



न्यायालय मुख्य आयुक्त

COURT OF 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 and Empowerment

भारत सरकार/ Government of India

Case No. CCPD/15511/1024/24

Dated: 22/08/2025

Case No. CCPD/15511/1024/2024

In the matter of —

Shri Manoj Soneka

... Complainant

Versus

1. The General Manager,

Central Railway, Ministry of Railways

...Respondent no. 1

2. The Secretary, Railway Board,

Ministry of Railways

...Respondent no. 2

1. HEARING:

1.1 A hearing in hybrid mode (online/offline) was conducted on **28.02.2025**. The following parties/representatives were present during the hearing:

S. No.	Name and Designation of the Party/Representative	For Complainant/Respondent	Mode of attendance
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5वीं मंजिल, एनआईएसडी भवन, प्लॉट नं०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364, 20892275

E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in
(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)
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1.	Shri Manoj Soneka – Complainant	Complainant	Online
2.	a. Mr. Hafees Mohammed – Chief Personnel Officer, Central Railway (CR); b. Sanchi Jain – Senior Divisional Personnel Officer, Nagpur, CR; and c. Mohit Mandlekar – Senior Divisional Mechanical Engineer, Nagpur, CR	Respondent No. 1	Online

2. Record of Proceedings:

2.1 During the hearing, the Complainant, Shri Manoj Soneka, reiterated his grievance alleging workplace harassment and unfair treatment by the Respondent authorities, specifically relating to his status as a person with benchmark disability (PH category), and the disciplinary action taken against him during and after the COVID-19 pandemic.

2.2 It was submitted that the Complainant was initially employed as an Assistant C&W (Carriage & Wagon) under Central Railway and was later redeployed as a Hospital Assistant due to his medical condition and disability.

2.3 The Complainant contended that the departmental inquiry against him was unfair and conducted during a time when he was medically unfit and hospitalised. He alleged that the inquiry report was not served to him correctly and that the disciplinary proceedings resulted in disproportionate punishment, including the stoppage of increment with cumulative effect.

2.4 He also alleged that he had been subjected to repeated harassment at the workplace, including being assigned inappropriate duties, refusal to provide reasonable accommodation, and denial of salary during the periods he was absent due to a COVID-related exemption extended to employees with disabilities.

2.5 The Complainant also claimed that despite repeatedly submitting the documents, including medical and disability certificates, he faced discrimination and a lack of support from the administration.

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2.6 The Respondents submitted that the Complainant remained absent for prolonged periods and that disciplinary proceedings were initiated following due process. They maintained that the inquiry was fair and the penalty imposed was in accordance with applicable service rules.

2.7 It was further submitted that following a change in medical category, the Complainant was redeployed as a Hospital Assistant, which, according to the Respondents, was a sensitive and appropriate decision. They denied any discrimination and stated that all actions were taken as per the rules.

2.8 When questioned by the Court, the Respondents admitted that the inquiry report placed on record was not legible and undertook to submit a complete and legible copy along with all relevant supporting documents.

2.9 The Court noted the Complainant's submission that he is in possession of relevant documents to support his claims of harassment and procedural lapses, and intends to file them shortly. The Court observed that the matter involved serious allegations of workplace harassment and denial of reasonable accommodation to a person with a benchmark disability employed in Central Railway.

2.10 The Court directed the Respondents to furnish a complete, legible copy of the inquiry report, including supporting documentation relied upon in the disciplinary proceedings. The Court noted that the Complainant had been redeployed as a Hospital Assistant, which the Respondents described as a positive administrative measure. However, the Complainant challenged the adequacy and appropriateness of this redeployment. The Respondents were directed to submit a detailed justification for the same, with reference to the Complainant's medical fitness category, suitability of the post, and compliance with the provisions of the Rights of Persons with Disabilities Act, 2016.

2.11 The Court further noted that allegations concerning non-payment of salary during COVID-related absence and denial of appropriate duties had not been adequately addressed by the Respondents. A detailed written response on these issues was directed to be filed.

2.12 Accordingly, the Court recommended that both parties submit the following within 15 days:

(a) The Respondents have to furnish:

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- (i) A legible and complete copy of the inquiry report.
 - (ii) All supporting documents relied upon during the disciplinary proceedings.
 - (iii) A detailed written response addressing each of the Complainant's allegations, including deployment, salary issues, and provision of reasonable accommodation.
 - (b) The Complainant has to furnish all relevant supporting documents, including medical records, disability certificates, and evidence in support of the allegations of harassment and procedural lapses.
3. This is issued with the approval of the Commissioner for Persons with Disabilities.

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner

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