



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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5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in**Case no. CCPD/4159/1011/2023****In the matter of:**

Manu Banga

...Complainant**Versus**

The Registrar,

University of Delhi

...Respondent No. 1

The Principal,

P.G.D.A.V. College, New Delhi

...Respondent No. 2**RECORD OF PROCEEDINGS****1. Hearing:**1.1 A hearing in hybrid mode (online/offline) was conducted on **03.09.2025**.

The following parties/representatives were present during the hearing:

S. No.	Name and Designation of the Party/Representative	For Complainant/Respondent	Mode of attendance
1.	Dr Manu Banga – Complainant	Complainant	Online
2.	Adv. Parv Garg – Counsel for Delhi University	Respondent No. 1	Online
3.	Adv. B.S. Rana – Counsel for PGDAV College	Respondent No. 2	Online

2. Record of Proceedings:

2.1 The Complainant submitted that Respondent No. 2 has not filed the roster of appointments of Persons with Disabilities (PwDs). He stated that during the last hearing, counsel for both Respondents had agreed to provide him with the roster prepared for the recruitment of persons with intellectual disability. In contrast, he himself belongs to the locomotor disability category. The Complainant contended that the Respondents have allocated seats reserved for PwD candidates to able-bodied candidates, which explains why they have not provided the details of the appointed candidates for two years since the filing of the complaint.

2.2 The Counsel for Respondent No. 2 submitted that the College has supplied a copy of the roster to the Office of the Chief Commissioner for Persons with Disabilities (CCPD). He further submitted that the College has completed recruitments in three departments. The status of other departments will be assessed in September, after which the matter will be referred to the University for a category change.

2.3 The Counsel for Respondent No. 1/University referred to paragraph 8 of the Department of Personnel and Training (DoPT) Office Memorandum dated 15.01.2018, which reads:

"8.1 Where in any recruitment year any vacancy cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reason, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the following four categories of disabilities, at one percent each to each category:

- (A)
 - (a) blindness and low vision;
- (B)
 - (b) deaf and hard of hearing;
- (C)
 - (c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims, and muscular dystrophy;
- (D)
 - (d) autism, intellectual disability, specific learning disability, and mental illness;
 - (e) multiple disabilities from amongst persons under clauses (a) to

(d), including deaf-blindness."

2.4 The Counsel for Respondent No. 1 submitted that the Complainant applied for the post of Assistant Professor in Computer Science. As per the College roster approved by the University, the vacancy for Assistant Professor in Computer Science was reserved for the Autism Spectrum Disability – Mild (ASD-M) category. In the first round of recruitment, the College could not find any suitable candidates for this post, so the vacancy remained unfilled. The following year, the post was advertised again, but no eligible person with ASD applied or was selected. In the third year, i.e., 2025, the College intends to apply to the University for permission to change the vacancy category as per the above-captioned DoPT OM. Upon the University's approval, a new recruitment process will be undertaken.

2.5 The Counsel for Respondent No. 2 confirmed that they will apply to the university for a change of category within the next 2-3 months.

2.6 The Court inquired about the usual timeframe taken by the College from the date of advertisement to the completion of the recruitment process. The Counsel for Respondent No. 2 submitted that he did not have instructions from the competent officers of the College to answer this query and undertook to inform the Court on the next date.

2.7 The Court directed Respondent No. 2 to apply to the University within 1 month to expedite the matter. The Court further directed Respondent No. 2 to submit details of the timeline and action proposed to be taken within 15 days. The Respondents also need to explain why the necessary action for the interchange of reservation was not done in the second recruitment year itself in accordance with Section 34 of the RPwD Act and the DoPT instruction cited by the Respondent No. 1.

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

**(Praveen Prakash Ambashta)
Dy. Chief Commissioner**