



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/15609/1021/24

Dated: 04/11/2025

Case No- CCPD/15609/1024/2024

Baldev Ahirwar

...Complainant

Versus

(1) The Secretary,

Railway Board

...Respondent No.1

(2) The General Manager,

Western Railway,

Mumbai

...Respondent No. 2

1. Hearing:

A hearing was conducted on **29.10.2025** in online mode. The following parties/representatives were present during the hearing:

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 में पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)

(Please quote the above file/case number in future correspondence)



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/15609/1021/24

Dated: 04/11/2025

Sl. No.	Name & Designation of the Parties/Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Sh. Baldev Ahirwar	Complainant	Online
2.	Shri Sidharth- Sr. DPO- Respondent	Respondent	Online

2. Record of Proceedings:

2.1 At the commencement, the Court confirmed both parties' presence and connectivity. The complainant submitted that his grievance related to the fixation of seniority and consideration for promotion in the merged cadre of the Commercial Department, following the Railway Board's 2013 circular that unified the categories of Commercial Clerk, ECRC, and Ticket Examiner. He contended that the merger had adversely affected his seniority and promotion prospects as a visually impaired employee appointed under the Special Recruitment Drive for PwDs. The respondent (Sr. DPO/ADI) confirmed the merger's implementation and clarified that all employees were treated uniformly under the common cadre without any special provisions for PwDs in seniority fixation.

2.2 The Court examined the applicability of **Para 4.2 of the DoPT Office Memorandum dated 17.05.2022**, which stipulates that in cases of acquired disability, seniority is to be reckoned from the date of acquisition or from the date of intimation to the department, whichever is later. It was observed that there is no other provision where disability per se alters seniority unless linked to promotion reservation or roster implementation.

2.3 During deliberations, the Complainant stated that visually impaired employees were being denied promotion to the next higher post, such as Chief Ticket Inspector (CTI), on the grounds of unsuitability, despite earlier suitability in pre-merger posts. He further submitted that the Western Railway Headquarters had issued directions acknowledging the suitability of visually impaired candidates for commercial categories before the merger, but this was not being adhered to after the restructuring.

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 में पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)

(Please quote the above file/case number in future correspondence)



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/15609/1021/24

Dated: 04/11/2025

2.4 The Court observed that the issue of denial of promotion to visually impaired employees raised a substantive question under the Rights of Persons with Disabilities Act, 2016, particularly regarding equal opportunity and non-discrimination in employment under Sections 20 and 34. The Court further inquired whether similarly placed employees appointed after 2013 had been affected, to which the respondent confirmed that several such cases existed.

2.5 In view of the above, the Court directed the Respondent Railway Administration to furnish the following documents within one week:

- a. The complete Railway Board order/circular regarding the merger of the three commercial categories.
- b. The Recruitment Rules (RRs) applicable to the merged post.
- c. The promotion policy before and after the merger, including details of suitability criteria for PwD employees.

2.6 The Court further directed that the matter be re-examined in light of the rights of persons with disabilities and the relevant government instructions regarding reservation and suitability in promotion. The case was accordingly **adjourned for further consideration to 11th November 2025**, with directions to place all required records before the Court on the next date of hearing.

2.7 This is issued with the approval of the Commissioner for persons with disabilities.

Yours faithfully,

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 में पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)
(Please quote the above file/case number in future correspondence)



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/15609/1021/24

Dated: 04/11/2025

(Praveen Prakash Ambashta)
Dy. Chief Commissioner

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. 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 लिखें)

(Please quote the above file/case number in future correspondence)