



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

5<sup>th</sup> Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364

Email: [ccpd@nic.in](mailto:ccpd@nic.in); Website: [www.ccdisabilities.nic.in](http://www.ccdisabilities.nic.in)

**Case No. 13734/1014/2023**

**In the matter of:**

**Shri Lokesh Gupta**

**... Complainant**

**Versus**

**The Reserve Bank of India**

**... Respondent**

### **1. Gist of the Complaint**

1.1 Shri Lokesh Gupta filed a complaint dated **14.12.2022** alleging violation of **Section 34 of the Rights of Persons with Disabilities Act, 2016**, during recruitment to **RBI Grade B (2022)**. The recruitment notification provided **22 vacancies** for Persons with Benchmark Disabilities (PwBD), yet only **8 PwBD candidates** were finally selected. The remaining **14 PwBD vacancies** were allegedly diverted to non-PwBD candidates, which the Complainant asserted was impermissible under the statutory reservation framework.

### **2. Notice to Respondent**

2.1 Notices dated **15.02.2023**, **24.02.2023**, and **20.03.2023** were issued under Sections 75 and 77 of the Act, calling for comments and supporting documents.

### **3. Reply Filed by Respondent**

3.1 The Respondent, vide reply dated **09.03.2023**, stated that although 22 PwBD vacancies existed, only 8 PwBD candidates were found suitable after interviews. The remaining **14 vacancies were carried forward** to the next recruitment year in accordance with **Section 34(2)** of the Act and **DoPT OM dated 15.01.2018**, which

governs horizontal reservation for PwBD.

3.2 The Respondent also provided its **Equal Opportunity Policy (2018)**.

#### **4. Rejoinder**

4.1 The Complainant was permitted to file a rejoinder but did not do so.

#### **5. Hearing**

5.1 A hybrid-mode hearing scheduled for **28.02.2025** was held, but the Complainant did not appear.

#### **6. Status Report Sought From Parties**

6.1 This Court issued an email dated **29.04.2025** to both parties seeking a status report on whether the grievance persisted. Through his email dated **02.05.2025**, , the Complainant unequivocally requested closure of the matter and stated:

*“I wish to withdraw the said case immediately.”*

6.2 The RBI, through its communication dated **05.05.2025** informed this Court that:

- (a) The Complainant had already sought withdrawal of the case vide email dated **02.05.2025**;
- (b) RBI had filed its reply on **09.03.2023**;
- (c) RBI's recruitment instructions have been **revised** to ensure the issue does not recur;
- (d) The **14 unfilled PwBD vacancies from 2022 were fully accounted for in the 2023 recruitment drive** notified on **09.05.2023**.

The Respondent requested closure of the case on the grounds that **further hearing was not required**.

#### **7. Observations and Recommendations**

7.1 The statutory scheme under **Section 34 of the RPwD Act** mandates that unfilled PwBD vacancies must be **carried forward** to subsequent recruitment cycles. The Supreme Court in **Union of India v. National Federation of the Blind, (2013) 10 SCC 772**, emphasised strict and faithful implementation of reservation for persons with disabilities, including proper maintenance of vacancies and prohibition of dereservation except under statutory conditions.

7.2 Based on the ATR and the materials on record, the Court finds that the RBI has complied with its statutory obligations. The unfilled PwBD vacancies from the 2022 recruitment cycle have been carried forward, and recruitment instructions have been revised to ensure future

compliance.

7.3 The Complainant has **formally and unequivocally** withdrawn the complaint via email dated **02.05.2025**, and subsequently through the CCPD communication dated **25.07.2025**. As the grievance stands redressed and the Complainant seeks withdrawal, no further adjudication is warranted.

8. In view of the above, and with the approval of the Commissioner for Persons with Disabilities, the complaint is **disposed of as withdrawn**.

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