.2025, thereby resolving his grievance. The Respondent confirmed the issuance of the promotion letter. The Court directed the Respondent to submit a copy of the promotion order and instructed the Complainant to file a written representation within 7 days of receiving this order.

7. Observation and Recommendations:

7.1 Upon reviewing the facts of the case and the available records, it is clear that the Complainant's grievance has already been addressed.

7.2 After considering the submissions from both parties during the hearing on 30-05-2025; the Court has concluded that as the Respondent has redressed the grievance of Complainant related to promotion, therefore, no further intervention is required in the matter.

7.3. Accordingly, the case is disposed of.

(Dr. S. Govindaraj)
Commissioner for Persons with Disabilities